Healing Women in Post-Conflict Rwanda:

A Foucauldian Discourse Analysis on Women's Perceptions of Transitional Healing through Gacaca and Sociotherapy

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Joint European Master's Degree in Women's and Gender Studies

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Abstract

The Rwandan genocide of 1994 triggered the rise of many transitional justice (TJ) initiatives, in order for the society to heal from a violent past. This project aims at investigating the relationship between women's 'transitional healing' and initiatives of TJ, engaging with a foucauldian discourse analysis. Mainstream theories and practices of TJ are directed towards society as a whole to heal from a violent past. This research counters this approach, considering the potential of individual healing through social practices of transitional justice, by bringing justice closer to the individual healing processes of Rwandese women. Gacaca and sociotherapy, two initiatives of transitional justice in Rwanda, serve as a case study and will be thoroughly examined through a foucauldian discourse analysis. This methodology will prove useful to explore how women give meaning to these processes of healing in a Rwandan context of patriarchal and ethnic power-relations. Through the examination of competing discourses in these spaces of transitional justice, the project will bring to light the major influence of discourses of justice on women's 'transitional healing'. This study wants to contribute to the field of gender and transitional justice, by reconsidering the use of today's mainstream practices in post-conflict societies. The introduction of 'transitional healing' offers a new theoretical approach to consider the needs of the female individual in the aftermath of conflict, employing notions of justice, truth, reconciliation and forgiveness to reach social justice. Concluding, this research might open the way for actors in the field to rethink programmes of transitional justice and recovery in societies in need of transition.

Abstract

Il genocidio in Ruanda del 1994 ha dato adito a molte iniziative di giustizia di transizione (GT) per guarire la società da un passato violento. Questo progetto si propone di indagare il rapporto tra la 'guarigione transizionale' delle donne e le iniziative di GT, utilizzando un'analisi del discorso foucaultiana. Teorie e pratiche tradizionali di GT sono dirette alla società nel suo insieme per guarirla da un passato violento. Questa ricerca sfida questo approccio e considera il potenziale di 'guarigione transizionale' attraverso pratiche sociali di GT, che portano la giustizia più vicina ai processi di guarigione individuali delle donne Ruandesi. I tribunali Gacaca e le terapie sociali di gruppo, due iniziative di GT in Ruanda, servono come un caso di studio e saranno accuratamente esaminate attraverso l'analisi del discorso foucaultiana. Questa metodologia si rivelerà utile per esplorare il significato che le donne attribuiscono a questi processi di guarigione in un contesto di relazioni di potere patriarcali ed etniche. L'esame dei discorsi di giustizia concorrenti negli spazi di GT porterà alla luce la grande influenza di questi sulla guarigione delle donne. Questo studio vuole contribuire agli studi di genere e GT, ripensando l'uso delle odierne pratiche dominanti nelle società post-conflitto. L'introduzione del concetto di 'guarigione transizionale' offre un nuovo approccio teorico che considera le esigenze della donna all'indomani del conflitto, impiegando nozioni di giustizia, verità, riconciliazione e perdono per ottenere giustizia sociale. In conclusione, questa ricerca potrebbe aprire la strada ai soggetti di GT per ripensare i programmi di GT e di guarigione nelle società che hanno bisogno di transizione.

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Introduction

This study aims at discovering the relationship between processes of transitional justice (TJ) and women's perception of 'transitional healing' in post-genocide Rwanda. I aim to investigate the potential of healing and transitional justice at the personal level, and how this individual healing eventually contributes to the healing of society as a whole. The scope of transitional justice systems is to reconstruct social ties and aim for a social just society after conflict, in which previous asymmetric power-relations are equalized. Social justice is consequently an important consideration in processes of TJ, and refers to a society's choice of distribution of wealth, resources and opportunities. Traditional TJ initiatives tend to reconstruct social ties in society, without considering the needs of individuals constructing that exact society. These initiatives of TJ are directed towards the society as a whole to heal from a violent past to re-establish a social just society. The focus lies on the restoration of communal relationships, concentrating on a social process of healing through truth commissions, criminal courts, etc. (Kriesberg, 2001). However, this study will assess whether this focus on the social is not overlooking the needs of the individual in these larger social practices. To consider individual's needs in processes of TJ, the concept of 'transitional healing' will be coined. This concept refers to different aspects which need to be addressed in processes of TJ in order for individuals to recover from a violent past and reach a social just society.

As I intend to focus this research on women's perceptions of 'transitional healing' through their different roles in processes of TJ, it is imperative to consider feminist theories about gender in transitional justice. Bell et al. (2004) have argued that gender sensitive approaches have too often been discarded in processes of TJ. Initiatives dealing with the past fail to deal with different, gendered experiences of women in times of conflict. These hardships do not only refer to sexual violence, but also to issues of reproductive health, economic and social inequality. It is therefore important, when employing this new found theory of 'transitional healing', to account for the specific needs of women when investigating the relation between their health and transitional justice.

To research the importance of 'transitional healing', I will focus on post-genocide Rwanda and its choices of transitional justice. It might be questioned why I am interested in Rwandan history and in these particular stories. Growing up in Belgium definitely played a role in triggering my interest for this topic. Belgian media coverage on former colony Rwanda has been acknowledging

Belgium's role in the genocide for several years now. Former Belgian Prime Minister Guy Verhofstadt asked Rwanda for forgiveness in 2000, in name of his country and fellow citizens. Consequently, this first involvement, my implicit apology to the Rwandan people fueled my interest to know more about this turbulent period. As a researcher I wanted to focus on the present and the future, which led me to the choice of researching the processes of transitional justice and their effects on women's health. I believe that 20 years after the genocide is a good moment to assess what has been done in terms of transitional justice and how these processes have healed women in Rwanda.

It is beyond the scope of this thesis to go into detail in the long historical conflict which preceded the genocide of 1994. However, some particulars have to be explained in order to have a full understanding of the dynamics of the conflict. Distrust between the Hutus and Tutsis have a colonial legacy of Belgians favoring the Tutsi minority for their administrative functions. Whereas the difference between Hutu and Tutsi lies originally in agricultural practices, colonial powers made it a difference of ethnicity. From Rwanda's independence on in 1962, clashes, violence and uprisings have been a constant factor until the civil war started in 1990. Next to ethnic tensions, also economic problems triggered distrust between the two groups and widened the already existing cleavage. The 'other' was responsible for the economic and social hardships. The Hutu majority in power, blamed the Tutsi for this difficult situation (Rombouts, 2006). The media started hate-speech against the Tutsi population, which was being degraded to non-humans and referred to as inyenzi or cockroaches (Fusaschi, 2000). A group of Tutsi in Uganda organized themselves in a rebel army, the Rwandan Patriotic Front (RPF), which invaded Rwanda in 1990 with the goal of pressuring the Hutu government to share power. This led to the Rwandan Civil War, which lasted from 1990 until 1993, when the Arusha Accords were signed to implement a Tutsi and Hutu government. Unfortunately, there was never a fully trusted peace agreement (Fusaschi, 2000; Mahmood, 2001). The trigger of the genocide was the assassination of the Hutu president of Rwanda, Juvénal Habyarimana on the 6th of April 1994, when his airplane was shot before landing in Kigali. The Hutu majority held the Tutsi rebels responsible and started their extermination. In 100 days, approximately 800.000 Tutsi and moderate Hutu were slaughtered (Fusaschi, 2000; Rombouts, 2006). The land of *les mille collines* became the scene of atrocious killings. Neighbors, who had been living together for years, started to kill and betray each other. When the RPF were notified that the genocide had started, they invaded Rwanda from the north. In July 1994 they arrived in Kigali and conquered the Hutu government announcing the end of the

genocide. The RPF committed crimes against humanity in their march to Kigali, by attacking thousands of unarmed civilians and raping Hutu and Tutsi women. This part of the story however, is often left out, as the conflict is believed to be the extermination of the Tutsi by the Hutu due to a dominant state discourse portraying the Tutsi as victims and Hutu as criminals.

The plan to exterminate the Tutsi population was not only by killing them, but also by impregnating the Tutsi women in order for them to give birth to the enemy (Fusaschi, 2000). The strategy of sexual humiliation was very effective, as the rape survivors became outcasts of society (Scheper-Hughes, Bourgois, 2004). Brownmiller (1975) argues that rape and sexual violence against women are used by men as a means of deterrence and a method of political and moral violence. The raping of women is not only to exercise power over them, but also to humiliate their relatives and communities. Rape as a method of ethnic cleansing points out the correlation between ethnicity and gender. This correlation will adequately be addressed in this research, by investigating the connection between patriarchal and ethnic discourses and power-relations. Scheper-Hughes and Bourgois remind us that during the Rwandan genocide, gender operated through all forms of violence. It was structured in a way to harness cultural notions of femininity and masculinity (2004). As the violence was always gendered, it is important to let gender operate through the forms of transitional justice implemented. A gender-sensitive approach is exactly what I will be looking for in this research, as I believe this is imperative for women to access 'transitional healing'.

It is clear that transitional justice was a number one priority after the genocide to deal with this horrible past. The two forms of TJ that will be researched are Gacaca (pron.: ga-TCHA-tcha) and sociogroup therapy. Gacaca is a grass roots, legal justice system and has a long tradition in Rwandan history. The word '*gacaca'* comes from 'lawn', which thus refers to doing justice on the grass, out in the open. This form of doing justice is based on local cultural traditions in the Rwandan communities. The judges of Gacaca are elected by both the people of the communities and the National Assembly. It is a participatory form of justice, punishment and judgement, while gathering information from the community (Uvin, 2003; Grohmann, 2009; Richters et al., 2005). Participation is mandatory and on the day of the trials, the whole community is expected to be present in order to discuss and argument the alleged acts of the persons on trial. Gacaca should be considered as a traditional form of TJ focusing on restoring broken relationships and healing the social. A four scale categorization was set up to penalize the criminals in a graduation system,

referred to as the Genocide Law from 1996 (Uvin, 2003). Category one includes the 'masterminds' of the genocide, the organizers of the killings and slaughters who abused positions of authority to instruct the genocide. These people who showed extreme cruelty and ferocity, and who committed sexual torture are judged in the national courts. People who fall in the other three categories (homicide criminals, offenders against individuals and property) are judged by the Gacaca courts (Dubois, 1997). The tribunals came to a close in June 2012.

In 2005, three years after the start of Gacaca, a Dutch team of therapists started to organize trauma therapy sessions to enhance reconciliation for the Rwandese people. With the help from the Rwandan Catholic Church and funds from Dutch organization Cordaid, volunteers were trained to counsel sociogroup therapy sessions which are still ongoing today (Richters et al., 2005). The sessions are organized for ten to fifteen people, with a local counselor guiding the sessions for nearly fifteen weeks. These groups consist of both men and women, victims and perpetrators, Hutu and Tutsi. Sometimes, also women-only groups are organized for the sessions. In sociotherapy it is important to listen to each other, talk and teach how to deal in a constructive way with a painful past. The reason for organizing these small, relational and intimate groups for dealing with the past is because the violence in the past was relational and intimate as well. Thus according to Richters et al. (2005) the process of transitional justice must be accordingly with the dynamics of the conflict.

As Rwanda's history and present are embedded in discourses of ethnic and gendered power-relations, foucauldian discourse analysis of the role of women in Gacaca and sociogroup therapy will shed light on the possibilities and limitations of 'transitional healing' in socially and individually oriented practices. The research questions this study is meant to answer are:

- How do Rwandan women perceive the possibilities of 'transitional healing' in Gacaca and sociogroup therapy?
- How do discourses enhance or limit women's access to healing in Gacaca and sociogroup therapy?

With this study I wish to contribute to existing research on gender and transitional justice. The way TJ initiatives address a legacy of gender-based violence influences the basis on which gender structures in the post-conflict society are built (Pankhurst, 2007). It is therefore crucial to evaluate how gender-based violence is addressed in both Gacaca and sociotherapy. Exploring the effects of

transitional justice systems is relevant for a society wishing not only to heal social ties or a society as a whole, but also and more importantly to heal individuals. The argument of this thesis is that we should account for the needs of individuals within social practices defined by discursive instances. The introduction of the concept 'transitional healing' is therefore important to focus on the needs of individuals within practices of TJ.

The practice of 'transitional healing' could be considered a toolbox, offering new possibilities to post-conflict societies to be implemented in processes of transitional justice. I consider 'transitional healing' as follows: the practice of healing individuals in transitioning post-conflict societies, accessed through individuals' need for justice, truth, reconciliation and forgiveness within a social reality to reach a state of social justice. This project focuses on healing the individual as a starting point to tackle social problems, and is thereby a new approach to mainstream theories of transitional justice. Furthermore, this project doesn't only bring knowledge to the academic field, but might also open the way for NGO's, state policies and other institutions to rethink programmes of transitional justice and recovery, not only in Rwanda but in all post-conflict societies in need of transition.

The first chapter offers a theoretical framework for my research and fixes an approach to the concepts I will use. This project addresses social justice through a participatory approach based on the theory of Nancy Fraser. Participatory justice is concerned with people's full participation in social life, overcoming discriminatory practices based on identity, gender, ethnicity, religion, etc. Fraser's foucauldian lens, furthermore intertwines the theory chapter and the methodology chapter. After establishing an approach to social justice, I will elaborate on theories and practices of gender in transitional justice initiatives. Lastly, I will introduce the concept of 'transitional healing' and how a consideration of this concept might advance mainstream approaches to transitional justice as a tool to heal the social.

The second chapter deals with an adequate methodology for this research. I will explain why a foucauldian discourse analysis will prove to be the best choice for investigating women's possibilities of 'transitional healing' in post-conflict Rwanda. The first part elaborates on foucauldian theory and the interconnectedness between discourse, justice and truth. These three concepts are crucial for this research and their boundaries will therefore clearly be delineated. Next, I will dwell on the procedures of employing a foucauldian discourse analysis, more specifically by enumerating different rules of exclusion, prohibition and rarefaction in discourses.

These 'rules of mastery' will hereafter be exemplified by concrete practices in Rwanda's TJ initiatives. Finally, I will contextualize the materials to be analyzed, introduce the function of documentary as a medium for my research and explain the relationship between discourse, materials and the archives.

The third chapter of this study concentrates on the analysis of the research material. I will analyze the experience of women's 'transitional healing' around four themes which recurred in the material: justice, truth, reconciliation and forgiveness. These are consequently four main elements which prove essential to be addressed in order for women to access a process of 'transitional healing'. These themes will be elaborated on in relation to both the theoretical framework and the methodology chapter, and I will discuss the results in relation my established methodological framework. This last chapter will concentrate on the perception of women's 'transitional healing' in Gacaca and sociogroup therapy, and illuminate the difference between a social and individual approach and its consequences for theory and practice.

The last chapter is followed by a section elaborating on the conclusions of this research, reflecting on my own findings and embeddedness of these outcomes in larger discussions on gender and transitional justice. Concluding, I will propose recommendations for future research and practice.

Chapter 1: Theorizing Transitional Justice in Rwanda

'The Hutu as a whole would have to bear responsibility for crimes committed by a minority' –
Andre Sibomana (1999, 113)

This chapter starts by considering an adequate conceptual approach to tackle the question of achieving social justice in post-conflict Rwanda. Rwanda's approach of participatory justice in its TJ initiatives will be explored more in depth, based on Fraser's interpretation of social justice. Taking Fraser as my starting point, I will argue that transitional justice in this light can be considered a tool of post-conflict societies to reconstruct society and achieve social justice. However, as I will shortly expose employing foucauldian theory, practices of TJ are embedded in discourses of power leading to different interpretations of social justice and different approaches of social reconstruction. The context of Rwanda will therefore be clarified and brought in relation to its choices of TJ. This will illustrate Rwanda's road to social justice. In this first chapter, I will also introduce the concept of 'transitional healing', how I will approach it and why it is important for the field of transitional justice.

This chapter is important to delineate the terms used in this research, but it is also intrinsically connected to the methodology which I will apply to analyze the materials. Fraser's theory of social justice can be situated in a foucauldian framework, as she follows Foucault's exploration of the borders of inclusion/exclusion within the dynamics of society. Important to keep in mind here is that discursive procedures, as defined by Foucault, majorly influence the possibilities of Fraser's theory of participatory justice. Therefore, I will allude to certain specifics of Fraser's theory of social justice in relation to Foucault's discourse theory, which will then be fully explored in the second chapter. In what comes next I will prove that my assessment of TJ relates to Fraser's approach of social justice and can be framed within Foucault's theory of discourse.

1.1 Considering an Approach to Social Justice

Social justice is most often defined according to Rawls (1971) theory of justice and is concerned with the distribution of wealth, opportunities and privileges within a society, in order for people to develop their full potentials. It is imperative to reckon social justice as the starting point for this research. First of all, because transitional justice evolved from this concept, wanting to achieve a social just society after conflict by performing a temporary form of justice. Secondly, because I will prove setting 'social justice' as an explicit objective for TJ is a prerequisite to achieve 'transitional healing'.

When we look at the violent history of Rwanda and the injustices a lot of innocent people suffered, it goes without saying that some sort of justice was needed to move on after these gross human rights abuses. But how exactly does one achieve justice after excessive violence, mutual respect after the Tutsi have been degraded to non-humans and inyenzi (cockroaches)? After the genocide power-relations shifted drastically in the country and Rwanda had to renegotiate what social justice meant for its people. The RPF Tutsi in power had to decide how to reconstruct the country and what form of social justice was to be implemented. This choice of what social justice means, for whom and under what circumstances, is not a neutral one. A choice for social justice is embedded in power-relations and based on dominant discourses as I will shortly expose. Two main currents of social justice can be discerned that employ different strategies to find an answer on how to reach justice and reconstruct societies. On the one hand we have legal theorists promoting theories of participatory justice, in which people and communities are involved in justice processes. On the other side of the spectrum we find theorists following Amartya Sen's (1989) capability approach, arguing that institutions should ensure people have equal capabilities to function within society, by consolidating economic resources and cultural values.

The newly installed Tutsi government decided to go with the participatory justice approach, by implementing a nation-wide program of doing justice which closely involved every single Rwandan: the Gacaca tribunals. This strategy was embedded in an idea of reconciling the country by letting its people decide how to deal with their past. However, this dominant justice approach triggered a counter-discourse. Western discontent about Rwanda's interpretation of participatory justice fueled another initiative of involving Rwandans in pursuing social justice: sociogroup therapy. As both initiatives' concern is to work closely with the local people, Fraser's participatory justice approach is best in place to consider the embeddedness of Gacaca and sociogroup therapy in a theory of social justice. Moreover, her commitment to combine gender justice and legal theories within a foucauldian interpretation makes her approach of social justice more than adequate for this research aspiring to explore women's perceptions and possibilities of 'transitional healing' through their participation in Rwanda's processes of TJ, to achieve a social and gender just society. In the following I will elaborate on Fraser's interpretation of social justice and how this can be applied to Rwanda's initiatives of TJ.

Rules of Engagement in Participatory Justice

Fraser regards social justice in terms of advancing parity in society, while overcoming social patterns that exclude groups from this right to equal social participation. This take on participatory justice focuses on relationships between individuals, groups and institutions, but is also closely connected to Foucault's view on a society's dynamics. He regards these exclusionary social patterns Fraser refers to as discourses of power having the vigor to exclude certain groups from access to power, social participation, justice, etc. Hence, both theorists work on a social theory revealing dynamics of exclusionary practices in society, exposing how individuals become subject to power. Fraser argues that an essential element in this form of justice is participatory parity. For participatory parity 'justice requires social arrangements that permit all members of society to interact with one another as peers' (Fraser, 1996, 30). In Rwanda however, Gacaca's participatory parity has not been interpreted in Fraser's terms of parity and equality. Not all Rwandan's are equals in the trials, because one group is judging over the other, without exceptions. Post-conflict Rwanda is structured along a hierarchy of ethnic power-relations, whereby the Tutsis are in power to judge over the Hutus. This is being effected through discriminatory practices of a state discourse of one-sided justice. Thus, the Rwandese are not on a par with each other, and this comes to the fore in the TJ processes erected by the government obstructing possibilities of participatory parity. It is therefore important to pay attention during the analysis to unequal power-relations both in the Gacaca trials and sociogroup therapy. This is thereby exactly why foucauldian discourse analysis is an excellent point of entry as a methodology to research the material. Moreover, I regard Fraser and Foucault working along each other, both interpreting modalities of power embedded in a social and political reality. Fraser claims that social justice is effected or discarded through the use or negation of participatory parity, but this implementation of participatory parity largely depends on the 'good-will' of ruling institutions, employing Foucault's discourses of power. I therefore regard Foucault's theory of discourse and power, as a prerequisite to consider the social context of Fraser's theory of social justice. Above that, we should not neglect the fact that Fraser's interpretation of social justice is in itself embedded in a Western dominant discourse of justice, which I will further on fully elaborate.

For Fraser, the core of participatory parity is gender parity, ensuring equal participation in social interaction between men and women. This requires equality in all social spheres, both the private and the public. However, in Rwanda patriarchal organization of the public and private spheres

persists. Before the genocide, a patriarchal social system allowed polygamy, denied women inheritance rights, forced women to defer decision-making positions to men and discouraged women from speaking in public (Uwineza & Pearson, 2009). However, Rwanda also made some impressive changes concerning women's positions: in 2003, Rwandans elected over 48% women to parliament, being the highest female representation on a national level worldwide. But we should be wary not to consider these numbers as proof of rising gender parity, as gender-based violence remains a common problem and children's ethnicity still depends on their father's (Uwineza & Pearson, 2009).

Fraser (2007) cautions that gender parity is not a matter of numbers, but a matter of quality, the fact of women and men being valued equally. If in pre-genocide Rwanda women were discouraged from speaking in public, then it is crucial to be attentive if these former patriarchal rules still weigh through in TJ processes and how these roles influence women's healing. Gender parity is of major importance in this research, because it amplifies gender justice. Gender justice is based on the principle that no single person should be discriminated or disadvantaged because of her or his gender. This idea is embedded in a theory of social justice, assuming that every person has the same freedoms, opportunities and choices (Gheaus, 2012). To ensure these equal opportunities, Fraser argues that participatory parity holds that material resources must be available for ensuring independence and a voice, and that the institutional and cultural patterns should express respect and equal opportunities. The latter refers to justice of recognition, whereas the former considers justice of distribution. Both approaches are indispensable in achieving a social just society. Distributive justice addresses claims of economic equality and redistribution of resources. If people are constrained in their participation in society due to economic structures, then they are done injustice and suffer from economic maldistribution (Fraser, 2008). The looting of thousands of properties and houses during the Rwandan genocide, majorly contributed to the rising of poverty and social inequality. To counter economic maldistribution Rwanda erected the Assistance Fund for the Genocide Survivors[1] (FARG), to determine who had the right to material reparations (Rombouts, 2006). However, FARG is imbedded in the state discourse of the Tutsi victim, wherefore it only reimburses genocide survivors and does not consider Hutus as acceptable beneficiaries. Justice of recognition should hence be a priority in ethnically divided Rwanda, as it aims at the acknowledgement of group identity, gender differences, autonomous personhood,

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[1] FARG was implemented through the Gacaca Law 02/98 on January 22nd 1998. It is officially referred to as the National Assistance Fund for Needy Survivors of Genocide (Republic of Rwanda, 2014b).

etc. Prioritizing justice of recognition would ensure parity of economic, social and political participation between Hutu and Tutsi, but also between men and women. In pre-genocide patriarchal Rwanda women were discouraged to speak in public. This led to misrecognition and gender imparity, as women weren't perceived as full participants in social interaction. Aoláin (2012) emphasizes the importance of justice of recognition as an integral part of transitional justice, because it focuses on and is important for the individual. Verdeja (2008) therefore argues that justice of recognition should be considered as a prerequisite for a healthy identity, inviting people to fully participate in society. It is thus crucial, when drawing a definition of 'transitional healing', to consider both justice of distribution and recognition. Moreover, Verdeja argues that in order for the processes of transitional justice to be successful and people being able to participate on a par with each other, the status of 'victims' should be combated and their status of citizen reinstated.

1.2 Transitional Justice: A Different Kind of Justice

Transitional justice is a temporary practice to achieve a social just society after an intense period of conflict. TJ is about confronting the past and agreeing on terms to transition to a better future. The central focus is the reconsideration of relationships of accountability and the need for political transition (Bell and O'Rourke, 2007). Societies engaging in transitional justice face the following dilemma: Do they pursue individual accountability of the worst human rights offenders or do they pursue the transition to a society of social harmony and tranquility (Little, 2006). Whereas the former refers to retributive justice, the latter addresses restorative justice. Retributive justice intends to legally punish criminals and human rights violators. Restorative justice focuses rather on the future than on the past, in order to achieve forgiveness and social harmony, to be able to reconstruct society. Recognition is an important aspect of restorative justice as it refers to the acknowledgement of responsibilities and culpabilities, while identifying perpetrators, victims and bystanders (Buckley-Zistel, Zolkos, 2011). But recognition alone is not sufficient for social reconstruction. There is a need for reparations, a moral response of the state to the past, while acknowledging its own role and responsibility (Verdeja, 2008). Reparations can be economic, referring to distributive justice or symbolic, referring to justice of recognition. Little (2006) believes that there should not be a trade-off between restorative and retributive justice, but that both types of justice are necessary for TJ to achieve a social just society. However, both forms of justice overlook the needs of the concerned individuals in these socially oriented approaches. I therefore

argue to take the individual into consideration within these social practices of TJ. The individual's needs to access a healthy identity through these processes of restorative, retributive and distributive justice to reconstruct the social should thus be the quintessence in TJ theory.

Dhawan (2011) refers to TJ as a travelling norm, preventing us from falling into the trap of universalism versus cultural relativism. This implies that Rwanda's choice of transitional justice was shaped by the specific context in which it emerged. This choice was one of punishing perpetrators, but the RPF government produced a state discourse portraying an ethnical/criminal divide: Tutsis are victims and Hutus are perpetrators. So unfortunately punishment was taken to the extremes and all Hutus were suspected of inciting genocide and held responsible. This is a first problem I want to tackle by considering an approach in which we take the individual into account in the social process. By focusing on the individual instead of the ethnic social within processes of TJ, perceptions of fairness in performing justice might be reconsidered on both sides of the ethnic divide.

However, the context of violence in Rwanda was not only ethnically-related, but also very much gendered. Over 500.000 women in Rwanda, both Hutu and Tutsi, have been victims of sexual violence, rape, enforced pregnancies and sexual slavery before, during and after the 100 days of genocide (Amnesty, 2004). Brownmiller (1975) argues that sexual violence during wartime is an enlargement of women's inferior position in societies. Therefore it is important that in processes of transitional justice it is acknowledged that women had different experiences during the conflict and had to endure other hardships than men. Thus, women should have an important function in both the design, implementation and processes of transitional justice, in order to grow towards their equal position in society and access 'transitional healing'. However, Bell et al. (2004) argue that mainstream transitional justice practices failed to incorporate feminist and gender-sensitive perspectives. Bell and O'Rourke (2007) bring to the fore three problems which have been identified by feminist theorists concerning gender and transitional justice. First of all, the lack of women in both the nature and the design of transitional justice processes. In Rwanda women were not involved in the design of the Gacaca trials, but they were part of its implementation representing 35% of the Gacaca judges (Amnesty, 2004). But as Bell and O'Rourke (2007) argue, an increased participation of women in processes of transitional justice, does not account for a feminist reshaping of the tradition and the processes. This relates to the second problem of TJ, namely the neglecting of the concept of gender in these processes: In Rwanda's national and local

courts for example, men haven't been considered as possible victims of sexual violence. The third issue relates to the fact that transitional justice has been theorized in mainly masculine terms, as the justice discourse is based on phallogocentric ideologies, which devaluate feminist conceptions and perspectives of justice as emotional or non-rational. Iris Marion Young (1981) argues that the strong division between reason and emotion in mainstream theories of justice can be considered as a form of sexist injustice, because the latter is connected to feminine traits and downgraded, and the former is linked to masculine traits and overvalued. However, Nussbaum (2001) emphasizes in her legal research that using reason does not necessarily mean the exclusion of emotion, and therefore both should be equally valued. This study will focus on the role of Rwandese women during these processes of TJ with a sharp eye for masculine/feminine spaces and sexist injustices hindering women's access to 'transitional healing'. With this research I also intend to rustle this neglecting of gender in processes of TJ, by focusing on the needs of the female individual to access 'transitional healing'. Next to that, pursuing the healing of the individual, means caring for and acknowledging the individual, while taking into account his or her priorities of social justice. Above all, considering gender and ethnicity when assessing 'transitional healing', will solve the above mentioned defects of present TJ practices and places the individual in a social and political reality.

This political reality, according to Charlesworth and Chinkin (2000), is that TJ is a legal, masculine tradition, based on male perspectives and therefore undervaluing and ignoring women's priorities and interests. Gacaca follows this masculine tradition, using male-defined concepts of violence: sexual torture is categorized as a category one crime, but does not include 'ordinary' rape, enforced pregnancy or the deliberately spreading of HIV. Also other violations, such as economic deprivation or social exclusion after the genocide have not been put into this frame. This hence corresponds to a tradition of neglecting female experiences of different human rights violations (Vijeyarasa, 2013; Aoláin, 2012). Aoláin challenges feminist scholars to 'address with more precision and imagination the experiences of harms done to women, finding new ways to acknowledge fully the complexity of harm for women in transitional contexts' (Aoláin, 2012, 207). Feminist TJ scholars plead to overcome the tradition of transitional justice theories to solemnly see women as victims of rape and other forms of sexual violence, because this fixation shapes their identities as passive victims in need of male protection (Vijeyarasa, 2013; Bell and O'Rourke, 2007). This fixation would also entail some sort of stratification of women's rights, sexual rights over social or economic rights. Such stratification would work counter-productive in post-conflict

Rwanda, where over 50.000 widows and wives of imprisoned husbands had to break patriarchal roles to gain new responsibilities of social and economic independence (Uwineza & Pearson, 2009)**.** Another issue put to the fore by Vijeyarasa (2013), Buckley-Zistel and Zolkos (2011) is the neglecting of the continuum of violence women experience, from the private domestic sphere to the public sphere and from wartime violence to peacetime violence. Gendered violence does not start at the moment of political instability or conflict and ends with the transition to democracy. Violence may occur for long after the peace accords have been signed, and the scars of the conflict stick on people in different forms, such as socio-economic difficulties, unemployment, unwanted pregnancies and HIV/aids infections. Sigsworth and Valji (2011) call the violence against women after conflict an assertion of power. It is therefore important for a project in search of 'transitional healing', to open up the scope of violence against women, both in content and time span. The focus on women's individual healing might therefore be a solution to consider the broadness of violence against women and assess the female individual's needs and priorities of social justice in post-conflict societies.

Aoláin (2012) criticizes previous gender oriented work for generalizing women's priorities during transitional justice processes, assuming that all women prioritize issues as memory and truth, while ignoring other important issues such as reproductive health or social and economic equality. Gender justice therefore does not only mean the prosecution of gendered or sexual crimes against women, but it also refers to the need of equitable relationships between men and women, during and after the processes of transitional justice (Dhawan, 2011). Thus, a more gender sensitive approach in praxis, should oppose the inhospitable processes of transitional justice, such as truth commissions or courts which now solemnly focus on the crimes of the perpetrator and not on the dignity of the victims or their priorities of justice. Accounting for the risk of returning to unjust power-relations, transitional justice should not just focus on the gendered violence women experienced, but also on the (re)construction of healthy and durable relationships between women and men, in order to achieve gender just peace. This focus on women's relationships also underlines the importance not to consider the individual as alien to social practices. Although I argue to assess the needs of the individual within processes of TJ to access 'transitional healing', this consideration should be situated and developed within the larger context of achieving social justice. Hence, the individual should be considered in relation to the community and the social.

Rwanda's slogan for a good future was '*No peace without justice'* (Grohmann, 2009). Telling truth and granting amnesty, as happened in South Africa's Truth and Reconciliation Commission, would simply not cut it after the hundreds of thousand massacres. Therefore the government decided to turn to a legal justice framework: the Gacaca tribunals, pursuing retributive justice by punishing criminals. Nevertheless its focus on retribution, Gacaca also wanted to spirit reconciliation, embedded in a restorative approach, bringing back together the community and restoring broken relationships. Waldorf (2009) argues that instead of reconciling Gacaca separated communities even more, as it encouraged people to accuse. It became more about vengeance and retribution than about peace and reconciliation. Places of reconciliation and justice, such as Gacaca, should be considered as social spaces where people can express themselves, talk to their community and speak up about their pain. Yet, in the Gacaca environment it is not easy to speak publicly, as there is danger for repercussions after speaking truth in these public spaces. A report from Human Rights Watch (2007) shows that people who testified during the Gacaca tribunals were prone to repercussions. Thus, contrary to what was the scope of the courts, telling truth and involving the community in this process of retributive and restorative justice, witnesses are not safe to speak truth in this public space. This is especially true for women, where a patriarchal discourse excludes them from their communities if they speak up about the sexual violence they suffered. Whereas originally the tribunal was supposed to bring charges against sexual offenders, this was reversed because of women's reluctance to speak about these experiences. In 2004, a new Gacaca Law bans public accusations of sexual violence, leaving Rwandese women no opportunities to get rape-related justice (Waldorf, 2009). My argument is that the fundamental weakness of Gacaca is that it does not take the personal as its starting point. Hence, my proposal to focus on the individual's healing within the social context, would mean e.g. offering the individual a space safe from repercussions to reach this healthy identity. It is therefore important to consider the access to these safe spaces in relation to my research question 'How do Rwandan women perceive the possibilities of 'transitional healing' in Gacaca and sociogroup therapy'.

Whereas Gacaca has handled a rather ethnic discourse, of Tutsis judging over Hutus, sociogroup therapy tries to counter this dividing discourse by including both Hutus, Tutsis, victims, bystanders and perpetrators in the therapy sessions as equals. It furthermore attends to create a safe space for individuals to talk about their experiences without having to fear for repercussions. Annemiek Richters, one of the founders of sociotherapy in Rwanda, states she wanted sociogroup therapy to be the emotional groundwork for Gacaca. By this it is implied that emotional intelligence is lacking

in Gacaca and that its TJ process is mainly based on rationality. In Gacaca, where storytelling is used to find objective truth, the focus on reason has been overshadowing possibilities to show emotions. I therefore make the assumption that the restrictions to out emotions during the Gacaca proceedings obstructs women's access to 'transitional healing', because transitional justice, and more importantly, 'transitional healing' cannot be built on reason alone. At the same time, sociogroup therapy leaves space for the emotional side of storytelling, countering the factual and objective truth which is sought in Gacaca. The strong focus on the recognition of pain, feelings and experiences of the community members in sociotherapy is one way of working towards a healthy identity. As Verdeja (2008) has argued, a healthy identity starts with the recognition of individuals and the acknowledgement of their pain and worth.

The main goal of sociotherapy is the re-establishment of social relationships with the community, through sharing personal everyday experiences with other members of society. The reintegration in the community is the final objective of the counseling process. Hence, sociotherapy aims at restorative rather than retributive justice. This process is canalized by the intention to re-humanize 'the other' after his degradation to cockroaches, to fuel the interest in 'the other's' subjectivity and to develop empathy (Richters et al., 2005). However, this research does not want to put sociotherapy on a pedestal, but rather critically analyze if this intense focus on the individual can be an alternative to the mainstream TJ approach of Gacaca to reach social justice. As I have argued to use Fraser's interpretation of social justice, I commit myself to sticking to her definition of the concept: For social justice to be achieved, there is the need for participation, recognition and also the material conditions (i.e. distributive justice) have to be met. Sociotherapy's goal to reintegrate people in society through therapeutic sessions does not imply it establishes social justice. Critical analysis will uncover the differences between socially and individually oriented approaches in TJ and their influence on women's 'transitional healing'. This analysis will then provide an answer to the question of how women perceive the possibilities of 'transitional healing' in socially-oriented Gacaca and individual-oriented sociogroup therapy.

1.3 Introducing Transitional Healing

With this research I aim to expose dynamics in Gacaca and sociotherapy contributing to reconstructing a healthy identity for women. I therefore want to introduce the concept of 'transitional healing', referring specifically to a process of individual healing in post-conflict societies within initiatives of TJ. The concept is important within research and practices of TJ,

because it considers the individual's needs and priorities of social justice within larger social dynamics.

TJ theories discussed earlier are often described in general terms of repairing broken relationships and bonds of torn up communities (Little, 2006; Kriesberg, 2011). Consequently, we see a tendency of TJ focusing on the healing of society as a whole, through a focus on communal relationships. I will further on maintain that this overtly social focus ignores the care, attention and needs of individuals in TJ healing processes. I therefore argue that TJ is in theory and practice too straightforward in searching to heal society, because these theories and practices overlook the needs of individuals. This research will plead for TJ theories and practices to focus on the individuals of post-conflict societies and how they relate to the social to restore their broken relationships towards a healthy and social just society. Accordingly, it is important to define what a healthy individual actually means. Verdeja (2008) and Aoláin (2012) have phrased that recognition is a crucial aspect of achieving a healthy identity, because it focuses on the individual. These feminist theorists focus on recognition as an essential part of doing justice for the achievement of individual health. Not only justice of recognition or symbolical reparations are important, but also the material conditions for restoring one's healthy identity. As human rights violations have to be considered as doing harm to people in several ways, on both symbolical and economic level, the process of individual healing has to be considered correspondingly. Thus, I argue that in processes of individual healing we should also focus on material reparations, because economic uncertainties might prove to be an obstacle in the reintegration of women in society. Healing individuals, within a context of reaching social justice, should thence be considered on a symbolical and material level as has been petitioned by Fraser (2008). Symbolical processes of 'transitional healing' encompass those initiatives focusing on restoring relationships, the selfhood of individuals, and the level of empathy and caring for others etc. In sum, all initiatives focusing on forms of restorative justice. Economic processes of 'transitional healing', include material reparations for losses suffered and can be put under the practices of distributive justice. I here want to underline the importance of doing justice in order to access 'transitional healing'. Horne (2013) argues that a sense of social justice, whether in recognition, retribution, restoration or distribution, is a crucial factor in the recovery process. Therefore, in order to achieve 'transitional healing', 'obtaining social justice' should be an explicit objective in TJ mechanisms (Zolkos, 2012).

Zolkos (2012) asserts that, next to doing justice, truth telling is immensely important in the path to individual healing. Also Chapman (2009) has underlined the importance of storytelling in processes of transitional justice in the face of dealing with traumatic experiences. Therefore, solely punitive idioms of pursuing TJ are an obstacle to the socio-psychological healing of traumatized survivors. Chapman pleads for TJ mechanisms to focus on truth-telling fora to pursue individual healing, because the attention on traumatic experiences enhances social reconciliation. The South African Truth and Reconciliation Commission has distinguished between four kinds of truth in its reports, of which 'healing or restorative' truth is the most important for this research (Chapman, 2009). This 'healing truth' refers to the fact that people are validated for telling their experiences, and that they are being recognized in their suffering and traumatic memories. 'Healing truth' is the confirmation that someone's pain is real and worth talking about, and this perfectly fits in the theory of recognition which I elaborated on earlier. Cole (2010) agrees on the importance of personal narratives for overcoming trauma: Personal narratives have the capacity to empower, to repair emotional and physical damage and to engage in personal healing and social reconciliation. Two elements are according to Kaminer (2006) crucial in the process of healing through storytelling. First of all the space for emotional catharsis, where emotions can be expressed and traumas mentally relived. Repressing women's traumatic and emotional experiences thence hinders their psychological healing (Zolkos, 2012). Secondly, the presence of an empathic and acknowledging public or witness. This refers to the need for recognition from an audience acknowledging the story being told and is closely connected to the notion of 'healing truth' (Kaminer, 2006; Mauldin, 2009). Still, it is especially the presence of officials in an empathic audience which contributes to the healing process (Horne, 2013). This presence of an acknowledging audience justifies the reasoning that even though 'transitional healing' means to focus on the individual, it cannot be achieved in a solitary process: 'Methods of healing and rehabilitation are linked to social processes of reconciliation and peace building' (Santa Barbara and MacQeen, 2004, 385). This refers to the fact that 'transitional healing' cannot be achieved by individualistic approaches, but has to be implemented in relation to others. Also Horne agrees on this element in the path to 'transitional healing': 'Coming to terms with a traumatic experience appears to be linked strongly with thinking about the self in relation to others' (2013, 445). It should thus be emphasised that, even though I intend to focus this project on the individual healing of women, their healing only happens in relation to others, within a social context.

Different aspects of 'transitional healing' have been put to the fore, of which doing justice and a space for storytelling/telling truth are the more sustainable ones. However, I do not intend to give an exhaustive meaning to the process of 'transitional healing', as the research process might bring to light other substantial aspects of women's 'transitional healing'. Introducing 'transitional healing' as a concept is important for the field of TJ studies, because it assumes an important role and cares for the individual within the TJ processes, rather than viewing them as beneficiaries of those TJ initiatives trying to attain social justice.

I thus consider it imperative to consider the needs of the gendered and ethnic individual within the practices of transitional justice. It is therefore crucial to ask the question of how women in post-conflict societies perceive the process of healing through socially and individually oriented practices of TJ. However, accounting for the individual within this larger social context also means acknowledging the manifest and latent power-relations at play in society. In what comes next I will elaborate on Foucault's conception of discourse and power, to show how these power-relations manifest themselves in Rwanda and how they influence the discourse of justice and the position of the Rwandan woman in Gacaca and sociogroup therapy.

Chapter 2: Towards a Methodology of Discourse Analysis

'Focus on the politics of knowledge is a methodological commitment to how history's exclusions are secured and made' – Ann Laura Stoler (2009, 45)

This study aims at discovering how spaces of transitional justice contribute to the 'transitional healing' of women in post-genocide Rwanda. In the first chapter, the central concepts social justice, transitional justice and 'transitional healing' have been explained. We know now that the introduced concept of 'transitional healing' consists of two important characteristics: doing justice and speaking truth. Both features should be considered while investigating how spaces allow women to heal after violent conflict. The importance of 'transitional healing' has been made clear in relation to social and transitional justice. To fully understand how processes constrain or enhance Rwandese women's 'transitional healing', foucauldian discourse analysis will be applied as the methodology for this research, because both processes of TJ produce a certain discourse within a Rwandan reality.

Realms of discursive practices conceptualize a domain in which knowledge is produced and power exercised. Discourses are inscribed in language, institutions and social practices of daily life and set the material conditions for society (Foucault, 1970). The Rwandan government effects a politics of differentiation between those who have access to justice and those who have not. One of the material effects of the official justice discourse in Rwanda is the implementation of specific forms of transitional justice mechanisms and thence the exclusion of others. As this research aims at studying two forms of transitional justice and their effects on women's 'transitional healing', it is crucial not to consider the erection of these processes in a social void, but rather to consider them as effects of and embedded in specific discourses. These discourses are intrinsically connected to power-relations, and in the case of Rwanda the dominant discourse is connected to an authoritarian state. Hence, discourse analysis will help to read the chosen material, as it takes into account the political and cultural context which shape the meaning of women's role in processes of transitional justice. Applying a foucauldian discourse analysis is crucial to understand the spaces in which Rwandese women have to engage in the path to 'transitional healing', because such analysis will expose its limits, constraints and exclusionary functions. Furthermore, discourse analysis can provide an answer to the research questions due to an in-depth consideration of women's limitations and possibilities in the discursive formations of Gacaca and sociotherapy.

Next to that, three problems that come to the fore in the transitional justice environment of Rwanda, can be situated and explained by applying a foucauldian discourse analysis. First of all, the problem that Gacaca courts have been prosecuting only Hutu's. Secondly, the prohibition to talk about sexual violence in the Gacaca courts. Thirdly, the patriarchal Rwandan culture excluding women from society and stigmatizing them after having experienced sexual abuse. These three critical issues in women's road to 'transitional healing' will be elaborated in this chapter and the importance of discourse analysis regarding these issues explained.

2.1 Discourse, Justice and Power

I am concerned with the relationship between spaces of transitional justice and 'transitional healing', and how the former makes the latter possible. As the effects of transitional justice processes will be considered, we need to discuss the discourse of justice in which these processes operate. Justice as a discursive field refers to the relationship between a legal and reconciliation language, institutions concerned with judicature, subjectivity and power, where competing, central, peripheral and sometimes contradictory discourses arise. This research is involved with mainly two dominant discourses of justice, Rwandan and Western. The theories of justice that have been discussed in the first chapter, are imbedded in a Western hegemonic frame. In Western academia and practice, those are the accepted theories of justice with the greatest value and authority, thus making it a central and dominant discourse in the field. This Western discourse of justice is mainly a legal one, imposing its interpretations of doing justice on a global scale. In post-conflict Rwanda, a Western figuration of justice was enforced in less than three months after the genocide, to deal with its aftermath. On November 8th 1994, the United Nations Security Council decided to create the International Criminal Court for Rwanda, to prosecute people responsible for the genocide and contribute to the stabilization of peace in the country (ICTR, 2014).

Next to this Western discourse of justice, a parallel Rwandan interpretation of doing justice rose to deal with genocide crime offenders, in the form of the community based Gacaca tribunals. This Rwandan alternative of justice was strongly criticized by the hegemonic Western discourse. Western based organization Amnesty International, condemned the Gacaca courts in Rwanda even before they were put into practice. Amnesty's main concern was that 'fundamental aspects of the Gacaca proposals do not conform to basic international standards for fair trials guaranteed in international treaties which Rwanda has ratified' (Amnesty International, 2000, 2). These standards are proof of the reproduction of the Western discourses of justice, suppressing

alternative discourses which fall out of the frame. Foucault refers to this as 'a delimitation of the field of objects, the definition of a legitimate perspective for the agent of knowledge, and the fixing of norms for the elaboration of concepts and theories. Thus, each discursive practice implies a play of prescriptions that designate its exclusions and choices' (1977, 199). The effect of this framing of a dominant discourse, is the impossibility to think beyond it. Aoláin (2012) criticizes the Western dominant discourse which is used when talking about TJ, as we always speak of those in need for transition to a democratic society 'over there', in those exotic 'other' countries. We never speak of transitional justice over here, in our Western societies. Also Susanne Buckley-Zistel and Magdalena Zolkos (2011) address this issue in their introduction to '*Gender in Transitional Justice'*. They state that there is a conflict of the Western hegemony of transitional justice processes applied on local practices of the other. If we think about the International Criminal Court for Rwanda, then we see a Western institution judging over African genocidaires, taking its responsibility to step in where national justice appears to fail in Rwanda. The danger of using this theoretical framework for my research lies in the risk of following a Western epistemological dominance of theories of justice, downgrading and denigrating traditional African interpretations of transitional justice, such as Gacaca. It is therefore important to be aware of the usage of these theories, as they constitute the framework of knowledge through which I will decipher discourses.

The essential difference between regular discourse analysis and foucauldian discourse analysis is that the latter takes into consideration the relations of power which are expressed through different forms of language and social practices. As a constructivist sociologist, I firmly believe that no discourse analysis can be conducted without holding the context of power-relations in which the discourse is created accountable. Especially in the Rwandese environment elaborated on earlier, where a Tutsi minority is in power through authoritarian rule, we should not forget that discourses are inextricably linked to the social context in which they arise. Foucault (1970, 52-53) states that 'discourse is the thing for which and by which there is struggle, discourse is the power which is to be seized'. This indicates the importance and powerfulness of discourse, and has to be elaborated on in the context of the research topic. 1994 constitutes an important landmark for the development and shift of discourses in Rwanda. The end of the genocide, when the RPF conquered the capital of Kigali, marked the rise of a particular discourse of justice. We can thus take Foucault's notion of 'seizing discourse' quite literally. The established justice discourse in Rwanda is solely based on the historical event of the genocide. Whereas in Western countries we speak of the Rwandan genocide, the Rwandan government, which represents the official

discourse, speaks of the 'Genocide against the Tutsi' (Republic of Rwanda, 2014). This immediately implicates that the Tutsi population has been wronged, and therefore justice has to be done to this group of people. The discourse of justice after the genocide in Rwanda is very controversial. First of all, because there has been some disagreement on the number of casualties during the genocide. Academics speak of 500.000 to 700.000 victims, UN documents consider 800.000 deaths and the Rwandan government puts the death toll on one million people (Strauss, 2014). Secondly, the official discourse of justice led to the choice of legal punishment as practice of transitional justice. Local Gacaca became a system of maximum punishment, with over 100.000 Hutu's accused and convicted. After the genocide, the newly installed RPF Tutsi government decided to punish all Hutu's involved in the genocide. While the RPF officially ended the genocide, they were also responsible for tens of thousands of deaths in the period of April to July 1994 (HRW, 1999). Nevertheless, the government decided that no Tutsi could be accused in the Gacaca tribunals, enforcing this one-sided form of justice and exercising their power over the Hutu criminal. A third element of controversy is that Rwanda's discourse of justice, only focusing on the genocide, excludes all non-genocidal crimes. This means that crimes committed by the Rwandan Patriotic Front against the Hutu population, before, during and after the 100 days of genocide, are not taken up in the justice discourse. The experiences of suffering of the Hutu have not been acknowledged and are excluded from the right to justice. This is exactly what Foucault (1977) refers to when he argues that discursive practices designate exclusions and choices. The dominant discourse reinforced the idea of Hutu perpetrators and Tutsi victims and furthermore set the frame for Rwandan history in an international perspective. The Rwandan discourse has been referred to by Scott Strauss, author of '*The Order of Genocide: Race, Power and War in Rwanda*', as one of winners and losers (Strauss, 2014). As I already suggested, this powerful discourse has had consequences on a practical level: the initiatives that have been erected by the Rwandan government to deal with the past and bring justice, have been targeting mainly the Hutu population, being trialed in the grassroots Gacaca courts. This brings Foucault's theory of how discourse has the power to include or exclude immediately into practice. 'In every society the production of discourse is controlled, organized, redistributed, by a certain number of procedures whose role is to ward off its powers and dangers, to gain mastery over its chance events, to evade its materiality' (Foucault, 1970, 52). Foucault argues that discourses are held in place through constraint and social control, reproducing the social system through procedures of mastery. The first is the procedure of exclusion, implemented through rules of prohibition. These are

subcategorized in 'taboo on the object of speech', 'the ritual of the circumstances of speech' and the 'privileged or exclusive right of the speaking subject'. In post-genocide Rwanda, these procedures of prohibition are apparent in the Gacaca tribunals. The exclusive right of the speaking subject is attributed to the Tutsi by prohibiting the Hutu population from accusing Tutsi's of violence during the genocide. This practice excludes them from the right to justice, and might consequently constrain Hutu women in their process of 'transitional healing'. The taboo of the object of speech is realized in the prohibition to talk about sexual violence in the Gacaca courts. Whereas originally women were supposed to bring charges against offenders of sexual violence, hence forcing them to speak about abuse in public, this was reversed in 2004. Women did not want to tell these painful stories in front of their neighbors, because they risked stigmatization and exclusion. Hence, in 2004 the new Gacaca law banned public accusations of sexual violence (Waldorf, 2009). Prohibiting this object of speech suppresses a discourse which is to be kept silent: namely the fact that RPF Tutsi soldiers exerted sexual abuse over Hutu and Tutsi women. The prohibition to talk about sexual violence excluded women from certain spheres of achieving justice and might have affected their 'transitional healing'. The prohibition to talk about sexual abuse in the Gacaca trials is furthermore connected to severe forms of punishment if this rule is broken. Patriarchal discourse imposes social practices of exclusion as punishment on women who have been raped and tell this truth in Gacaca. Women are no longer marriageable and become the laughing stock of the community. The third form of prohibition, rituals and circumstances of speech, has been completed by the strict rules and procedures of the Gacaca tribunals. For example, alleged killers on trial in the Gacaca tribunals, are people who were released from prison after confessing to be involved in criminal acts and asking for pardon. The Gacaca tribunal is then a 'chance' to be judged by your community and ask them for forgiveness. The atmosphere in Gacaca is one of reconciliation and forgiveness, and hence enforces this attitude of reconciliation on the whole community, pressuring them to forgive.

A second rule of exclusion is the rule of division and rejection. Foucault (1970) explains how opposing reason to madness, devaluates the discourse of the madman. The madman is symbolically allowed to speak, but his discourse is considered as lacking truth and unimportant. The madman's discourse does not have the same currency as others (1970, 53). What if in Rwanda traumatized women are considered madwomen? Are their speeches, their accusations or their testimonies as witnesses considered important? In post-genocide Rwanda, numerous women suffer from *ihahamuka*, a symptom labeled as a post-traumatic stress disorder. The physical and

psychological distress draws attention, as women suffering *ihahamuka* often run away, sometimes screaming, by the remembrance of traumatic events during the genocide (Richters, 2014). Analyzing how these women are regarded in Gacaca and sociotherapy, and what value is given to their stories, will definitely give an insight in the delimitation of discourse and the potentiality of 'transitional healing'. The last principle of exclusion is opposing truth versus falseness. Foucault questions our will to truth, 'the division which governs our will to know' (1970, 54). He states that truth is no longer connected to the exercise of power, it is no longer precious and desirable. Our will to truth is therefore dependable on institutions and presented as an objective truth. Institutions produce, reproduce, distribute and valorize truth in society, and hence constrain and exclude certain discourses. In Rwanda the educational system has an important role in preserving and reproducing the official post-genocide discourse. In 'Notebook of Memory' (Aghion, 2009) we see how a teacher instructs her students to repeat after her the 'facts' of the genocide, as ordained by the Rwandan government. Teachers are figures of authority, and therefore make this discourse credible and authentic. Furthermore, the institution of Gacaca is another mechanism of reproduction. Gacaca searches for a certain type of 'truthful' discourse within the accusation of the Hutu perpetrator. Thus, as Foucault rightly argues: 'The one who desires knowledge is already the one who possesses it or is capable of possessing it' (1970b, 16). Only discourse of Hutu-accusation is considered true and valuable, whereas discourse of the Tutsi perpetrator is skillfully suppressed, by prohibiting his accusation.

However, I here want to emphasize that this research does not intend to perpetuate divisions between true and false in the phase of analysis of personal stories and collective memories. It is not my intention, nor my place to judge over the truthfulness of these women's stories. I rather regard this project as putting a lens on women's stories and role in different forms of transitional justice initiatives, and how this contributes to their 'transitional healing', without taking into consideration whether these stories are true or not. Especially since the question of true and false is related to the question of power. It is through the desire for a truthful discourse that Gacaca succeeded in attaining such a powerful position in Rwanda. By this I do not intend in any way that, as I alluded earlier to sociotherapy as offering a space for counter-discourses, that the stories told in sociotherapy are more truthful than those uttered in Gacaca. Thus, I am not researching women's truthful stories, but rather the spaces in which women feel they can share their stories to access 'transitional healing'.

The second group of procedures of control and constraint are internal procedures of rarefaction, whereby discourses limit themselves and exercise their own control (Foucault, 1970). This leads to an increasing scarcity of discourse, and is exactly that what will be revealed by performing discourse analysis. Instead of unveiling a plentitude of meaning, the analysis of discourse produced in Gacaca will unravel the lack of meaning. The prohibition of sexuality speech in Gacaca, that what cannot be said and is unreasonable to speak about, reveals the imposed scarcity of discourse in the Gacaca procedures. Instead of solely attributing significance to what is said or done, scarcity and lack of meaning in discourse will provide a meaningful insight into women's relation to transitional justice and its effects on their wellbeing.

Rarefaction can furthermore be imposed on the speaking subjects, by attributing them roles. This is the third procedure of mastery, conditions of application, Foucault (1970) brings to the fore. By imposing certain rules on who gets to speak under what circumstances, access to discourses might be open or yet very restricted. Before having access to the discourse, the qualified speaking subject has to meet all the–in Rwanda ethnic-requirements to do so. Gacaca tribunals follow exactly these procedures of rarefaction of the speaking subject. Access to the Gacaca courts are limited for the Hutu's and yet unrestricted for Tutsi's. The function of doing justice it undertakes is not the same for the Tutsi or the Hutu population. It can be considered a ritual, defining how the president of the jury must speak, in what terms of interrogation the witnesses must speak: speaking out the words Tutsi and Hutu is strictly forbidden, but referring to the ethnic groups as us and them is perpetuated.

These procedures of mastery will help establishing the role of women in the Gacaca trials and sociogroup therapy, and analyzing whether these women's discourses are restrained, controlled, managed or censured. This process will unveil hierarchies of credibility and processes of exclusion, which will position women as subjects in this game of power and shed light on women's processes of 'transitional healing'. Herein it is important to realize that power does not belong to social agents but to social practices. Power is embedded in social practices and people become subjects to these discursive instances. In order to explore power-relations in which the individual becomes a subject, Foucault proposes in *The Subject and Power* (1982) to investigate forms of resistance, struggles giving rise to a counter-discourse which questions the validity and legitimacy of a certain discourse. Discourse incites counter-discourse and this study means to investigate whether sociogroup therapy can be considered as a counter-discourse. It is important however, to

delineate the borders of what I intend by counter-discourse. For this I will follow Foucault's interpretation of the term in a 1972 conversation between himself and Deleuze. Deleuze mentions how fundamentally important Foucault's teachings of 'the indignity of speaking for others' are in theory and practice. Foucault's answer to this is that a counter-discourse is produced when those who are normally spoken for, initiate their own discourse. This counter-discourse is then a discourse against the power attempting to repress them (1972, 209). In this sense, sociotherapy might create an alternative space for women, who are voiceless to raise the issue of sexual violence in Gacaca, to talk about their traumatic experiences. Sociogroup therapy does not follow the Rwandan discourse of the genocide against the Tutsi's. It is not concerned about the dividing discourse of Hutu-Tutsi, victim-perpetrator. Rather, it is an emerging space not meant to accuse the Hutu perpetrator, but to bring communities together and let them talk about the past. This space does not forbid women to talk about sexual violence, neither does it forbid Hutus to talk about their suffering. Therefore, I consider sociogroup therapy as part of a counter-discourse, encouraging formerly voiceless women to speak out, rubbing against the dominant state discourse in Rwanda, which might contribute in a significant way to Rwandese women's 'transitional healing' and develop new subjectivities.

2.2 Employing Foucauldian Discourse Analysis

The aim of discourse analysis is to 'leave oneself free to describe the interplay of relations within it and outside it' (Foucault, 1972, 29). It is thus necessary, if using discourse analysis as a methodology, to consider power-relations in and outside discourses, regardless its materiality. I therefore intend to look beyond the mere act of speech, of what was said in documentaries and interviews. This study will include the power-relations constituting the discourse in Gacaca and sociogroup therapy, in order to expose the possibilities women have in assigning significance to their experiences and finding a place for 'transitional healing' in these spaces of meaning and lack thereof.

In order to achieve this, the analysis of discourse in Gacaca and sociogroup therapy needs a 'political mapping of the forms of power exercised, in discursive and other practices' (Young, 1981, 48). It is important to construct this carthography of political powers, because in Rwanda several discourses of justice circulate which show power differentials in credibility, value and authority. Gacaca courts can be considered as the puppet courts of the Tutsi government, exercising strict control over the discourse produced within these courts. Instead of opening up justice (and

consequently 'transitional healing') to everyone, Gacaca only satisfies the need of justice for the Tutsi population. The design of justice in Rwanda has thus been influenced by the political power of the Rwandan government and its institutions. Sociogroup therapy on the other hand, works independently from the government and is embedded in a discourse influenced by Western powers. As the discontent about Rwanda's choice of one-sided justice grew, sociotherapy, financed by Western development organization Cordaid, was on the rise. The ideal of sociotherapy is to include all parties in processes of healing, without excluding or punishing one ethnicity. We hence see that a political mapping of powers, will explain the apparent opposing discourses in Gacaca and sociotherapy. However, it is not easy to look for the entanglement of power-relations within gender, ethnicity and politics in a divided, post-conflict country as Rwanda. Power is exercised over women by different practices of domination and exclusion. The patriarchal culture of Rwanda penetrates in all aspects of life: heritage, patrilineage, marriage, etc. After women tell the truth about experiences of sexual abuse and rape in Gacaca, social practices grant men the right to leave and exclude these women. Power-relations within ethnicity and politics, have been extensively discussed before. Especially in Gacaca, power is exercised by a Tutsi minority over the culprit Hutu majority. This ethnic division of power reflects also on the political relations, as the Tutsi government is ruling the post-conflict country. Nevertheless, untangling these relations of power is exactly what this research aims at, by analyzing women's position in Gacaca and sociotherapy. By analyzing who gets to speak, in what spaces and under what circumstances, this project will untangle these power-relations and uncover roads to 'transitional healing' for Hutu and Tutsi women in Rwanda.

Foucault (1970) argues that discourse operates through both desire and institutions. Whereas the former wants discourse to be unrestricted, unlimited and free, the latter imposes rules, restrictions and exercises control. The relation between these two forces shall be analyzed in the Gacaca proceedings and sociogroup therapy, because the untangling of these mechanisms exposes the power-relations women face in their processes of 'transitional healing'. 'Transitional healing' consists of speaking truth, but restrictions on certain discourses of truth, will definitely influence women's potential to heal. Therefore, this research needs to take into consideration the dynamics of desire of truth and discursive control. This will be effected through a critical analysis, examining the functions of exclusion, depletion and control of institutions (Foucault, 1970, 49). This research employs Foucault's critical analysis, focusing on the three practices of exclusion: prohibition, division and opposition of truth vs. falseness. This analysis will provide answers to the

limitation of women's discourse regarding 'transitional healing' through the principles of sanctioning. Examining these functions of exclusion through a critical analysis as point of attack, will expose the scarcity of discourse rather than the generosity of meaning. This critical approach requires four methodological principles (Foucault, 1970). First, a principle of reversal in which we must not look for the source of discourse and what it embodies, but rather what has been cut out, rarefied and left out in the production of discourse. It has already been suggested what and whom exactly has been excluded in the Gacaca discourse, but the focus on exclusion and consequently scarcity of meaning, will expose how this scarcity influences women's ability to engage in processes of healing. Second, the principle of discontinuity, reminds the researcher that, although scarcity is imposed, there is no continuous master narrative to be discovered. There is no vast formation of discourse constantly repressed by the dominant discourse, and there is no need to restore speech to a so-called silent discourse. Discourses are discontinuous practices, crossing, (dis)connecting, overriding, juxtaposing… each other. Therefore, analyzing the Gacaca discourse will not reveal a repressed discourse, but rather an alternative discourse, one which might be produced and reproduced in sociotherapy, presumably engaging with women's healing on another level than the discourse in Gacaca allows. Third, the principle of specificity suggests that there is no prior knowledge to discourses, which are a construct imposed on social practices. This means that, if in the process of analysis, any regularities come to the fore, these regularities are not inherent to discourse, but to the repetition of social practices embedded in discourse. Regularities of Gacaca and sociotherapy have to be analyzed as regularities inherent to these institutions and social practices, because these are reconstructed and repeated by the subjects of the discourses. The last methodological requirement is the principle of exteriority. Instead of looking for a hidden meaning within discourse, we must solely look at its appearance and exterior. We must not look for a latent significance, but for what is manifested and circumstances limiting or making the discourse possible. These four methodological principles will serve as a guideline to discover how discourses in two separate spheres of transitional justice influence the limits and possibilities of women's spaces for 'transitional healing'.

Foucault urges it is important to look for the elementary unit of discourse defined as a 'group of statements belonging to a single system of formation' (1972, 107). He defines the statement not as a structure, but as 'a function of existence that properly belongs to signs and on the basis of which one may then decide, through analysis or intuition, whether or not they 'make sense', according to what rule they follow one another or are juxtaposed, of what they are the sign, and

what sort of act is carried out by their formulation (oral or written)' (1972, 87). It are not the statements in themselves which create meaning, rather, their relationship with other statements create a network of rules which define what is to be considered as meaningful. Statements are made legitimate through the conditions of their existence within discourse. We therefore have to look for patterns in discourses across statements, and as statements are the objects of analysis, reality can never be reached outside the statement. The goal of this methodology is to identify meanings of women's 'transitional healing' through discursive formations of transitional justice. Analysis of these discursive formations will be done through the description of statements, by describing precisely what was said and avoiding interpretation.

This research intends to use the archives as a source of knowledge about past events. It is herein that discourses and statements will be analyzed and described. In order to apprehend what it needs to reach a state of 'transitional healing', it is vital for this project to decipher the meaning of past events in today's reality. That is exactly what this project is aiming at through the analysis of women's narratives in Gacaca and sociotherapy, relating these transitional justice practices to their present lived experiences and perceptions of 'transitional healing'. It should be acknowledged though, that archives are not to be considered separately from power-relationships. Archives are a material space, where 'othering' and practices of exclusion take place. Stoler (2009) explains that in colonial archives, very often the voice of the racially inferior have been left out and didn't get any chance to leave their signature of history. This refers exactly to these processes of othering and exclusion. However, this does not mean that these 'Subaltern' are not present in the archive, but that when using documentation from the archives, the researcher should always be critical about the available material. What is being represented? Whose story is being told? Does the archive shape history? These questions should not be taken lightly and the power of the archives shouldn't be underestimated. As I intend to analyze materials from the Genocide Archive of Rwanda (2014), it is in place to clarify its intertwined relationship with discourses of power, because as Stoler puts it: in order to understand the archive, we have to understand the institutions it serves (2009, 25). The Genocide archive wants to corroborate the genocide of 1994, by documenting materials on the development, experiences and aftermath of the genocide in a digital archive. This archive is sponsored by the national authorities and consequently follows the official Rwandan discourse on genocide and justice, accusing the Hutu perpetrator and performing justice for the Tutsi victim. The Genocide Archive Rwanda refers to the 'Genocide against the Tutsi', and therefore documents its material accordingly: testimonies of

survivors are given by Tutsi's, and confessions of guilt are given by Hutu's. The role the RPF played during the 100 days of genocide, the massacres they instructed and performed are not mentioned in the archives. Hence, this archive in itself is an effect of power and discourse, employing procedures of a) exclusion, by prohibiting a discourse of culprit Tutsi's and b) rarefaction by imposing scarcity on the current discourse. This doesn't only prove the power of the archives, but also the responsibility of the researcher to critically reflect on its usage. As Jimerson puts forward in 'Embracing the Power of the Archives', 'archivists have the authority and power to shape social (collective) memory' (2009, 3). Thence, the archive itself is part of the constructed discourse and constructs collective memory. The selection of records and documents in the online genocide archive gives an order of value to the material, and by this also to the course of history. The archives construct 'hierarchies of credibility, scales of trust that measured what forms of witness, words and deeds, could be taken as reliably relevant' (Stoler, 2009, 23). Pursuing discourse analysis as a methodology, in combination with the use of the archives, is therefore highly recommendable in order to expose power-relations in Rwanda. The archives and discourse analysis are intrinsically connected, as both bear the possibility to uncover the power of discourse, and more importantly, what stories can be told and which ones are left out. The Tutsi government was able to employ the state discourse of the genocide, by appropriating the state's archives. Hence a discourse analysis on archival material will expose power-relations confining women in their access to TJ and 'transitional healing'. It is the dominant discourse which has the power to create knowledge, and that knowledge on its turn reaffirms the dominant discourse. This interrelationship between power, knowledge and discourse comes to the fore in the archives and points out that systems of power decide what knowledge is created. However, as Stoler (2009) stresses, it is not because some stories are left untold, that these are outside the archival field. On the contrary, it is within the archives, that we find struggle, resistance and counter-discourse. I have said to follow Foucault's interpretation of counter-discourse, of individuals reclaiming speech, speaking for themselves against a power trying to suppress them. Therefore, within the archival material, I will regard counter-discourse as truth claims made by women undergoing patriarchal, political and ethnical oppression.

2.3 Choosing a 'Point of Attack'

Various forms of discourse will be studied to disclose how women's 'transitional healing' is enhanced or limited in the discursive formations of Gacaca and sociogroup therapy: speech,

writing and visual performances. The material in which these discourses will be studied consist of documentaries, video-testimonies and interview transcripts. The use of documents as object of analysis, both textual and visual, should not be underestimated or disregarded in favor of social, face to face research. Bailey (1994) explains that an advantage of documentary analysis is the becoming accessible of physical inaccessible subjects for the researcher. Personally, I felt it was almost impossible to conduct this research in Rwanda, due to time limitations, the language barrier and the sensibility of the topic. Therefore, the choice of analyzing the subjects' personal stories and experiences through document analysis proves to be the best alternative. However, we should not forget that documents are not outside discourse and hence reproduce a certain social system. That is why a contextualization of the research material is necessary, in order to allow a political cartography of the material in terms of value, authenticity and credibility. Hence, documents mapped as part of the Rwandan authoritative discourse on justice, will not be blindly considered authentic or credible, as we have earlier discussed how this discourse, through a function of exclusion and prohibition, presents an 'objective' truth of Tutsi victims and Hutu culprits. Special value will be given instead, to documents embedded in a counter-discourse, as these may disclose alternative discourses which enhance women's 'transitional healing'.

I chose to use, amongst other materials, documentaries as main medium for this research. There are various sub-genres of the documentary, and that is why Trinh T. Minha in 'The Totalizing Quest of Meaning' (1993), starts her argumentation of the meaning of documentary with the statement 'there is no such thing as documentary'. By this she intends there is no single definition, and various meanings of what documentary film means have been heavily contested. It lies not within the scope of this research to dwell on the various meanings, but I consider it important to clarify how I intend to use documentary film for this research project. The common notion of documentary, is that it is closely connected to or represents reality. Yet, after an intense elaboration on Foucault's notions of discourse and power, it goes without saying that discourse influences representation. I therefore do not intend to conceive of the documentaries as representations of Rwandan reality, rather, I will locate its materiality in the discourses of justice elaborated on earlier. Moreover, I will use documentary as a location of inclusion/exclusion in itself, rather than solely a representation of politics of inclusion and exclusion. Hence, I approach the documentaries analyzed for this research as mediums of partial truth, heavily influenced by dominant or counter-discourses.

The documentaries that have been selected as part of the research material, are a mixture of two styles: one that relies principally on interviews and one that focuses on observational filmmaking (Taylor, 1998). In the former documentary, women give interviews about what they endured during the genocide and they reflect about the process of Gacaca. In the latter filmmakers are more interested in what the subjects actually do, and film women participating in Gacaca trials or sociogroup therapy. This balance in style gives a deep insight in the lives of Rwandese women and how they experienced 'transitional healing' after being involved in different discursive spaces of transitional justice. The first group of documentaries to be analyzed, are the Gacaca series (2003–2009) by French-American director Anne Aghion. Four documentary films capture the legal and emotional aftermath of the genocide, through the transitional justice project of the Gacaca tribunals: 'Gacaca, Living Together Again in Rwanda?' (2003), 'In Rwanda We Say… The family that does not speak dies' (2005), 'The Notebooks of Memory' (2009) and 'My Neighbour My Killer' (2009b). The Gacaca series are a French production by a Western filmmaker. Therefore, it might be expected that this production working independently from the authoritarian Rwandan government, is embedded in a Western discourse of justice and is critical towards the discourse produced in the Gacaca courts. However, contrary to what might be expected, these documentaries reproduce the Rwandan discourse of 'The Genocide against the Tutsi's, as this is one of the first statements we hear in a voice-over in the series. The problem with the documentary material of Aghion, is that it reproduces the idea of the Tutsi victim and the Hutu perpetrator, by strategies of exclusion and prohibition of the speaking subject: only Tutsi victims are allowed to speak about their suffering in front of the camera. This clarifies my argument to consider the documentaries as a location of inclusion/exclusion in themselves. Furthermore, also a gendered strategy of division is presented, in the sense that (Tutsi) women are portrayed as victims in all documentaries, whereas the (Hutu) men are perpetrators. This hence might be considered a patriarchal representation of the passive victimized woman. Analyzing these ethnic and gendered representations and procedures of exclusion in the Rwandan Gacaca discourse, will provide an answer to Hutu and Tutsi women's access to 'transitional healing'. Also the North American produced and financed documentary 'In the Tall Grass' (2006) by filmmaker J. Coll Metcalfe captures the processes of Gacaca in this 'othering' Rwandan discourse. While these films do not offer a critical reflection on the one-sided discourse of justice, a discourse analysis investigating methods of exclusion and prohibition might reveal an alternative discourse. This alternative discourse where Hutu and Tutsi women can pursue processes of 'transitional healing',

is thought to be emerging in sociogroup therapy. Therefore, also the Dutch documentary by Hans Polak, 'Ziek van Oorlog' (2009) will be considered, in which we follow Dutch therapists examining the effects of sociotherapy in Rwanda. Analyzing sociotherapy as a discursive space in which women get to talk about their experiences, and what is allowed, excluded or censured, will provide an answer if sociotherapy really embeds a counter-discourse to the dominant Rwandan discourse produced in Gacaca, and if this counter-discourse allows women to heal.

Next to documentaries, also materials from the archives are analyzed. The role of the Genocide Archive Rwanda and discourse in which it is embedded has been discussed earlier in this chapter. Knowing which stands and sides are represented in the archives, I decided to use its materials with caution and critical reflection. Being aware of what stories are told, and which are left unsaid, four testimonies have been selected from the archives. The testimonies, archived on video, where selected on basis of gender and topic. This means that only women's testimonies were considered and the topic 'life and justice after the genocide' was targeted. Testimonies were given between 2004 and 2007 by Rosette Sebasoni, Josephine Murebwayire, Marie Claire Umulisa and Béatrice Nikuze and were published by the Kigali Genocide Memorial (Genocide Archive Rwanda, 2014).

Secondary materials will be analyzed to study the effects of sociogroup therapy on women's potentialities of 'transitional healing'. Sociogroup therapy is a recently initiated project, which holds as a limitation the fact that not much material, testimonies, etc. have been produced on the topic. To complement this lack of primary documentation, I chose to make use of secondary material. Bailey refers to secondary documents as '[written] by people who were not present on the scene but who received the information necessary to compile the document by interviewing eyewitnesses or by reading primary documents' (1994 , 294). The ten testimonies from female participants of sociogroup therapy, have been researched and written down by Annemiek Richters who conducted interviews with these women. Discourse analysis on this documentation will focus specifically on what can or cannot be said in sociogroup therapy, hence a focus on the prohibition of the object of speech, to have a comparison of censorship with the allowed discourse in the Gacaca tribunals. Also, analyzing the composition of the sociotherapy groups, will give an insight if there are methods of exclusion in the sociotherapy counter-discourse.

A last source of material that will be informative for this research are three interviews conducted with relevant people in the field in the spring of 2014. The interviews will not count as a source for discourse analysis, but rather as a method to enter the material more vividly and to grasp both

initiatives of TJ in another dimension. The first interview is with Dr. M. van Munster, senior lecturer at The Hague University who was invited by a human rights organization in Rwanda in 2011 to observe one of the last proceedings of the Gacaca tribunals. The second interview is with Laurent Munyandilikirwa, a Rwandese lawyer seeking for shelter in the Shelter City programme of The Hague. As a lawyer, he has been advocating for human rights in Rwanda, more specifically for fair trials and humane conditions in Rwandese prisons. His critical position towards the government endangered his safety and made him seek refuge in The Netherlands. The last interview, conducted through online correspondence, is with Annemiek Richters, one of the pioneers starting up the sociotherapy group sessions in Rwanda. She is currently also involved in a nation-wide sociotherapy programme, in so-called post-Gacaca Rwanda, which started on January 1st 2014.

Concluding this chapter, I argue that the boundaries of inclusion of Rwandan's state discourse of justice might appear to be penetrable due to participatory participation of all Rwandans in Gacaca, but reality shows these boundaries are very strict and impermeable, and guarded by the invisible defenders of the state's dominant discourse. Access to truth and justice in Gacaca, two crucial characteristics of 'transitional healing', are delineated by boundaries based on patriarchal and racist exclusion. We are here approaching the range of the research question: 'How do discourses enhance or limit women's access to 'transitional healing' in Gacaca and sociogroup therapy?'. What we have discussed so far, is that the patriarchal state discourse in Gacaca officially excludes women from access to truth, by prohibiting their speech on sexual abuse. Sociogroup therapy on the other hand, offers a space for counter-discourse to these excluded women, includes them and lets women give rise to a counter-discourse of sexual violence. Having extensively elaborated on Foucault's procedures of mastery, it is also clear that Gacaca's discourse excludes on an ethnical basis, by denying Hutu's access to justice. Also this racist phenomenon is countered by sociotherapy in their offering a space accepting that all Rwandan people have suffered from the genocide, and give the Hutus the possibility to produce a counter-discourse of the suffering Hutu. We can therefore clearly see a divide between exclusionary discursive practices in Gacaca, and inclusionary discursive practices in sociotherapy. However, I do not intend to idealize the process of sociotherapy as a space for counter-discourse, and will be attentive during the analysis to other types of exclusions and to the privileging of certain narratives, such as the narrative of the female victim of sexual violence. In the following chapter I will analyze the effects of discourses on women's 'transitional healing' in both Gacaca and sociotherapy.

Chapter 3: Confronting Women's Experiences of Transitional Healing

'We cried freely as if nobody was looking at us. We were the same.' – Charlotte Uwera (2014)

This chapter will analyze and discuss the experiences of Rwandese women in Gacaca and sociogroup therapy, and how these experiences relate to their perception of 'transitional healing'. The first chapter elaborated in depth on this concept of 'transitional healing', and speculated that doing justice and speaking truth were the most important characteristics to obtain a certain state of wellbeing after violent conflict. Next to that, if we want to adequately investigate 'transitional healing', we have to keep in mind its final goal of achieving social justice. Therefore, relating to Fraser's elaboration of social justice, also participation, gender parity and setting the conditions for symbolical and material reparations (i.e. justice of recognition and distribution) should count as a reference to consider the effects of Gacaca and sociotherapy on women's 'transitional healing'. Especially material reparations will prove to be important for women, as this allows them financial and social independency to reintegrate in society. However, the materials expose two other crucial aspects in order to reach 'transitional healing': reconciliation and forgiveness. Therefore, the concept of 'transitional healing' will later on be re-elaborated according to these new findings.

Women's experiences of 'transitional healing' will be explained in five subchapters; *Justice in Gacaca and Sociotherapy, The Importance of Telling Truth, Experiences of Sexual Violence, Reconciliation* and *Forgiveness.* These are recurrent topics in the documentaries, video-interviews and testimonies, and serve as a guideline to explore women's path towards 'transitional healing' through Gacaca and sociogroup therapy. In the analysis of these five themes, it is important to investigate the possibilities and limitations of women's discourse to get a grip on the hierarchies of power and credibility within these social practices. The first part discusses women's experiences of getting justice for their being wronged. Different aspects of justice will be touched upon, such as punitive justice and the need for material reparations. The second part concentrates on the importance of truth telling, to reach a state of emotional catharsis, but also to gain recognition from the community, and preferably acknowledgement from the perpetrator. The third theme is strongly related to speaking truth. However, due to the specificity and sensitivity of a focus on sexual abuse within a patriarchal reality, I decided to consider this theme separately. Aspects of public versus private spaces of sharing experiences, exclusion and prohibition will be considered. The fourth part deals with the crucial aspect of living together in order for women to reach a state of tranquility and 'transitional healing'. This theme is often infected with an 'us versus them'

discourse and will be explained in terms of rules of exclusion. Living together refers to reconciliation, integration, participation, empowerment and taking up social roles. All these aspects enhance women's position in Rwandan society and contribute to their process of healing. The last considered theme is 'forgiveness', which appeared to be imperative in order for women to move on with their lives and achieve a peaceful state of mind.

Exploring these five themes will give a deeper understanding of what it takes in post-conflict societies for women to leave the past behind and embark for a healthy future. Finally, the discussion on these five topics should lead us towards answering the research questions of how women perceive 'transitional healing' and how discourses limit or enhance these processes. I hereby do not intend to give an exhaustive meaning to 'transitional healing', as that would imply speaking on behalf of women and generalize their understandings of the concept. Rather, as Ruby (1991) phrased accurately, I will try to 'speak with or speak alongside' these women's experiences and try to reach an understanding of their own perceptions of 'transitional healing'. Furthermore, these findings of how women can embark in 'transitional healing' in post-conflict societies, should never be taken out of the specific Rwandan context. I hereby refer to Donna Haraway's (1988) concept of 'situated knowledge', by which she means that all knowledge is partial and situated in a certain social, political and cultural context. By this I want to clarify that the concept of 'transitional healing' and findings laid out in this research are not a master narrative to be blindly reproduced on other post-conflict societies.

3.1 Justice in Gacaca and Sociotherapy: *Bare Justice to Suit all Rwandans*

The second chapter of this thesis pointed out how both Gacaca and sociogroup therapy are imbedded in different justice discourses. While Gacaca produces a Rwandan state discourse of doing justice to the Tutsi victim, Western framed sociogroup therapy tries to emphasize the importance of doing justice for all, by including both Hutu's and Tutsi's in their therapy sessions. This part is concerned to relate these practices of inclusion/exclusion in both spaces of performing justice to women's healing, while considering if social justice can actually be achieved through Gacaca and sociogroup therapy.

A Desire for Punishment

Gacaca is considered as a unique experiment of community based justice, offering people the possibility to be part of the justice processes. The beauty of this approach Fraser (2008) labeled as

participatory justice lies in the involvement of the Rwandan people in this search for justice. The danger of this strong involvement of the Rwandan community however, lies in the fact that justice after immense suffering can easily be confused for revenge. A desire for revenge, can lead to a distorted form of doing justice, whereby previous power-relations are reversed. Whereas during the genocide, a Hutu government tried to extinguish all Tutsis, in the post-genocide era the Tutsi government tries to punish all Hutus by limiting their rights to justice, employment, social security, etc. (Munyandilikirwa, 2014; Munster van, 2014). Waldorf (2009), Corey and Joireman (2004) argue that the one-sided justice process of Gacaca implemented inequitable justice, accentuating the ethnic divide which has been interpreted as revenge by the Hutu community. The analyzed discourses confirm that there is a certain desire for revenge amongst the Tutsi population for the losses they suffered:

> If someone had killed your brothers and sisters, or your children, as happened to *us*. And if today you found yourself childless...if you could avenge them, you would. (Euphrasie, Aghion, 2005, emphasis added)

> When the killer lives just opposite you, you cannot think of all that [dead family members] without feeling the need for revenge. (Schoolboy, Aghion, 2005).

> I believe those who killed should be strongly punished in a way that would affect them. … Because I cannot say that… that they should kill them too. It's not my place to say so, it is the role of the law, and I don't have that right. But personally I would suggest they kill them. (Marie Claire, 2004)

Both Euphrasie and the schoolboy use literally the word 'revenge' or 'avenge' to express their desire for punishment. Also Félicité thinks about revenge. She is a Tutsi who figures in all three documentaries of Aghion, and accuses Abraham, a Hutu patrol leader on roadblocks, of having killed her family during the genocide. She testifies against him in the Gacaca tribunals and manages to send him to prison. In a personal interview, Félicité states that she would punish him if she could (Aghion, 2005). Marie Claire's personal suggestion to kill the wrongdoers as a form of punishment strongly shows the eagerness for retribution. This desire for revenge under the Tutsi population has been incarnated in a punitive justice system by the authoritarian Tutsi government. This discourse of revenge, was reproduced by the state and effected in this one-sided justice system, where the Hutu population is targeted by the mere fact of their ethnicity. Following a foucauldian interpretation, I argue that the dominant Rwandan justice discourse, works top-down and created a construction of public, official truth: This discourse subjected ethnicity to a strict

division of victim versus perpetrator. This explicates how the state discourse has the power to prescribe who the victim is and who is the perpetrator, effecting processes of 'othering' incited by the desire for revenge.

Nevertheless, Rwanda's punitive justice system cannot be reduced to a desire for revenge. Little (2006) has argued that retribution and punishment are indispensable for transitional justice. Also my findings suggest that punishing perpetrators appears to be an important goal for women to perceive justice is being done. When Faissa is asked what she thinks of Gacaca, she replies: 'Those who killed, whose crimes catch up with them, must be punished in an exemplary way' (Aghion, 2003). This statement doesn't only suggest that perpetrators should be punished, it also refers to the longing for public punishment. This can be attributed to a desire for justice of recognition, whereby the community members acknowledge that one has been wronged and see the perpetrator punished for his deeds. The punishment should act as an example for the whole community, in order to prevent the killings from ever happening again:

> But to release them so they return to live among us, for me that's impossible. They
> must be made an example of, so that my children and those of others, understand
> that killing is bad and a reprehensible thing. That's how we'll stop this culture of
> killing. (Faissa, Aghion, 2003).

These public punishments Faissa refers to are met by the procedures of the Gacaca tribunals: Public accusations lead to public punishments. The act of punishing Hutu perpetrators in the presence of the entire community, is an effect and perpetuation of the dominant discourse on justice, constructing the identity of the Hutu as criminal. It not only confirms, but foremost strengthens this discourse in accepting the roles of Tutsi victim and Hutu perpetrator publicly.

Whereas President Kagame's government pitched the Gacaca tribunals as the solution to reconcile the country, it effected in a method of maximum punishment for the Hutu population, implemented by the RPF Tutsi government, 'the winners' of the genocide. However, confession to one's crime during the Gacaca trials led to amnesty and reduced prison sentences (Uvin, 2003). This triggered unbelief and feelings of injustice under Rwandese women and again points out the strong desire for retributive justice:

> If he returns, can I accept him when he killed my 6 children? When he killed my
> brothers and sisters and I am left alone? They forgive him and release him just
> because he confessed? Without punishing him? (Woman, Aghion, 2003)

> Remember, under the former president if someone killed they were jailed for two weeks. And then allowed to return home. That's how it was. Today, I have the feeling it's the same thing again. (Euphrasie, Aghion, 2003).

We can again see that these women have a strong need to see their wrongdoers punished or imprisoned. I consider this an indication of the fact that retributive justice is of great importance for women's 'transitional healing' in the road to social justice after violent conflict. Hence, even though punitive justice can easily become a tool for revenge or perpetuation of the status quo through discursive practices, it is also immensely important for women's healing and sense of social justice being achieved.

Whereas some women perceived the Gacaca tribunals as not being punitive enough, due to early releases of the killers, other women thought Gacaca did contribute to performing punitive justice: 'One positive thing that came out of Gacaca is … that it punished the perpetrators who were there' (Berthilde, 2014). However, as has been postulated already, Hutu women do not have the same access as Tutsi women to these forms of punitive justice. In the analyzed documentaries on Gacaca, there is no single Hutu woman allowed to speak about her personal perception of justice, as she is considered as not having right to justice. As I already mentioned in the second chapter, the documentaries rather replicate the divide between the Tutsi victim and the Hutu perpetrator and can be considered as a location of exclusion/inclusion in themselves. Nevertheless, Hutu women did suffer plenty during the 100 days of genocide. Human rights lawyer Laurent Munyandilikirwa (2014) explained that in Northern regions of Rwanda, the RPF Tutsi militia looted Hutu properties, massacred Hutu's and raped women of both Hutu and Tutsi origin. This version of the story however, does not fit into the savior discourse the RPF government tries to produce about itself. Thus, different perceptions of Rwanda's people were advocated by the state after 1994: one of the Hutu perpetrator, one of the Tutsi victim and one of the Tutsi savior. These led to a particular discourse of justice, where the Tutsi and Hutu had specific, but not interchangeable roles in the Gacaca processes. Therefore, exclusionary practices based on ethnicity, implemented by the authoritarian state, discards Hutu men and women from the right to being a victim and consequently the right to justice, neglecting their experiences of suffering.

In *Gacaca, Living Together Again in Rwanda?* the exclusion of Hutu in the courts is very explicit, when the wife of alleged killer Aimable wanted to deliver a testimony in favour of her Hutu husband. While the prosecutor asked if there were any witnesses for Aimable, she stood up to

figure as his witness. Instead of being listened to as other witnesses, a person in the crowd started to shout: 'It's his wife!' The prosecutor asked if this was true and the Hutu woman immediately excused herself for standing up and sat down again. This is a clear example of how the construction of the Hutu perpetrator limits the discourse of the Hutu woman. Even if it is by rule prohibited to interrupt when someone is about to speak, the prosecutor lets this happen and even agrees that this woman is not allowed to speak. Hence, there is no space for Hutu women to accuse their wrongdoers, but neither is there any space to witness for their loved ones. It seems as if the fate or punishment of the accused Hutu is already predetermined. This means that Gacaca as a participatory form of justice, lacks its most important feature, namely participatory parity (Fraser, 2008). In the court proceedings, Hutu's and Tutsi's are not considered as equals and are bound by suppressing power-relationships. The institution of Gacaca disavows equal respect for the Hutu's and limits their discourse by favoring Tutsis as the exclusive speaking subject. This corresponds to Corey and Joireman's (2004) findings, in which they suggest that the negation of Tutsi war crimes and the accentuation of the ethnic divide in Gacaca pursued unjust justice. Also the conclusions of Gahima (2013) back up my argument, as he argues that Gacaca lacked 'even-handedness' and failed to address the suffering of the Hutu community.

The lack of participatory parity denies Hutus justice of recognition, as they are not considered equally important in the courts. Charles Taylor underlines the importance of recognition: 'Nonrecognition or misrecognition...can be a form of oppression, imprisoning someone in a false, distorted, reduced mode of being. Beyond simple lack of respect, it can inflict a grievous wound, saddling people with crippling self-hatred. Due recognition is not just a courtesy but a vital human need' (1992, 25). Hence, we can say that misrecognition undermines the sense of fairness and justice being done in the Gacaca trials for the Hutu population, as the state determines who has the right to this justice of recognition. As was explicated in the first chapter, justice of recognition is an integral part of Fraser's social justice and is crucial in order to access 'transitional healing'. It is therefore obvious that the state's discourse denying access to justice in the Gacaca courts to Hutus, hinders their ability to heal.

Need for Material Reparations

Next to women wanting punitive justice, they also interpret justice as a right to material reparations:

> For me, what remains to be done by Gacaca is to pay back our property that was looted. The courts must review all cases of looted property, identify in which cases looting was carried out by people who are so poor that they are unable to refund the damage. In those cases, the courts might be able to take responsibility for the necessary refunds. (Mameritha, 2014)

Above statement evidences Mameritha needs Gacaca to take economic accountability, especially for 'the poor who are unable to refund the damage'. This strongly connects socio-economic status to the process of distributive justice. Gacaca is hence perceived not only as a form of legal punishment, but also as space of TJ which should ensure material reparations. This is a very important element in order for women to achieve a perception of a healthy status, because financial insecurity and poverty makes them worry and influences their wellbeing. This is according to the hypothesis made in the first chapter, following Fraser's interpretation of social justice, that economic reparations are crucial for women's 'transitional healing'. Mutegwamaso literally refers to this in her interview with Richters (2014): 'I think that my state of health is not improving because I am always wondering when I will get my own house.' Poverty and financial insecurity are a major source of distress in the lives of Rwandan women. This need for material reparations relates to the concept of distributive justice whereby economic equality and distribution of resources are perceived as necessary in achieving social justice (Fraser, 2008). Thence, access to distributive justice immensely enhances women's 'transitional healing', as they do not have to worry about financial insecurity.

The requirements for distributive justice have partly been met by Gacaca, as it worked on two different levels to ensure that a sense of distributive justice was effected. The first level can be considered as the local level, whereby the courts sentenced the neighbor-looters to repay the victims. To a certain extent, this was effective and properties were given back: Charline (2014) declares that the perpetrators paid her back for her looted properties and destroyed house. Distributive justice in Gacaca also works on the national level, by referring survivors to government funds, such as FARG, providing educational scholarships and health care assistance. In the testimonies conducted by Richters, almost all women suggest they benefitted from this fund. However, FARG's distributive justice is only for the genocide survivors. Hutu women are not considered as genocide survivors and are again excluded from access to distributive justice, due to the discourse of one-sided suffering shaping the context and subjects of justice in Rwanda. Next to the exclusion of Hutu women, also the discourse of rape is severely repressed in the access to

distributive justice. Tutsi women who bore children out of rape, do not have access to the national fund, because their child is not considered a survivor, but a Hutu (cfr. male patrilineage) and interahamwe. Here we see how the patriarchal and ethnic discourse collide, almost working together to deny both Tutsi and Hutu women access to material assistance. Exemplifying these exclusionary and racist practices, Berthilde is worried about the future of her daughter:

> However, I am always wondering where I will find school fees for my lastborn conceived during the second rape. FARG will not pay for her because she is not a survivor. After being refused by FARG, she will ask me why they will not sponsor her. What will I tell her? This is a big problem I have. (Berthilde, 2014)

Whereas sociogroup therapy is not a legal institution and does not perform retributive justice, it attempts to engage with distributive justice on a very limited level, by giving material assistance to women in the form of cattle. Berthilde and Therese (2014) both managed to earn some money thanks to the goat they received from sociotherapy. However, sociotherapy giving goats to two or three women in the group, does not mean it actually provides distributive justice. As I want to consider women's symbolical and material healing in Fraser's sense of reaching social justice, I here need to preclude sociogroup therapy as a possibility to achieve social justice. Fraser is very clear in stating that, to reach social justice, both the symbolical and material conditions (i.e. justice of recognition and distribution) have to be met. Sociotherapy however, cannot secure the material conditions to reach social justice, due to its intense focus on the female individual.

Women comprehend that the responsibility of managing retributive and distributive justice lies with Gacaca and the national government. Every time the question of justice is brought up, the women refer to the Gacaca courts:

> Personally, I feel justice has not been done completely because Gacaca did not finish all trial cases. Laws were put in place, but were not all respected. (Berthilde, 2014)

> I wish that Gacaca would bring all perpetrators to justice so that I can then benefit from the justice I am entitled to. (Hildegarde, 2014)

> For me, justice has been done because the genocidaires were imprisoned. (Mameritha, 2014)

> Regarding Gacaca as justice, personally, it did not achieve what I was expecting
> from it. Justice has only partly been done. For example, the killers of those relatives
> I buried are already released and freely walking around. (Ntakwasa, 2014)

So we can see that women expect justice, mostly in the form of punitive measures, to be done from the Gacaca tribunals rather than from sociotherapy. The latter is therefore not perceived as contributing to women's health in terms of doing justice. As I argued before, social justice requires distributive measures, wherefore we cannot consider sociotherapy as a contributing factor to social justice in Fraser's consideration of the concept. The main reason for this is that sociotherapy only focuses on the healing of the single individual, without considering the larger social context to achieve social justice. Gacaca on the other hand, as I will shortly show, does consider the social and social justice, but then again fails to consider the needs of the healing individual.

As I have argued in the second chapter, knowledge and power are not only supportive of each other, but they are interrelated and depend on each other for validation. As Foucault states: 'it is in discourse that power and knowledge are joined together… we must not imagine a world of discourse divided between accepted discourse and excluded discourse, or between the dominant discourse and the dominated one; but as multiplicity of discursive elements that can come into play in various strategies' (1976, 100). This sub-chapter demonstrates how the dominant state discourse on justice was supported by strong desires for punitive and material justice and how it fixed the identity of the Hutu-perpetrator. The construction of the state discourse on justice involved the exclusion of the Hutus in legal spheres. Biased knowledge of what happened during 1994, recorded in the Genocide Archives in terms of a dividing ethnic criminal discourse, authorizes the construction of the dominant discourse of one-sided justice in Gacaca. However, as was developed in chapter two, Foucault does not intend that there is a constantly suppressed 'other' discourse. He regards power-relations as interactive and does not see power as a constantly oppressing force. Therefore, power creates new knowledge, and discourse incites counter-discourse. Whereas the dominant Rwandan state discourse has created a concept of justice as punishing the Hutu perpetrator and satisfying the need for justice for the Tutsi victim, a counter-discourse which is found in socio-group therapy, acknowledges the suffering of both Hutus and Tutsis, countering this idea of one-sided justice. In Gacaca, the dominant discourse others the Hutu by denying them the object of speech, but in sociogroup therapy Hutus are able to create their own discourse. Finally, this first part showed that diverse discourses on justice have different effects and majorly influence women's access to 'transitional healing'.

3.2 The Importance of Telling Truth: *Speaking is a Process of Healing*

The methodology chapter discussed Foucault's procedures of mastery and how the opposition between true and false in discourses became a strategy of exclusion. The high desire for truthful discourse became Gacaca's strong point in becoming so important for the Rwandan population. Aurea Kayinganwa, legal coordinator for the association of widowed survivors Avega, explains how the promise that the truth would come out in the courts, counted as an effective incentive for people to attend Gacaca (Metcalfe, 2006). Rwandans wanted to know the truth about what happened to their 'lost' relatives. Telling truth in Gacaca hence instigated high expectations. However, to evade confusion and double standards I will clarify what I understand under the notion of 'truth' for this research. For Foucault, truth is intrinsically connected to the question of power, as systems of power can be regarded as the bearers of a certain discourse of 'objective' truth and knowledge. This is in accordance with what I explained in the second chapter, about the interrelation between truth, discourse, power and knowledge. Moreover, following subchapters will illuminate different versions of truth. Firstly the public and official truth in the Gacaca courts, to which I will refer as 'Truth' or 'Truth-Telling' with capital letters. Secondly, we will explore a more personal and private truth which surfaces in sociogroup therapy, which I will refer to as 'truth' or 'truth-telling'.

Thence, different discourses produce different truths, but I do not regard the claims of truth in Gacaca and sociotherapy in any way as truthful, as they are in a constant power struggle for validity and authenticity. If I refer to 'truth' or 'speaking truth' in Gacaca and sociotherapy, than I refer to that exact speech depending on power-relations and embedded in a patriarchal-ethnic dominant or counter-discourse. Or as Deleuze described in *Foucault: '*truth is inseparable from the procedure establishing it' (1988, 63).

Controlling Truth

The Truth told in Gacaca has been described by Rwandese women as a partial Truth, as only a restricted discourse could be produced in the courts. As was proposed in the previous part, Hutus access to Truth was very restricted: they are allowed to tell the Truth as a perpetrator, but not as a victim and rarely as a witness. This corresponds to research done by Corey and Joireman (2004) and Gahima (2013) and suggests how Rwanda's politics of exclusion figure to maintain power-relations, as an alternative discourse might threaten the political and social status quo. Moreover,

the discourse Hutu produced in Gacaca, was subjugated to a strict pattern of prohibition on the object of speech, by controlling their use of words. For example, using the word 'war' to refer to the genocide, was punished and rectified during the trials. When an alleged killer testifies about his role during the 'war', the prosecutor answers:

> All I'm saying is that certain words, in my opinion, complicate the work of Gacaca. You say 'during the *war*'. Was it a *war*? ... They hunted down Tutsi and then killed them. Were the Tutsi fighting, so that we can call it a *war*? ... You say 'during the *war*'... Frankly... That's where we don't agree. Who were you fighting against? Who was fighting against whom? (Prosecutor, Aghion, 2009, emphasis added)

This points out that only one discourse of Truth is allowed in the courts, the discourse of genocide against Tutsi. Yet, the Tutsi were combating, as the RPF militia entered Northern Rwandan and proceeded all the way to Kigali, fighting all Hutus crossing their paths. It is thus not so unimaginable to use the word *war.* It is just that Gacaca is ordered by the state to reproduce the discourse of the Tutsi victim and silence the discourse of the combating, perpetrator Tutsi. Restricting the object of speech then exemplifies how Truth is controlled in the courts and depends on the state power and 'will to knowledge' of the Tutsi government. This 'controlled Truth' is repeated by bystanders and prosecutors in Gacaca, proving that Rwandans become subjects of the authoritarian state power and thereby submissive to a certain discursive practice. However, the fact that Hutus are referring to a *war* instead of a *genocide,* demonstrates there is a counter-discourse among the Hutu population, which questions and shakes the current discourse of the Tutsi victim. Hence, as was already elaborated on earlier; discourse incites counter-discourse and this becomes visible within an apparent dominant discourse. However, this dominant discourse is not a totalizing force, as we see the struggle to produce a counter-discourse. Looking for these small but significant signs of resistance, is exactly what Foucault (1982) referred to when he proposed to look for struggle within the discourse, and complies with his methodological principle of discontinuity of discourses.

Not only the object of speech is constrained, but also who gets to speak, as was exemplified in the first part. In this manner, the Rwandan state has a strong grip on the discourse of Truth produced in Gacaca. Actually, the slogan of Gacaca was not to speak Truth, but to tell what one saw: In January 2005, Radio Rwanda invites all Rwandans 'to participate [in Gacaca] in order to end the culture of impunity. You must say whatever you saw in order to rebuild justice in Rwanda' (Aghion, 2009). Hence, the state equals Truth to 'what one saw', to increase the credibility of the Truth-

Telling (Tutsi) subject. As a consequence, the Tutsi witness during Gacaca, often starts its testimony with the words 'Let me tell you what I saw'. This act became visible as a regularity in the material, indicating Foucault's (1970) principle of specificity, whereby social practices are repeated not by the discourse, but by the subjects of power in Gacaca. Equating Truth to 'what one saw', is furthermore a strategy of exclusion, as Truth is opposed to false in the sense that one can only tell the Truth if one was present, if one was absent, then his testimony is false. This relation between seeing and speaking is very peculiar. As Foucault brings to the fore in his *The Order of Things*: '[It] is in vain that we say what we see; what we see never resides in what we say' (1966, 8). By this he suggests there is no intrinsic connection between seeing and speaking, even if one might think otherwise. In *Foucault* (1988), Deleuze refers to these two fields as 'the visible' and 'the articulate' both fashioning knowledge: 'Seeing and speaking are always already completely caught up within power-relations which they presuppose and actualize' (82). Hence, following both theorists' assumptions about the interdependency of seeing, speaking, truth and power, I argue that Gacaca's focus on visibility is a manifestation of power, as it alters the authenticity of the discourse of the Hutu perpetrator and seeks to present an objective, public and official Truth.

Credibility in the courts is hence attributed to one's ethnicity, presence/absence, but also to one's mental health. Gacaca opposes the speech of the madman to the speech of reason (Foucault, 1970). Women suffering from post-traumatic stress disorder, ihahamuka, often attract public attention due to their panic attacks. These women are not regarded as reliable witnesses, and hence their truth is not taken into consideration:

> I did not testify against the rapist, afraid of being called a mad woman by the public. (Charline, 2014)

> I went to the prosecutor's office in order to denounce him. I told them how he had murdered and raped people, but did not speak about my own rape. They imprisoned him for a few days, after which they released him. What made me sad at that time was that the prosecutor's lawyer considered me a mad woman. The fact that she refused to listen to me caused me troubled thoughts. (Charlotte, 2014)

Both Charline and Charlotte explain that in certain periods, they suffer from ihahamuka. Their psychological distress causes them to be considered mad women by the community. In Charlines' case, she wanted to avoid further gossip, by not testifying against the rapists. In this way, she censured herself by reasoning that her speech was one of the madwoman. Charline limits her own

discourse, due to Gacaca's strategy of division and rejection. However, this censorship on women's discourse, evidences the scarcity of discourse in the Gacaca tribunals. Women explicitly state they limit their discourse and this is due to its rules of exclusion and patriarchal pressure as we will see shortly. Charlotte on the other hand did speak about her experiences, but these were not taken seriously. As Foucault (1970) rightly argues, the madman is symbolically allowed to speak, but no value is attributed to his story. There is no space for the madwoman's truth in the courts. Gacaca's strategy of division and rejection, of not taking women suffering ihahamuka seriously, causes them troubled thoughts and obstructs their 'transitional healing', because their suffering is not recognized as such.

Recognizing Pain

Telling truth is important, because it validates one's traumatic experiences and recognizes one's pain. I referred to a 'healing truth' in the first chapter, to relate the importance of telling truth to individual healing (South African TRC, 1998, cited in Chapman, 2009). In the analysis of the material, I discovered that Rwandese women's experiences of 'transitional healing' related to truth are attributed to two factors: relief of knowing and justice of recognition.

By the first factor, I intend that women experience a sense of healing and peace of mind when Truth is revealed. This sense of relief refers mainly to knowing what happened to family members, where they were killed and the right to bury them in dignity. Women perceive this as an important aspect of 'transitional healing' in order to reconcile with the past:

> Even though attending Gacaca was difficult for me, hearing the perpetrators tell the truth about the way my siblings were killed and where they had been thrown helped me bury them in dignity. That relieved my heart and I felt that I should forgive them. (Mameritha, 2014)

> However, for me Gacaca was a source of more grief instead of happiness. Up to now, I have not buried my closest family members because I do not know where to find the bones that remain of their bodies. This also makes me feel very sad. (Ntakwasa, 2014)

> Even though I did not testify against any perpetrator, Gacaca helped me to find the remains of the dead bodies of my relatives. After burying them I felt happy and slept well. (Illuminée, 2014)

> One positive thing that came out of Gacaca is that it helped survivors find where
> the remaining bodies of their lost relatives were thrown. (Berthilde, 2014)

Statements as 'that relieved my heart' and 'I felt happy and slept well' indicate that knowing what happened to loved ones makes women feel better, as if a burden was taken off one's shoulders. Thus, this relieving Truth definitely contributes to women's 'transitional healing'. The second important element of 'healing truth' is the possibility of public acknowledgement. For the women in this study, it was crucial that the community, to a certain extent, knew what happened to them. This knowing of Truth sometimes even repositioned women in society:

> It [Gacaca] allowed my neighbours who used to say that I am Interahamwe and
> that my brothers are imprisoned in Ririma prison to learn that I am not as they
> perceived me. Gacaca was an answer to them. After the commencement of
> Gacaca, they did not repeat bad words to me anymore. (Berthilde, 2014)

The example of Berthilde shows that the stories told in Gacaca, can make the community reconsider one's role during the genocide and adjust their perceptions. The fact that Berthilde's neighbors don't consider her anymore as interahamwe, made her integrate in the community. Here we see how discursive practices in Gacaca not only work as oppressive and limiting powers, but might produce positive effects leading to reconciliation.

As was posited in the first chapter, Kaminer (2006) considers an emphatic public crucial in order for truth to be healing. This emphatic public in Gacaca is immediately the whole community, as every Rwandan is obligated to attend. This presence of an acknowledging public consequently satisfies one's need for justice of recognition (Fraser, 2008). If Truth is being told in Gacaca, then the whole community becomes aware of what women endured and they start to recognize their suffering. Horne (2013) has argued that especially the presence of authorities enhances the feeling that Truth heals. This then explains Joanita's (Metcalfe, 2006) feelings of relief when the judges of Gacaca decide she tells the Truth and accordingly imprison her wrongdoer. Hearing the judge speak out: 'I think Joanita's testimony is true. She saw everything. What she says we should take as the truth', is then valuable because of the authority speaking and publicly acknowledging her suffering. This acknowledgement or recognition is not only expected from the community, but also and especially from the guilty:

> As for what I went through on this hillside... No it's too complicated. Especially
> because the guilty refuse to recognize it. (Witness, Aghion, 2003)

> The weight on my heart eased up a bit, but I was disappointed that he didn't come clean... I wish he could just tell me the truth. That might make me feel better. But his half-confessions make me feel sick. I just don't feel well when I see him. If he wanted forgiveness, he could gather the community, serve drinks and admit how he's hurt me. (Joanita, Metcalfe, 2006)

Joanita's statement describes she needs her wrongdoer to acknowledge of having hurt her. It would not only make her feel better, she might also grant him forgiveness after coming clean. Preferably, he should confess and avow his crime in public. This points out a strong need for justice of recognition and acknowledgement of one's suffering from both the wrongdoer and the entire community. Here again we can see how social practices embedded in discourses reproduce social systems: This need for public acknowledgement might be considered as a step towards justice of recognition, but on the other hand, it is also a public reproduction of the discourse of the Hutu perpetrator.

Women (from Tutsi origin) perceive that most of the time Gacaca meets the requirements of justice of recognition, because they get to tell the Truth, emphasis on the capital letter, about what happened to them. Following Verdeja's (2008) conclusion about the importance of recognition for an individual's health, Gacaca's justice of recognition by encouraging to tell Truth contributes to women's 'transitional healing'. Then again, the inferior position of Hutu women in the courts, by excluding them from certain discourses of Truth, is an indication of their misrecognition. This misrecognition denies them value as a human being and consequently obstructs their access to 'transitional healing'.

Also sociotherapy as a space for 'transitional healing' enhances justice of recognition for women. Women who participated state they feel comforted in these sessions, because they are being listened to, and experience that the other women understand them, as they often endured the same hardships. This recognition of peers in sociotherapy makes them feel better and realize that they are not the only ones with problems:

> Last week we talked about you and me having a problem. We all have a problem. These are different problems, but if we talk about these problems together, then you hear that others have problems too, maybe even worse than yours. (Councelor, Polak, 2009, interpreted)

However, public recognition in sociogroup therapy is limited due to the small number of people participating in the sessions. Mostly, only twelve to fifteen men and women participate. This limits the reach of public acknowledgement, comparing to the Gacaca tribunals, as in the latter the whole community is engaged in this justice of recognition. Moreover, women in this study participated in women-only sociotherapy sessions. This limits the reach of acknowledgement from the community even more, and centers recognition within the small sociotherapy group of women with similar experiences.

Truth, Fear and Trauma

Regardless the healing aspects of telling Truth in Gacaca, it also has its negative aspects. First of all, Truth is produced by the dominant discourse. Truth in Gacaca is confined to a discourse of the Tutsi survivor, done wrong by the Hutu criminal. The materials analyzed evidence that there is no space for Hutu to tell Truth. The Rwandan state exercises its power over the Hutu by using procedures of exclusion as described by Foucault, such as confining their access to the discourse of Truth. Their Truth is only accepted in the form of nasty confessions. Discourse about the suffering Hutu is silenced. Secondly, Truth that might come out in the courts is dangerous. Witnesses speaking Truth in Gacaca are targets for repercussions (HRW, 2007; Metcalfe, 2005):

> Whoever accuses me, stand up and speak. I demand to hear the coward who called
> me a notable killer, so I can justify myself here. We're not at Gacaca to play ping-
> pong. He who speaks the truth about me will earn my respect. He who lies about
> me will be cursed! (Accused, Aghion, 2009)

Women expressed feelings of fear and intimidation in the courts to speak their Truth. The above statement indicates that intimidation is a tactic to evade Truth to come out. Hence, whereas the state discourse pressures people to accuse and tell Truth, there is a counter-force, not wanting Truth to be told. This might be for two reasons. Firstly, because the Hutu was involved in criminal acts during the genocide. Secondly, because the Hutu believes the tribunals are more about revenge than about justice, hence fearing false accusations. Unfortunately, next to intimidations, also the killing of witnesses or judges needed to prevent Truth to be spoken. Germaine's husband was killed on his way back from the elections for the Gacaca judges in 2001. This caused her re-traumatization and triggered symptoms of ihahamuka. Metcalfe (2005) explains that numerous people have been killed or assaulted to silence witnesses and warn others to remain silent. I would thus argue, that feelings of fear are often present in Gacaca and might even prevent women to

speak out about their experiences. Justice lawyer Aurea Kayinganwa confirms that there is fear everywhere and that people calculate the cost of truth (Metcalfe, 2005, 3). Hence, we could question if Gacaca offers a safe environment to be able to speak Truth. This however contradicts with earlier findings, namely the strong desire for punitive justice in Gacaca. How do we assess this contradiction between creating a safe space for Truth-Telling and the desire for punitive justice through public accusation? My findings do refer to a high *desire* of punishment and retribution among Rwandan women, but this desire does not indicate women actually decide to denounce perpetrators. Even though some women do participate in public accusations, the documentaries showed that the majority of the women decided to remain silent and safe under Gacaca's trees. Hence, I would reconcile this apparent contradiction by arguing that a *desire* for retributive justice most often remains a desire without actually becoming an affirmative deed. This argument then confirms women are seeking for a safe space to share their stories.

The third pejorative aspect of Truth-Telling, is that the Truth told in Gacaca is painful and troublesome:

> I felt deep pain at hearing the killers describe the deaths of my family members. While they were talking I couldn't sit still, I did not know what to do or where to look. I left Gacaca before the end of the session and went back home. I felt intense sadness, anger and grief. I was confused, my head felt very painful, and I felt nauseous but was not able to vomit. (Mameritha, 2014)

> Once, what I heard and saw in Gacaca troubled me so much that I could not sit in Gacaca for a month. (Germaine, 2014)

> An after effect of the genocide was being re-traumatized by Gacaca. (Mutegwamaso, 2014)

> Gacaca reopened my wounds… (Ntakwasa, 2014)

Hearing how family members were slaughtered, sometimes opened up wounds and re-traumatized women, as is exemplified by the above testimonies. Kaminer (2006) and Zolkos (2012) both warn for this risk of re-traumatization if trauma is negatively addressed. The traumatization of these women in Gacaca means that trauma is not dealt with correctly in the courts. A reason for this is the fact that that there is no space for emotions in this public space. The documentaries show women's reactions on difficult stories: none of them dares to cry in public, women becoming emotional hide their face behind their scarf. This can be framed in a history of patriarchal

discourses undervaluing 'feminine' traits, such as emotions and overvaluing a 'masculine' focus on reason in public spheres. Kaminer (2006) argues that it is exactly a space for emotional catharsis which allows women to heal through T/telling-T/truth. Denying women this space in Gacaca, is hence a source of their re-traumatization.

Sociotherapy on the other hand, does offer this space for emotional catharsis. When women are part of a 'women-only' sociogroup, they feel they share the same problems. They share their experiences and allow themselves to cry together:

> When I finally spoke, I was sad and full of emotions. I cried and others helped me to cry. After I had finished talking, I felt relieved. (Berthilde, 2014)

> During the first four weeks I was wondering why I would go to Nyamata just to cry. Once, one of our facilitators explained to us the importance of crying. I learned that when you cry, you feel your heart being released. (Charline, 2014)

> We had good moments together. We cried freely as if nobody was looking at us. We were the same. (Charlotte, 2014)

Sociotherapy offering this space for emotional catharsis, or as Charlotte explains the opportunity to cry together, contributes to women's 'transitional healing' through telling truth and sharing pain. Women in this study state that they appreciate that truth is being told in sociotherapy. They feel they can share their problems without being called a madwoman. Hence, these private therapy sessions offer a space for counter-discourse, offering women a safe environment to tell truth, without discarding their own discourse even if they suffer from ihahamuka.

As suggested in the introductory paragraph, two different types of truth are apparent in the material. The first is a public, factual Truth in Gacaca which does not allow showing emotions. Judges are looking for facts to know whom to imprison and whom to set free. At a certain point judges even interrupt the personal story of the accused, by asking him 'If you would only tell us the facts' (Aghion, 2009). Here again, we see how the trials wants to produce a certain discourse of factual Truth to present 'objective' knowledge, limiting a discourse of personal stories and experiences. Also partly due to its punitive mandate, Gacaca can be considered a fact finding Truth commission. Sociotherapy on the other hand tries to deal with a personal, private truth. Where Gacaca allows retributive justice, sociotherapy allows emotional catharsis. Both are crucial elements for 'transitional healing'. This personal truth also allows women to talk about their experiences after the genocide. As Gacaca only deals with crimes committed in 1994, the public,

factual Truth offers no space to bring to the fore crimes committed after the genocide. This strict time frame limits women's discourse in Gacaca, as Rwandese women also had traumatizing experiences after 1994. Germaine for example, could only talk about the death of her husband in 2001 after Gacaca judge elections during the sociotherapy sessions. Women who experienced violence and sexual abuse after the genocide, could only bring this up in sociogroup therapy. Sociotherapy does not frame women to talk about 1994, but opens up the floor to talk about traumatic experiences before, during and after the genocide. I therefore argue that sociotherapy offers space for counter-discourse due to its unlimited time frame. As Vijeyarasa (2013), Buckley-Zistel and Zolkos (2011) argue, transitional justice practices should not neglect the continuum of violence, from wartime to peacetime violence after conflict. Addressing also non-genocidal violence in sociotherapy, points to the acknowledgement that women's individual trauma in Rwanda is not limited to the social terror of 1994 and thence points out the importance of considering an approach of 'transitional healing'.

3.3 Experiences of Sexual Violence: *Making the Unspeakable Speakable*

It is clear that a space for speaking truth is imperative in order for women to heal from a violent past. However, a truth that hasn't been discussed yet, is the truth of many women being sexually violated during and after the genocide. Yet, women in this study explain that the rapes they endured were the most traumatic experiences of the genocide. The features of speaking truth and getting justice which were laid out in the previous sections, also count for experiences of sexual violence: women need justice of recognition, punishment for the abusers and a space to reach emotional catharsis.

Exposure, Exclusion and Stigmatization

At the start of the Gacaca trials, women were encouraged to accuse rapists in public. Violent sexual abuse against women was not tolerated, and offenders were prosecuted in the first category, which include the worst human rights offenders: 'Who brings us all into the world? Women, of course, are the ones who give us life. Thus anyone who attacked a woman, especially in a sexual way, will be considered as a major criminal. Into which category does he fall? The first!' (Prosecutor, Aghion, 2003). Nevertheless this evident stimulation to accuse rapists, women were very reluctant to do so, because they faced stigmatization and exclusion after speaking out. A patriarchal discourse in Rwanda has been undervaluing women as equals in society for long before

the genocide. As I already explained in the first chapter, women were excluded from the right to ownership, authority or decision-making positions in the communities. This discourse devaluates women's experiences of sexual abuse and constructs this discourse of abuse as one of shame and taboo. Therefore, a 'common' tactic to accuse rapists was to say that they raped 'other' women.

> Prosecutor: Were there rapes? Woman: Sorry? Prosecutor: Did they rape you? Woman: No... But another boy still in prison had a piece of wood this big [woman shows with her arm, raising it up and putting her left hand at the middle of her lower arm] with which he raped the wives of the Tutsi. (Witness, Aghion, 2003)

Very sudden, while the woman was witnessing how a group of Hutu's killed her family, the prosecutor asked her in public if she was raped. This had nothing to do with the facts she was declaring and startled the woman. However, the woman testified she knew a rapist who violated other women with a stick. This points out how much it was encouraged to accuse sexual offenders and relates to a dominant justice discourse advocating for maximum punishment. Prosecutors were explicitly asking women if they were raped, in order to punish the abusers. This was back in 2002, when gendered violence was considered a major crime and punished in category one. However, forcing women to speak this truth in public did not have the effect expected, as women didn't want to expose themselves in front of the community. Women are ashamed of their rape and think of it as something which cannot be told in public. This is due to a patriarchal discourse imposing sanctioning principles through social rules of conduct for the community, which exclude and mock raped women. Hence, this demonstrates the latent power of a patriarchal culture, influencing and limiting women's actions of truth-telling, and hindering their access to 'transitional healing'. I believe that an approach of considering the needs of the gendered individual might therefore counter the exclusionary social practices in Gacaca imposed by a patriarchal discourse.

> However, I did not accuse anyone of raping me, because rape is not something to speak about publicly. I was frightened to talk about it in front of my children and afraid of being mocked by the audience. In addition, I do not know where those rapists are now hiding, so I did not see any reason to expose myself in Gacaca for nothing. (Berthilde, 2014)

> I did not personally testify against the rapists in Gacaca. Apart from being angry and afraid, I was ashamed of standing up in front of people in public and testifying against the men who raped me. (Therese, 2014)

A raped women is a source of mockery and gossip in society, and prevents women from accusing rapists in the public space of Gacaca. Especially if they feel that the rapists will not be brought to justice, because then they have a feeling of exposing themselves for nothing. This relates back to the desire for punitive justice in the first part of this chapter, namely that women want to see their offenders punished.

After the genocide, Charline was forced to marry her rapist, who abused and tortured her for fifteen years. She describes how the community stigmatized her for living with her rapist. The Hutu told her husband he lived in poverty because he took this Tutsi woman, and the Tutsi survivors blamed her for marrying the enemy. Charline stigmatized herself and was not allowed to consider herself a survivor. She did not testify against the rapist in Gacaca, afraid of being called a madwoman and because her neighbors considered the rapist her husband. Hence, the discourse on rape in Gacaca is limited due to the risk for exclusion and stigmatization, incited by a patriarchal discourse in which women don't count for nothing after being violated. This evidences that public opinion and consequent fear for stigmatization and exclusion are important barriers for women to speak about sexual abuse in Gacaca. In the following statements we see how the patriarchal discourse influences social practices and refrains women from taking up certain roles in Gacaca.

> They were always saying that we [female genocide survivors] must have become wives of the Interahamwe. We were also considered to be mad persons; for instance they said that the Interahamwe had injected me with troubles and madness…. He [her husband] did not stigmatize me, but his family rejected me. His mother considers me to be a wicked person, as if I had called on the men to rape me. (Charlotte, 2014)

> But the men who raped me have not been brought to Gacaca in order to be judged. Because other women with rape experiences whom I accompanied to the Gacaca courts did not receive any positive results from it, I decided not to testify against the rapists. Instead of getting the justice the women needed, the public started to gossip openly about them. The rights of the women were not met. Instead, they exposed themselves to the public for nothing. (Illuminée, 2014)

Raped women were sometimes excluded from their own families. It is therefore comprehensible that women did not want to witness about their own rape in Gacaca. Women censured their own testimonies and this internal procedure of rarefaction exposes the scarcity of discourse in Gacaca.

The discourse produced in the courts, lacks meaning as women deliberately leave out accusations of sexual abuse, fueled by a subjection to patriarchy.

Charlotte did go in private to the prosecutor's office however, to denounce the rapist, but was very disappointed about the outcome. The prosecutor did not listen to her declaration and released the rapist after imprisoning him for a few days. During the Gacaca trials, Charlotte tried a second time to denounce her rapist:

> I felt upset about the rapist who had not been prosecuted, so at the beginning of
> the Gacaca court proceedings I approached one lady, who was a Gacaca judge, but
> she did not help me in any way. I told my story for the first time to that lady judge,
> but after telling her my story I regretted it, because there was no outcome… When
> the general prosecutor's office brought up rape issues in Gacaca, I noticed that the
> judges did not consider our sufferings. I became discouraged. (Charlotte, 2014)

Charlotte struggles against Gacaca's rules of procedure, being public exposure of sexual abuse. She resists the shame imposed by the patriarchal discourse and chooses to disclose her rape two times in private, hence bending the rules of Gacaca to accuse in public. This act of resistance proves that women look for alternative openings within the dominant discourse, where they want to be able to speak for themselves in order to produce a counter-discourse about rape, irritating the implied sexual taboo of patriarchy. With this act she questions the validity and credibility of the state's public discourse and engages in a counter-discourse of denouncing privately. This evidences furthermore the need for a private space and care for the individual to share personal experiences of sexual violence. Charlotte's perception is that rape cases were not considered adequately in Gacaca and this disheartened her. However, women need justice for the suffering they endured, and this also counts for rape cases or other forms of sexual abuse and intimidation. Also the other women in this study are discouraged they could not bring the rapists to justice. Mameritha even says she was afraid of truth coming out in the Gacaca courts about her rape: 'While listening to this [declaration of how the accused killed her mother], I thought about what had happened to me, and was afraid that the rapists might repeat what they had done to me in the Gacaca court.' Hence, women want this rape discourse to be silenced in the Gacaca courts, due to the patriarchal tradition of stigmatization and exclusion. Then again, even when the truth came out and rapists confessed their crime, they weren't always brought to justice. Mutegwamaso testified how her rapist bribed the Gacaca judges for not sentencing him to prison:

He had wanted to do the same with me. As a kind of apology he brought me some money, begging me to not testify against him again in Gacaca. I told him: "The money you brought to me cannot cleanse the sin you committed against my humanness. I will continue to denounce you until the end of Gacaca. Money cannot heal the sadness you injected in me. That money is not a deodorant which may remove the bad smell you had, because up to now, I still feel your bad smell. If you would come without money, I could forgive you." (Mutegwamaso, 2014)

Unfortunately, the bravery of Mutegwamaso to testify in public did not deliver any results, as the bribed judges released the man and even helped him flee. Also Illuminée was disappointed in the Gacaca judges, because, as she states, they lacked integrity and accepted bribes. This doesn't only demonstrates the ongoing corruption in the courts, but also the insignificant value attributed to gender-based violence. Mutegwamaso felt deceived by the courts and decided never to go back again. This corresponds to Sigsworth and Valji's (2011) thesis that sexual abuse during and after the genocide bathes in impunity, as women are afraid to denounce the criminals, or if denounced, justice is not done. Thus, my proposal to consider the needs of the gendered individual would not only counter patriarchal exclusion, but would also strengthen a commitment to gender justice.

These precedents illuminate why women don't consider Gacaca as a safe place to speak about their rapes and get justice for what they endured. The first reason is that they fear exposure and exclusion from the community, or even from their own family as Charlotte's story indicates. Secondly, the risk of stigmatization and becoming the mockery of town serves as a barrier to expose their experiences. In patriarchal Rwanda, women are being blamed and shamed for their rape and are consequently excluded from community life. A third reason for not speaking out about sexual violence in Gacaca, is the perception that it won't have any consequences, as often rapists are not brought to justice. Women don't want to expose themselves in public for nothing. They only would be prepared to do so, if rapists were punished. In 2004, due to the problems arising around this topic, the Gacaca Law banned the rape discourse from its proceedings, hence denying women any chance of getting punitive justice for sexual violence. Ntakwasa literally states: 'I feel that the perpetrators having been set free means that I will be dead before rape-related justice in my case will be done'. Women are not considered on a par with men, and their sufferings are neglected, excluded and even silenced by a patriarchal discourse devaluing women's rights. Hence, Fraser's (2007) requirements of gender parity are downgraded in Gacaca, as there are no equitable relationships between men and women during the trials, therefore neglecting a

commitment to gender justice. Women's needs are overlooked, as they are not valued equally, and instigate gender injustice. This corresponds to Fraser's (2008) and Charlesworth and Chinkin's (2000) thesis that legal traditions of doing justice, such as Gacaca, are inherently masculine and therefore ignore women's priorities and values. I thus argue that the created atmosphere around sexual violence in Gacaca, incited by a patriarchal discourse, obstructs women's opportunities for 'transitional healing'. Hence, considering previous results of speaking truth and doing justice, we see a reoccurrence of discourses influencing or delimiting women's 'transitional healing'.

Private Space is Safe Space

Following the slogan '*Speaking is Healing*', women needed a space to talk about their endurances in order to initiate a process of 'transitional healing'. We have seen that Gacaca's public space is avoided to speak about sexual violence, in favor of more private communication. Sociotherapy tried to provide this private safe space for women, by letting them talk in small, confidential groups. The fact that women were allowed to speak for themselves about rape-related issues is proof of sociotherapy offering a counter-discourse of sexual violence. At first sight, we could say that the results show that women do not encounter restrictions in their speech about sexual violence and do not have to fear stigmatization incited by patriarchy. However, analysis of the material proved that not all sociotherapy groups succeeded in providing this secure environment for women to talk about sexual violence. Richters (2014) gathered testimonials from women participating in a specific women-only sociotherapy group, where all women experienced sexual abuse. Some of these women had earlier been part of mixed sociogroups where they couldn't talk about this issue. This indicates that a discourse of patriarchy is not only carried out by a system or institution as Gacaca, but also by its subjects of power, Rwandese men, as their presence conduces women to feel ashamed:

> The first time I learned about sociotherapy, I joined a group with different kinds of people. But I did not share my story in that group because I did not want to expose myself… As I was not yet healed, I later joined a second sociotherapy group with only women genocide survivors… Coming there, I met people who wanted to listen to others. When other women were sharing their stories of rape in sociotherapy, I realised that there were other people who had the same problems as mine. Their discussions took me out of my shame. (Charlotte, 2014)

> The first group I attended enabled me to talk about the death of my loved ones,
> while the second group allowed me to talk about my suffering from HIV as a result
> of the rape I faced. (Ntakwasa, 2014)

Disclosure of personal stories does not happen automatically in sociotherapy. Women in this study only shared their personal stories with women facing similar issues. This indicates that a safe space for women to talk about sexual violence and access healing, is a space without men, consisting of other sexually abused women. This reduces the risk of being stigmatized or gossiped about, because all women row in the same boat. This safe space is created because women feel exposure does not lead to exclusion and stigmatization. Thence, a discourse of sexual violence in a patriarchal society as Rwanda's can only be instigated among women with similar experiences. Women state they really need this speaking out in order to heal from trauma:

> After joining other women in sociotherapy, I developed trust in the group members
> because we had the same problems. When I shared my story, I felt released and I
> stepped out of my suffering. Since then, I have not been afraid to talk about the
> rape anymore… But only sociotherapy helped me to feel free and helped m e talk in
> the group about the unspeakable rape I had endured. (Mutegwamaso, 2014)

> Before speaking and thinking about the story I would share, I felt afraid, expecting
> that the other women would laugh at me, stigmatize me and blame me, like my
> neighbours had done. My fear was due to the fact that when people know you
> have been raped, they say that you are unimportant and finished… After I had
> finished my story, however, the panic I had before was gone. I was happy that at
> least I had succeeded for the first time to speak about my suffering to a group of
> people and I started to be strong. (Therese, 2014)

> Therefore, I would advise other women to be patient and talk about the rape they
> have faced, because there is a treatment in talking about this bad experience.
> (Charlotte, 2014)

However, sociotherapy as an alternative for Gacaca to talk about sexual violence is only valuable if women-only healing spaces are created, because women feel they can trust each other. Mixed groups might contribute to 'transitional healing' due to their space for emotional catharsis, but these still exclude sexual violence as an object of speech. The presence of men and a patriarchal discourse in Rwanda stigmatizing raped women might be the cause of this issue in mixed groups. However, women-only sociogroups surely enhance women's process of healing, as they are offered a space to out their emotions, to cry and laugh together, for and by themselves. Even

though sociogroup therapy is not 100% safe for women to speak truth, depending on the composition of the groups, it can still be considered as a space open for counter-discourse in comparison to the discourse produced in Gacaca. First of all, because since 2004, Gacaca has been suppressing the discourse of sexual abuse, leaving women no space to speak about their trauma. Sociotherapy, under certain circumstances, does offer this space for women to talk about sexual abuse, without risk of stigmatization and exclusion. It is hence not only a counter-discourse allowing a discourse about rape, but it also resists a patriarchal discourse excluding raped women from society. Secondly, sociotherapy allows a counter-discourse because it does not limit its discourse to genocide related crimes. In sociotherapy, women as Charline were able to disclose sexual torture and abuse that had been going on for years after the genocide. The consideration of the continuum of violence women experience in daily life engages on a deeper level with women's traumatic experiences than the Gacaca tribunals and indicates the strong commitment of sociotherapy to heal the individual. This characteristic of sociotherapy counters a big issue of transitional justice initiatives set out by Buckley-Zistel and Zolkos (2011), who argue that the problem of TJ is the neglecting of non-genocidal crimes and the continuum of violence. I therefore argue, considering Gacaca as a public space for public Truth and sociotherapy as a private space for personal truth, that the latter contributes more effectively to heal women from specific traumatic experiences such as sexual abuse, due to its counter-discourse allowing emotional catharsis and a different, personal speech of private truth-telling. However, it should also be noticed that the material indicates that sociotherapy in women-only groups privileges a narrative of sexual abuse, and portrays women as victims of sexual violence. This diverges from the theories about gender in TJ which have been advocating for re-imagining the harms done to women in more all-encompassing ways. As Vijeyarasa (2013) maintains, focusing on women's stories of sexual abuse fixes them as victims in need of male protection. I hereby want to add that this positioning of women amplifies the protective and devaluing role of the patriarchal discourse, and does not in any way contribute to achieving gender justice in the broadest sense, as equitable relations between men and women are not considered. Nevertheless, I maintain that women participating in sociogroup therapy developed new subjectivities, as they didn't consider themselves unworthy of suffering anymore and were able to develop a counter-discourse of rape thanks to an intense approach of the healing individual.

3.4 Reconciliation: *Welcome in the Rwandan Family*

One of the questions that reoccurs constantly in both Gacaca and sociotherapy, is how to live together again in Rwanda. Both TJ initiatives are experiments in order to contribute to a new Rwanda where Hutu and Tutsi can live peacefully together. However, Gacaca and sociotherapy consider other strategies to work towards this goal. Gacaca works mainly on retributive justice, and to a lesser extent also on restorative justice. Sociotherapy implements solely restorative justice, by giving Rwandans the feeling that they are part of a group again (Scholte, Polak, 2009).

My People Your People

Gacaca encourages reconciliation through restorative justice. The punitive justice system might send accused to prison, but upon their return, Gacaca expects that the prisoner will be welcomed into the 'Rwandan family' again:

> He'll come out and you'll welcome him back into the Rwandan family. He'll help
> rebuild the country with community work. Understand? Prepare to greet him, in a
> year or a year and a half. (Prosecutor, Aghion, 2003)

The pressure of reconciliation is forced upon victims and survivors. Following Foucault's (1970) procedures of mastery, this enforced reconciliation of living together, could be considered as the third strategy of exclusion: rituals and circumstances of speech. Gacaca in this sense, attributes roles to the speaking subject, to the bystanders, the witnesses and the perpetrators. In a first stage of Gacaca, Rwandans are attributed legal roles: witness versus accused, victim versus perpetrator. In the second stage however, when prisoners are released, Gacaca expects that these oppositional roles disappear and imposes the role of the forgiving Rwandan, because in the end, everyone is 'one big Rwandan family'. This enforced living together is perceived as a very hard task by the survivors:

> We must get along with them, they outnumber us. We try to cajole them so they
> don't start again. We beg them even! We'd work their fields if they'd let us be and
> speak to us. (Wencelas, Aghion, 2005)

> Aren't we already living together? Today, those who killed our people are working
> our fields. You feed and educate the children of those who killed your people. Can
> there be a better Gacaca? (Witness, Aghion, 2003)

> The worst part is that we meet every day. (Félicité, Aghion, 2005)

This abrupt transformation of roles, from being a killer to being a neighbor, is according to Martin (1998, cited in Verdeja, 2008) needed for people to start living together again. He calls for an ontological transformation among all parties, being perpetrators, victims and bystanders, where animosity and bitterness are rejected in favor of broad-based public repentance and forgiveness. However, this would imply a consequent discourse of forgiveness in Gacaca, without further dividing ethnicities. But within this 'united Rwandan discourse', there is a powerful contradiction. Even though uttering the words Tutsi and Hutu is strongly forbidden, the 'us versus them' discourse is almost constantly apparent throughout the Gacaca proceedings. This is not surprising, as the roles of victim and perpetrator are attributed according to one's ethnicity. Even if prosecutors in Gacaca are instructed to tell the people that everyone is Rwandan, introducing this new Rwandan identity, the testimonials and confessions always refer to 'us and them', Tutsi and Hutu. Explicit ethnic proliferation is prohibited, but still persists in this dividing ethnic speech:

> Aron Byumvuhore! Here he is, he's one of *us*. Why do *they* accuse you today even though you say you're one of *them*? (Prosecutor, Aghion, 2003, emphasis added)

> His family let me down, saying Aimable is a victim of *my people*. But all of *my own people* are dead. (Wife accused, Aghion, 2003, emphasis added)

Living together again in Rwanda has been a failed project of Gacaca, as the Tutsi survivor – Hutu perpetrator discourse injected by the authoritarian state divided Rwandans up even more and spread mistrust and hatred amongst the people (Corey & Joireman, 2004). Marie Claire's testimony explains that living together with *killers* stresses the survivors:

> There is no way one can kill your parents, kill your entire family and you remain like a tree [indifferent], and then expect to talk to him or her nicely. Well you talk to him or her but your heart feels like a stone. The advice I would give the genocide survivors is… they shouldn't always carry that burden. They shouldn't let themselves be stressed by the killers. (Marie Claire, 2004)

Even though the dividing discourse and social practices embedded in Gacaca showed through in Rwandese communities, there are also some positive experiences of living together again thanks to the tribunals. Hearing the truth about the past, in combination with apology and forgiveness, led some women to reconcile with the perpetrators and live together again.

> Even though Gacaca left some unresolved trials behind, it reconciled me with the killer of my mother. My work as a judge in Gacaca helped reduce the hate I had

> towards the families, including their children, who were involved in the killing of
>
> my relatives. (Germaine, 2014)

Germaine's social role as Gacaca judge made her see things in another perspective. She reconciled with the killer of her mother and now lives peacefully with him in the same village. Even though reconciliation through the courts is possible, Mameritha argues that living together will never be the same as before the genocide, because of the ruling mistrust amongst survivors and perpetrators. However, she does acknowledge that Gacaca facilitated communication between the Hutu and Tutsi and brought the Rwandan people together. Also Therese speaks of reconciliation thanks to the tribunals, which helped her overcome her fears:

> Regarding Gacaca, I regard it as an important form of justice that reconciles people.
>
> It facilitated Rwandans to meet with each other again and helped genocide
>
> perpetrators and survivors to talk to each other. Before the Gacaca courts started, I
>
> was afraid because everybody was still angry. This is no longer the case due to
>
> Gacaca. (Therese, 2014)

Even though it appears to have some positive effects working with the social towards reconciliation, Gacaca's strategy of reconciliation is rather precipitous, as it first focuses on an atrocious past, punishing perpetrators and imprisoning them for a few years. Immediately after these prisoners' release however, people are expected to live together again and welcome prisoners in the community as if nothing happened. However, as Grohmann (2009) has argued, bringing the community back together, does not rule out justice. It is more that a balance between performing punitive justice and restorative justice of living together again and focusing on the future should be found. This balance in Gacaca might need a smoother transition from punishment to reconciliation.

Working Together Again

The reconciliation tactic of sociotherapy might make this smooth transition possible, as time is given to perpetrators and victims to approach each other again. This is done through the organization of mixed sociotherapy groups, whereby Hutu, Tutsi, victims and perpetrators sit together to talk about the past, the present and the future. These close encounters focus on individual stories and encourage people to listen to each other. In this space, Hutu perpetrators get the chance to explain themselves, and motivate why they did certain things. This relates again to telling truth and fuels people's understanding of what happened in 1994. Illuminée shares her

story, about how she reconciled with the killer of her relatives and started to share food with him thanks to sociotherapy:

> In the first sociotherapy group I met a man who had joined in the killing of my relatives and killed one of my children. He had been imprisoned after admitting his crimes and was later released. It was through sociotherapy that I started to understand that he also suffered, particularly due to the loss of his child who was killed in Congo and because of the guilt he felt about the crimes he had committed. (Illuminée, 2014)

The confrontation with this perpetrator in sociogroup therapy made Illuminée understand him better, and she started to live peacefully together with him and other perpetrators. She even considered that what he did was not his fault, but must have been injected in him and other killers by the bad government. Thence, mixed sociogroups contribute to reconciliation, as killers meet survivors and Hutu meet Tutsi. In sociotherapy, people learn to live together again, due to an increased understanding of what happened to themselves and to other Rwandans. The women in this study all state that before joining sociotherapy, they felt lonely and lived in isolation, hating everyone around them:

> Before sociotherapy, I was living in isolation… During sociotherapy, the hate I felt towards my children and my neighbours disappeared… Meeting other women in sociotherapy took me out of loneliness… Regarding my neighbours, I did not feel free with them because they have their children and families, but today I talk to them. I was living alone, but now they visit me as I visit them. I now consider them my relatives, which is different from before. (Berthilde, 2014)

> I was always angry, and I was full of grudges. I also felt that I wanted to live alone. Surprisingly, while I was following sociotherapy, I felt changes in my whole body. The anger, thinking deeply about myself, all these symptoms disappeared. The loneliness has gone. Another problem which has gone is the hate towards all Hutus. They taught me to live peacefully with others. (Charline, 2014)

Attending sociotherapy helped women to live with others again and bury grudges. Women testified that feelings of hate towards neighbors and Hutus disappeared. Therefore, sociotherapy plays an important role in reconciliation, and consequently 'transitional healing' in Rwanda. Sociotherapy might therefore be perceived as the transition from punishment to reconciliation and forgiveness, the in-between step the courts are overlooking, due to a focus on individuals and their relation to others. Moreover, sociogroup therapy does not only improve relationships with

community members, but also within the family. Women with children born out of rape proclaimed that they could not bring themselves to love their children. They often used to beat and torture their children, because they reminded them of the rape. In sociotherapy, women learned that they are not creating a safe environment for their children by treating them this way and that this will not relieve their suffering. After the fifteen therapy sessions, women claimed that they changed their behavior towards their children:

> It was good to tell my daughter the truth, because before I was always transferring my anger and sadness onto her. I saw her as the source of my suffering. (Mameritha, 2014)

> I was always tormenting my child born from rape through insults…. After going through sociotherapy, I accepted my daughter born from rape and I became aware that I am still alive… I was always beating my children because of my anger. Now, I no longer beat them. (Charlotte, 2014)

Hence, talking about these problems in sociotherapy, ameliorated women's relationships with neighbors, their husbands and their children. It fuelled understanding from all sides. An environment of understanding and having these working relationships, is definitely an important aspect contributing to transitional health. Also Staub et al. (2005) suggest in their study the importance of understanding each other and understanding the origins of violence in order to start a process of healing. Women in this research explicitly state that participating in sociotherapy taught them to live peacefully with others and made physical and/or psychological illnesses, such as headaches or ihahamuka, disappear.

These functional relationships furthermore empowered women to work together with other community members to gain some money and leave poverty. Sociogroup therapy encouraged women to be productive and self-sustaining, supporting them by providing material assistance in the form of cattle. Women who got empowered through sociotherapy share this story to inspire other women and help them out of poverty. They share advice and experiences on how to achieve the goal of leaving poverty behind. In *Ziek van Oorlog* (Polak, 2009) a woman explains in a sociotherapy group how she managed to financially sustain herself now that her husband is dead: 'I learned to weave baskets. I weaved a basket and brought it home, and then another one. I made a third basket and sold it for two euros. I pursued weaving baskets and I am selling them now for eight euros' (Hans Polak, 2009, interpreted). This sharing of experiences and step by step

explanation of how to become self-sustainable encourages women to start something of their own. Berthilde for example, planned a project of cultivating a lawn. Other members decided to work together on a bigger scale to increase revenues. Working with others augments women's integration and participation in society and consequently highly contributes to their 'transitional healing'. This is according to Pim Scholte, Dutch sociotherapist, one of the most important functions of the therapy sessions, namely making people feel part of a group again and letting them take up social roles (Hans Polak, 2009). This taking up of social roles is crucial for women to get rid of their victim status and reinstate their citizen status as Verdeja pleads for (2008). Sociotherapy reconciles, helps women come out of isolation, but also encourages them to work together, to build a new community and create hope for the future. This demonstrates how sociotherapy concentrates on healing individuals, healing women in relation to the social. Hence, whereas Gacaca, as a traditional form of transitional justice focuses immediately on healing society while using exclusionary practices and overlooking the needs of the individuals, sociotherapy focuses on how these individuals should start reconstructing the social in relation to others.

3.5 Forgiveness: *Because Forgiving Brings Peace to a Broken Heart*

In the previous part I argued that in the Gacaca tribunals, a ritual of reconciliation is imposed on the community, when the accused are released from prison and reintegrated in society. Some women find it hard to see these killers every day, other women however, believe that this living together brought reconciliation and peace in their hearts. One important element which has not been discussed yet, but which is not less important in order to reconcile, is forgiveness. This last part will indicate that forgiving is a crucial component for women to deal with the past and head towards a healthy future.

Enforcing a Discourse of Forgiveness

Gacaca is essentially encouraging forgiveness and reconciliation. As an instrument of the state, Gacaca forgives prisoners after confession and sets them free to be welcomed in society. The state consequently functions as an example for having a forgiving attitude. In *Gacaca, Living Together Again in Rwanda?* trials have yet to start, and prosecutors go to communities to explain what will be the function of these courts. In an information session on the trials, prosecutor Jean Marie Mbarushimana sets out the forgiving attitude of Gacaca and the state: 'Under regular law, they

would receive the death penalty. Am I not right? Gacaca has lightened their sentence, it will be from 25 years to life... A new law stipulates that those who confess, will serve half their sentence in prison. The other half will be served at home, with the obligation to do two or three days of community service per week' (Aghion, 2003). This lightening of sentences indicates the state's willingness to forgive. This exemplary role of the state does not go unnoticed by the population. People feel they too should forgive, because the state has told them to do so: 'Although these events took place at the time the State now requires we put them behind us' (Witness, Aghion, 2009). People feel they too should embrace a forgiving mentality. Hence, the power of the state's forgiveness discourse is enforced by example. However, this is a hard task to do so, and Félicité feels she should be the one granting forgiveness before the state did so:

> For a long time, he didn't seek forgiveness from anyone. But recently, he came and begged me to forgive him. I forgave him. The State had done so before me. This court can also forgive him for my children who are dead. Go ahead, grant him clemency. (Félicité, Aghion, 2005).

After speaking out, she becomes emotional and hides her face behind her scarf. It seems as she does not want to forgive the killer of her children, but feels obliged to do so because the state already did. She explains she is in the hands of the state and the court, because they already forgave. Consequently, this discourse of forgiveness focusing on healing the social can be interpreted as being imposed on victims and survivors, not leaving them any other option. This is implemented by implying the conditions of applications of discourse (Foucault, 1970). When the condition of confession and asking for pardon is fulfilled, then the survivors are put in the position of having to grant forgiveness: 'And I'm meant to reply: "Thanks so much, I forgive you"' (Euphrasie, Agion, 2003). Forgiving is not something easily done and sometimes may trigger trauma:

> But they shouldn't ask me to lighten their burden. You can seek forgiveness from someone whose cow or animal you killed. A cow you can be replaced at the market. He won't take two of his children to compensate me for one of mine. (Euphrasie, Aghion, 2009b)

> To forgive, these are words that people are quick to use but it doesn't even make sense. The person who asks it and you who says that you have forgiven him it's not something easy…. These people who are sent home and forgiven really traumatizes

us because it seems as though they are the ones who are cared for. (Josephine, 2007)

Forgiveness can only be granted if pardon is asked by the wrongdoer. Women in this study put a lot of importance on being asked for forgiveness. It is only then, says Joanita, that justice is done for her (Metcalfe, 2006). The importance of the wrongdoer asking for forgiveness, lies in the fact that he accepts and acknowledges the pain he's inflicted. Women being asked for forgiveness experience justice of recognition. The wrongdoer recognizes his pain and asks to forgive him for his part in this. Nonetheless, women argue that forgiveness should come from the heart. Josephine describes how the discourse of asking for forgiveness in Gacaca does not come from the heart, but is a performance of hypocrisy:

> Whoever asks me for forgiveness in truth, I would forgive them. But not forgiveness out of hypocrisy like they do in Gacaca, someone coming and saying that I am asking forgiveness from every Rwandan, I don't have that forgiveness. I don't forgive those ones because I see that they are just saying it, it's like a slogan they use I don't have forgiveness for those ones. But if someone comes and kneels before me and says it from the depth of his heart. And when someone is saying something from the depth of their heart you can tell and I can forgive them. (Josephine, 2007)

Josephine describes that forgiveness should be told in truth. She expects the wrongdoers to come to her house to ask for forgiveness, and not to ask it in front of everyone as a slogan in Gacaca. This theatric act of asking for forgiveness as a slogan in Gacaca was recurrent in de documentaries. The accused very often asked for forgiveness to all Rwandans, instead of to the women or men they hurt the most. The women in this study explicitly say they want the perpetrators to ask for forgiveness in person. Beatrice cannot talk about reconciliation yet, because she says that no one has come to ask her for forgiveness in person. This indicates how strongly related the themes of reconciliation and forgiveness are, as one cannot go without the other. Women cannot live together with their neighbors and killers if they don't feel they have already forgiven them. Also Mameritha says that she could only live together with the killers, after she had forgiven them.

Mutegwamaso explains how she learned in trauma counseling groups, that apology and forgiveness should lead to reconciliation. We are reminded of the importance of an apology coming from the heart, when Mutegwamaso refuses the apology from her rapist coming with money to bribe her into not testifying: 'If you would come without money, I could forgive you.'

However, the discourse of forgiveness enforced by Gacaca, should not only be considered as a suppressive power, but also as a productive power: forgiveness also fuels reconciliation and reconciliation improves women's 'transitional healing'. Moreover, Gacaca is not the only instance wanting to enforce forgiveness to make people live together again. Women who participated in sociotherapy, described how they learned to live in peace with others by forgiving and how it healed their hearts:

> I learnt that if people sinned against me, I have to forgive them. This lesson brought peace in my heart. Being angry and bearing this hatred were gradually killing me while they, the sinners, were sleeping. I felt that I have to forgive my enemy, because forgiving brings peace to a broken heart. I did forgive, and I feel better than before because of that. (Charline, 2014)

> I learnt that to forgive and ask for pardon are two deeply significant things. When you seek pardon, you feel relieved in your heart. And at the same time, when a person who is asked to forgive offers that pardon, he/she also feels released and the relationship becomes better. (Mameritha, 2014)

> I learned to forgive and started to exchange food with him [perpetrator]. (Illuminée, 2014)

So we can say that the discourse of forgiveness imposed by both Gacaca and sociotherapy, might also be perceived as contributing to reconciliation in the country, as people start to live together again after forgiveness is granted. Furthermore, both Gacaca en sociogroup therapy contribute to women's 'transitional healing', by emphasizing the importance and teaching how to forgive. A focus on forgiveness engages with a post-conflict country in transition and wants to bring perpetrators, victims and bystanders together. This indicates that Gacaca is not only concerned with retributive justice, but also with restorative justice focusing on the future. Van der Merwe (2009) argues that forgiveness is inextricably linked to reconciliation and restoration, by encouraging people to actively participate in the community and work together again. But as Kriesberg (2001) warns us, initiatives of transitional justice shouldn't limit themselves to preaching forgiveness, but also actively engage in restoring broken relationships. This has to a certain extent been done in sociotherapy, where killers and victims are confronted with each other and are encouraged to live together again, or maybe even work together. Gacaca on the other hand, left this rather floating on the surface, as it focused on preaching forgiveness, without informing

people how they should do this exactly. Moreover, forgiveness preached in Gacaca can be considered hypocritical, as the discourse uses dividing 'us' versus 'them' speech and practices.

Conclusions: Discussing and Redefining Transitional Healing

This research investigates how women can heal through transitional justice initiatives in post-conflict societies. To study this phenomenon of 'transitional healing', I focused on Rwanda's Gacaca and sociogroup therapy to examine the potentiality of this concept. The theoretical framework has been thoroughly explained in the first chapter and dealt with the connection between Fraser's interpretation of social justice, transitional justice and 'transitional healing'. I argued that the importance of 'transitional healing', lies in the fact that it takes into account the needs of the individual within social practices of transitional justice. Hence, the concept should be considered as a tool, focusing on the individual in relation to the social, to heal society. Concentrating on the individual within a social context, also means tackling two problems which came to the fore in my Rwandan case study, namely the neglecting of gender and ethnicity in TJ. I maintained that focusing on the ethnic and gendered individual, assessing his or her needs in social practices, would eventually contribute to his or her healing and ability to reconstruct the social. This approach of 'transitional healing' counters mainstream theories and practices of TJ, mainly engaging with society as a whole without considering the affected individuals.

Attaining social justice, through initiatives of TJ, was in the first place the main feature to consider women's 'transitional healing'. However, I also explained that social justice in Rwanda was interpreted in a peculiar way: reaching one-sided social justice for the Tutsi. This was due to a dominant state discourse of justice, in which the Hutu were targeted as perpetrators of the genocide. Considering the importance of discourses on justice in Rwanda, this study engaged with a foucauldian discourse analysis as a methodology in the second chapter, to adequately research women's perceptions of 'transitional healing' accounting for their embeddedness in patriarchal and ethnic power structures. The outcomes in the second chapter suggest that the procedures of mastery, as described by Foucault in terms of exclusion, depletion and control of institutions, greatly influence women's access to spaces of TJ. Especially the discursive practices incited by a patriarchal and ethnic state discourse excluded women and Hutus from the right to justice and T/truth-T/telling.

The theoretical chapter dealt with the concept of 'transitional healing' in terms of doing justice and speaking truth. Next to truth and justice contributing to women's 'transitional healing', this study proved that reconciliation and forgiveness are crucial for women's perceptions to heal from trauma. It is clear that a process of healing cannot be a solitary process, but should be accessed in

relation to other members of the post-conflict society (Santa Barbara & McQueen, 2004; Horne, 2013). Both Gacaca and sociotherapy work on the social, on this relationship with the community, promoting and enforcing reconciliation. However, we have seen that Gacaca reproduces an 'us' vs. 'them' discourse and hereby keeps a strong ethnical division within communities, obstructing the healing of the social. Sociotherapy on the other hand evades this dividing discourse and fuels understanding between all parties. This understanding is crucial to live with each other again, in order to create empathy and start the healing process. Moreover, sociotherapy actively engages in teaching women how to renovate these social bonds and work with other members of society again. A personal focus on their social status considers their socio-economic needs and combats women's status as victims. Besides, reconciliation is inextricably linked to forgiveness and this should hence be taken into consideration in order to access 'transitional healing'. A discourse of forgiveness is imposed by both Gacaca and sociotherapy, as women are pressured to forgive the perpetrators asking them for forgiveness. Even though this discourse could be perceived as oppressive, it also functions as a productive power, as forgiveness fuels reconciliation: women in this research state that thanks to forgiving killers and prosecutors, they were able to have a normal life again, without ihahamuka, stress and headaches. This could be brought in relation to an increased effect of justice of recognition when public repentance is shown. Forgiveness has thus a social and physical impact on women, and is a major element in their process of 'transitional healing'.

The analysis in the third chapter confirms the theory that speaking truth heals women through an effect of justice of recognition increasing self-validation and public recognition of pain and trauma. It has been explained that the Truth told in the courts has healing effects due to the 'relief of knowing' and the public acknowledgement of both the perpetrator and an emphatic community. I referred to this Truth as a 'healing truth', which in some cases even had the effect to reposition women in society, due to a reconsideration of people's involvement during the genocide. Hence, both truth and justice of recognition are immensely important to access 'transitional healing'. This public recognition has a very wide range in Gacaca, as it focuses to heal society on a nation-wide level by obligating all Rwandans to participate. In sociotherapy however, the scope of public recognition through telling truth is very limited, as only ten to fifteen people are involved in the group sessions.

The findings of my research exposed several issues concerning public Truth-Telling in Gacaca. First of all, Gacaca only allows to speak a partial Truth as discourses of Hutu women are severely restricted, pointing out the limiting ethnic power-relations in the courts. We have seen that Hutu cannot tell Truth as victim or as witness, and that their Truth is strictly controlled. Hence, the state-controlled discourse in Gacaca limits Hutu women's access to Truth-Telling, ignores their suffering and consequently obstructs their access to 'transitional healing'. Next to ethnic limitations to Truth-Telling, discursive practices in Gacaca also limit access to Truth through an opposition between 'seeing' and 'speaking'. Encouraging people to tell what they 'saw' during the trials, Gacaca's focus on visibility has been described as a manifestation of power, as more credibility is attributed to the speaking Tutsi subject. Also mental health is in this aspect a limitation to speaking Truth in Gacaca, as the stories of women suffering from ihahamuka are not taken seriously and discarded as stories from 'madwomen'. Hence, Truth-Telling in Gacaca is immensely important for women to access 'transitional healing', but matters of ethnicity, presence/absence and mental health function as strict limitations to access this Truth. A second problem with Truth-Telling in Gacaca, is the lack of safety measures for witnesses and victims. Women do not consider the public courts as a safe space and refrain from public accusations, due to fear for repercussions. Thirdly, Truth-Telling in Gacaca contains a risk of re-traumatization, due to the neglecting of individual's need for emotional catharsis. The masculine space in Gacaca focuses on rationality and leaves women no space to out their emotions, even though the stories are particularly hard to deal with. Lastly, the focus on genocide-related crimes severely limits Truth-Telling in Gacaca, as there is no space to tell Truth about injustices which happened before or after 1994. Neither is their space to speak out about non-genocide related crimes, such as the crimes of the Tutsi soldiers. An approach of 'transitional healing' would have countered these issues in Gacaca, as the needs of the individual, such as providing safety or a space for emotional catharsis, would have been taken into account.

Next to public Truth-Telling, I also considered the importance of private truth-telling. My findings show that the court's public space intimidates women to speak about sexual violence they experienced, due to fear of exposure, exclusion and stigmatization incited by a patriarchal discourse. Moreover, even if women risked all of the above to get justice for sexual offences, often they exposed themselves for nothing as rape still bathes in impunity and no justice was being done. In 2004 it became prohibited to talk about sexual violence and women did not have any chance to get rape-related justice. As these matters could not be uttered in Gacaca anymore,

women actively searched to evade the public spheres, looking for private spaces to out their stories and counter the discursive practices of Gacaca's public Truth-Telling. Women found this private space in women-only sociotherapy groups, giving them a chance to create their own counter-discourse about rape. The private space in sociotherapy moreover safeguards women from repercussions, exclusion and stigmatization in their community. Lastly, the counter-discourse of rape in sociotherapy considers the continuum of violence women experience before and after the genocide, wherefore it counters the genocide-related discourse in Gacaca. Sociotherapy's focus on the female individual ruptures mainstream theories of transitional justice, focusing on social healing in relation to the entire affected community. The analysis points out that women need a private space to speak a personal truth in order to access a process of healing from sexual violence. This study proves that without women's access to sociogroup therapy, they wouldn't have had the possibility to deal with experiences of sexual abuse. Hence, accounting for a gender sensitive approach in processes of TJ, women's personal need for safe spaces should be considered, because this privacy safeguards them from patriarchal exclusion and stigmatization, and allows personal healing through emotional catharsis. I therefore argue that sociotherapy as a space for outing emotions and speaking truth about sexual abuse considers the needs of the female individual and highly contributes to women's 'transitional healing'. I consider these private therapy sessions as offering an alternative space for truth-telling and raising a 'forbidden' discourse about rape. However, sociogroup therapy tends to focus on the female individual as a passive victim of sexual abuse and thereby makes a stratification of these women's rights: sexual and reproductive rights over economic and social rights.

The last crucial aspect for women in post-conflict societies to access 'transitional healing', is the need for justice. Punitive and distributive justice, heal women in the sense that they perceive justice has been done to the endurances they suffered, experiencing justice of recognition and distribution. Gacaca's main concern is providing retributive justice through punishing perpetrators. This retributive justice is very important for women's 'transitional healing' as they sense that social justice is considered. Moreover, retributive justice in the form of public punishments, as performed in Gacaca, validates women's suffering through public recognition. And as has been argued many times before, justice of recognition is critical to access women's 'transitional healing'. However, whereas Gacaca commits to participatory justice, the ideal of participatory parity is completely neglected. In Gacaca, only Tutsi survivors have the right to justice and this exposes the conflict between the ideal of participatory justice and Gacaca's exclusionary practices

based on gender and ethnicity. These ethnic exclusionary practices are also found in Gacaca's commitment to deal with distributive justice, as only Tutsi survivors have the right to material assistance.

Thus, we have seen that a Rwandan discourse of justice portrays Tutsis as victims and Hutus as criminals. This discourse has proved to effectuate material conditions in the neglecting of Hutu's right to justice and Truth-Telling. A Western discourse of justice on the other hand advocates the idea of justice for all, both Hutu and Tutsi, implemented through sociogroup therapy. However, both instances of transitional justice failed in achieving 'transitional healing' if we take Fraser's social justice as the focal point. Gacaca discards participatory parity, by denying Hutu access to justice and truth, and gender parity, by leaving women no space to achieve rape-related justice. The notion of 'justice of recognition', which is crucial to achieve social justice, is thence not even considered within the tribunals. Hutu's and women thence face misrecognition in the Gacaca courts and this severely obstructs their access to 'transitional healing'. An approach considering 'transitional healing' and thus the needs of the individual, would counter the negation of gender and ethnicity in Gacaca. However, whereas Gacaca does not take the individual as its starting point, sociotherapy does not take social justice into consideration. Likewise, accounting for Fraser's definition of social justice, the material conditions have to be met in order to access individuals' 'transitional healing'. Hence, even though sociotherapy takes the needs of the individual as its starting point, this focus on the individual is also a limitation to reach social justice. Sociotherapy does not partake in offering distributive justice and can therefore not be considered a proper alternative to Gacaca to reach 'transitional healing' and consequently social justice. I therefore argue that an approach to heal the individual in post-conflict societies, should account for his or her needs within the larger social practices of TJ, countering practices of exclusion and consider-but not limit itself to- the personal.

I will now redefine the concept of 'transitional healing' according to these four elements: justice, truth, reconciliation and forgiveness. These encompass the need for both symbolical and material reparations, as was discussed in the first chapter. Speaking truth, reconciliation and forgiveness work on the symbolical level, because they mainly revalidate women's dignity and self-value due to justice of recognition. Justice works on both the economic and symbolic level. Distributive justice ensures that looted properties are repaid, health insurance and school tuition are covered for. On the symbolic level, doing justice provides women with justice of recognition. I can now

propose a new definition of the concept: 'transitional healing refers to the healing of individuals in transitioning post-conflict societies. This healing can be accessed by addressing individuals' need for justice, truth, reconciliation and forgiveness, in order to reach a social just society. Only when these four elements are sufficiently addressed, by one or complementary initiatives, can there be space for healing.' It should be noted that this definition describes that 'transitional healing' is possible through complementary initiatives. By this I argue, following the results from Rwanda's TJ initiatives, that one process of TJ cannot adequately address all four aspects needed for individual's 'transitional healing'. We have seen that Gacaca scores on retributive justice and distributive justice, but herein lacks giving women a safe space for emotional catharsis or ensure justice of recognition for Hutus. Sociogroup therapy on the other hand provides this space for emotional reasoning, but then again cannot provide women with a sense of performing retributive or distributive justice. Complementarity of initiatives should therefore be a key note in post-conflict societies searching for ways to deal with the past.

I dealt with the problem in mainstream theories of transitional justice, focusing on the healing and reconstruction of the social, while ignoring the needs of the individual. Traditional TJ processes address the past through focusing on society as a whole, uncovering a macro truth and creating a collective memory. This collective approach implies that individuals will be healed after the social has been reconstructed. I argued that this approach does not consider adequately the needs of individuals. The concept of 'transitional healing' was therefore introduced, to focus on the healing of individuals within these social practices of TJ, because a healthy society does not automatically generate healthy individuals. The argument of this thesis is that the needs and health of individuals should be considered within larger social practices, to tackle social issues and consider gender and ethnicity within a social and political reality. I argued that complementarity of initiatives is necessary in order to initiate 'transitional healing' in post-conflict societies, and that both Gacaca and sociotherapy partly contribute to women's 'transitional healing'. However, Gacaca is a typical example of a traditional TJ approach, focusing on healing the social and overseeing the needs of the individual. This has been exemplified by the courts denying space for emotional catharsis and private truth, obstructing possibilities of personal healing. Sociogroup therapy on the other hand, due to its small group composition, attributes more importance to the healing of individuals, by engaging with personal stories and people's relationships. This process of TJ is an intense focus on the healing of the individual, but does not take social justice into consideration, as the material conditions cannot be achieved. Further, even though sociotherapy

does consider women's socio-economic issues, it inclines to make women passive victims of sexual violence, as it privileges the discourse of sexually abused women. For the above mentioned reasons, I assert that both initiatives of TJ in Rwanda are very problematic and failed to achieve 'transitional healing' and social justice.

Concluding, this study demonstrated the importance of introducing the concept of 'transitional healing' in the field of transitional justice, to assess the needs of the individual with practices of TJ, taking gender and ethnicity into account. Moreover, discourses on justice majorly influence practices of TJ and women's access to processes of 'transitional healing'. I would therefore recommend that both discourses and the needs of the individual are acknowledged and considered in practice and research on gender and transitional justice.

Bibliography

Aghion, A. (2003). Gacaca, Living Together Again in Rwanda? *France, Gacaca Productions.*

Aghion, A. (2005). In Rwanda we say… The Family that does not speak dies. *France, Gacaca Productions.*

Aghion, A. (2009). The Notebooks of Memory. *France, Gacaca Productions.*

Aghion, A. (2009b). My Neighbour, My Killer. *France, Gacaca Productions.*

Amnesty International (2000). Rwanda: The Troubled Course of Justice. *Retrieved April 2014 from http://www.amnesty.org/en/library/info/AFR47/015/2000/en*

Amnesty International (2004). 'Marked for Death', Rape Survivors Living with HIV/AIDS in Rwanda. *Retrieved May 2014 from http://www.amnesty.org/en/library/asset/AFR47/007/2004/en/53d74ceb-d5f7-11dd-bb24-1fb85fe8fa05/afr470072004en.pdf*

Aoláin, F. (2012). Advancing Feminist Positioning in the Field of Transitional Justice, *The International Journal of Transitional Justice, 6*, pp. 205–228.

Bailey, K. (1994). Methods of Social Research. New York: The Free Press.

Bell, C., Campbell, C., Aolain, F. (2004). Justice Discourses in Transition, *Social & Legal Studies, 13, 3*, pp. 305-328.

Bell, C., O'Rourke, C. (2007). Does Feminism Need a Theory of Transitional Justice: An Introductory Essay, *The International Journal of Transitional Justice, 1,* pp. 23-44.

Brownmiller, S. (1975). Against our Will: Men, Women and Rape. New York: Simon and Schuster.

Buckley-Zistel, S., Zolkos, M. (2011). Introduction, in *Gender in Transitional Justice,* Buckley-Zistel, S., Stanley, R. (eds.). London: Palgrave Macmillan.

Chapman, A. (2009). Truth Finding in the Transitional Justice Process, In *Assessing the Impact of Transitional Justice. Challenges for Empirical Research,* Van der Merwe, H., Baxter, V., Chapman, A.R. (eds.). Washington D.C.: United States Institute of Peace Press.

Charlesworth, H., Chinkin, C.M. (2000). The Boundaries of International Law: A Feminist Analysis. Manchester University Press.

Cole, C. (2010). Problematizing Therapeutic Assumptions About Narratives: A Case Study of Storytelling Events in a Post-Conflict Context, *Health Communication, 25,* pp. 650–660.

Corey, A., Joireman, S.F. (2004). Retributive Justice: The Gacaca Courts in Rwanda, *African Affairs, 103,* 410, pp. 73-89.

Deleuze, G. (1988). Foucault. Minneapolis: University of Minnesota Press.

Deleuze, G., Foucault, M. (1972). Intellectuals and Politics, In *Language, Counter-Memory, and Practice,* Bouchard, D. (ed.) (1980). Ithaca: Cornell University Press.

Dhawan, N. (2011). Transitions to Justice, in *Gender in Transitional Justice,* Buckley-Zistel, S., Stanley, R. (eds.). London: Palgrave Macmillan.

Dubois, O. (1997). Rwanda's National Criminal Courts and the International Tribunal, *International Review of the Red Cross, 321.*

Foucault, M. (1966). The Order of Things. New York: Vintage Books.

Foucault, M. (1970). The Order of Discourse, In *Untying the Text: A Post-Structuralist Reader,* Young, R. (ed.) (1981). London: Routlegde & Kegan Paul.

Foucault, M. (1970b). Lectures on The Will to Know, Lectures at the Collège the France 1970-1971, Defert, D. (ed.) (2013). New York: Palgrave Macmillan.

Foucault, M. (1972). The Archealogy of Knowledge and the Discourse on Language. New York: Pantheon.

Foucault, M. (1976). The Will to Knowledge; History of Sexuality: Volume One. London: Penguin Books.

Foucault, M. (1977). Language, Counter-Memory, Practice. Selected Essays and Interviews by Michel Foucault, Bouchard, D (ed.) (1980). Ithaca: Cornell University Press.

Foucault, M. (1982). The Subject and Power, *Critical Inquiry, 8,* 4, pp. 777-795.

Fraser, N. (1996). Social Justice in the Age of Identity Politics: Redistribution, Recognition and Participation. *The Tanner Lectures on Human Values,* Stanford University.

Fraser, N. (2007). Feminist Politics in the Age of Recognition: a two Dimensional Approach to Gender Justice, *Studies in Social Justice, 1,* 1, pp. 23-35.

Fraser, N. (2008). Reframing Justice in a Globalizing World, *in Scales of Justice: Reimagining Political Space in a Globalizing World.* New York: Colombia University Press.

Fusaschi, M. (2000). Hutu-Tutsi: Alle Radici del Genocidio Rwandese. Bollati Boringhieri.

Gahima G. (2013). Transitional Justice in Rwanda: Accountability for Atrocity. New York: Routledge.

Genocide Archive Rwanda (2014). *Retrieved April 2014 from http://genocidearchiverwanda.org.rw/index.php/Welcome_to_Genocide_Archive_Rwanda*

- (2004). Rosette Sebasoni. Kigali Genocide Memorial.
- (2007). Josephine Murebwayire. Kigali Genocide Memorial.
- (2014). Béatrice Nikuze. Kigali Genocide Memorial.
- (2014). Marie Claire Umulisa. Kigali Genocide Memorial.

Gheaus, A. (2012). Gender Justice, *Journal of Ethics and Social Philosophy, 6,* 1, pp. 1-24.

Grohmann, M. (2009). Theory and Practice of Reconciliation in Rwanda, *Bayreuth African Studies Working Paper, 6.*

Haraway, D. (1988). Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective, *Feminist Studies*, *14,* 3, pp. 575-599.

Horne, F. (2013). Can Personal Narratives Heal Trauma? A Consideration of Testimonies Given at the South African Truth and Reconciliation Commission, *Social Dynamics: A journal of African studies*, *39,* 3, pp. 443-456.

Human Rights Watch (1999). Leave Non to Tell the Story: Rwanda, *Retrieved April 2014 from http://www.hrw.org/reports/1999/rwanda/Geno15-8-03.htm*

Human Rights Watch (2007). Killings in Eastern Rwanda, *Retrieved January 2014 from http://www.hrw.org/legacy/backgrounder/africa/rwanda0107/*

International Criminal Tribunal for Rwanda (2014). General Information about ICTR, *Retrieved April 2014 from http://www.unictr.org/AboutICTR/GeneralInformation/tabid/101/Default.aspx*

Jimerson, R.C. (2009). Archives Power: Memory, Accountability and Social Justice. Chicago: Society of American Archivists.

Kaminer, D. (2006). Healing Processes in Trauma Narratives: A Review, *South African Journal of Psychology, 36,* 3, pp. 481-499.

Kriesberg, L. (2001). Changing forms of Coexistence, In *Reconciliation, Justice and Coexistence: Theory and Practice,* Abu-Nimmer, M. (ed.). New York, NY: Lexington Books.

Little, D. (2006). A Different Kind of Justice: Dealing with Human Rights Violations in Transitional Societies, *Ethics and International Affairs, 13,* 1, pp. 65-80.

Mahmood, M. (2001). When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda. New Jersey: Princeton University Press.

Mauldin, R. (2009). Human Rights and Narrated Lives: The Ethics of Recognition, *Comparative Literature Studies*, *46*, 1, pp. 206-209.

Metcalfe, J.C. (2005). The Cost of Truth, *International Justice Tribune, 23,* pp. 1-4.

Metcalfe, J.C. (2006). In the Tall Grass. *Unites States, The John D. and Catherine T. MacArthur Foundation.*

Munster van, M. (2014). Interview conducted on April 10th 2014, The Hague.

Munyandilikirwa, L. (2014). Interview conducted on April 11th 2014, The Hague.

Nussbaum, M. (2001). Upheavals of Thought: The Intelligence of Emotions. New York: Cambridge University Press.

Pankhurst, D. (2007). Post-War Backlash Violence against Women: What Can "Masculinity" Explain?, in *Gendered Peace. Women's Struggles for Reconciliation and Justice*, Pankhurst (ed.). Oxon: Routledge.

Polak, H. (2009). Ziek van Oorlog. *Nederland, Stichting Beter Beeld.*

Rawls R. (1971). A Theory of Justice. Cambridge: Harvard University Press.

Republic of Rwanda (2014). Rwanda to Launch Kwibuka20, *Retrieved April 2014 from http://www.gov.rw/Rwanda-to-launch-Kwibuka20-activities-leading-to-the-20th-Commemoration-of-the-Genocide-against-the-Tutsi?lang=en*

Republic of Rwanda (2014b). The Official Website of FARG. *Retrieved April 2014 from http://www.farg.gov.rw/index.php?id=11*

Richters, A., Dekker, C., de Jonge, K. (2005). Reconciliation in the Aftermath of Violent Conflict in Rwanda, *Intervention: International Journal of Mental Health, 3,* 3, pp. 203-222.

Richters, A. (2014). Of Death and Rebirth: Life Histories of Rwandan Female Genocide Survivors, *Journal on Rehabilitation of Torture Victims and Prevention of Torture, 24*, Supplementum 1.

- (2014). Illuminée Munyabugingo. Supplementum 1.
- (2014). Charline Musaniwabo. Supplementum 1.
- (2014). Hildegarde Nyampinga. Supplementum 1.
- (2014). Mameritha Nyiramana. Supplementum 1.
- (2014). Berthilde Uwimbabazi. Supplementum 1.
- (2014). Ntakwasa Veneranda. Supplementum 1.
- (2014). Germaine Muhorakeye. Supplementum 1.
- (2014). Mutegwamaso Foyibi. Supplementum 1.
- (2014). Therese Kazeneza. Supplementum 1.
- (2014). Charlotte Uwera. Supplementum 1.

Rombouts, H. (2006). Women and Reparations in Rwanda: A Long Path to Travel, In *What Happened to the Women? Gender and Reparations for Human Rights Violations,* Rubio-Marin, R. (ed.). New York: Social Science Research Council.

Ruby, J. (1991). Speaking For, Speaking About, Speaking With or Speaking Alongside: An Anthropological and Documentary Dilemma, *Visual Anthropology Review, 7,* 2, pp. 50-67.

Santa Barbara, J., Macqueen, G. (2004). Peace through Health, *The Lancet, 364,* pp. 384-386.

Scheper-Hughes, N. & Bourgois, P. (2004). Introduction: Making Sense of Violence, In *Violence in War and Peace: An Anthology,* Scheper-Hughes, N. & Bourgois, P. (eds.). Oxford: Blackwell Publishing.

Sen, A. (1989). Development as Capability Expansion, *Journal of Development Planning,* 19, pp. 41–58.

Sibomana, A. (1999). Hope for Rwanda: Conversations with Laure Guilbert and Herve Deguine. London: Pluto Press

Sigsworth, R., Valji, N. (2011). Continuities of Violence against Women in South Africa: The Limitations of Transitional Justice, in *Gender in Transitional Justice,* Buckley-Zistel, S., Stanley, R. (eds.). London: Palgrave Macmillan.

Staub, E., Pearlman L., Gubin, A., Hagengimana, A. (2005). Healing, Reconciliation, Forgiving and the Prevention of Violence after Genocide or Mass Killing: An Intervention and its Experimental Evaluation in Rwanda, *Journal of Social and Clinical Psychology, 24,* 3, pp. 297- 334.

Stoler, A.L. (2009). Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense. New Jersey: Princeton University Press.

Strauss, S. (2014). Roads to Justice. Seminar 2nd of April 2014, Humanity House, The Hague.

Taylor, C. (1992). Multiculturalism and 'The Politics of Recognition'. New Jersey: Princeton University Press.

Taylor, L. (1998). Introduction, In *Transcultural Cinema,* Taylor, L. (ed.). New Jersey: Princeton University Press.

Trinh, T. M. (1993). The Totalizing Quest of Meaning, In *Theorizing Documentary*, Renov, M. (ed.). New York: Routledge.

Uvin, P. (2003). Case Study: The Gacaca Tribunals in Rwanda, In *Reconciliation after Violent Conflict: A Handbook,* Bloomfield, D., Barnesm T., Huyse, L. (eds.). Stockholm: International IDEA.

Uwineza, P., Pearson, E. (2009). Sustaining Women's Gains in Rwanda: The Influence of Indigenous Culture and Post-Genocide Politics, *The Institute for Inclusive Security, Retrieved May 2014 from http://www.inclusivesecurity.org/wpcontent/uploads/2012/08/1923_sustaining_womens_gains_nocover.pdf*

Van der Merwe, H. (2009). Delivering Justice During Transition: Research Challenges, In *Assessing the Impact of Transitional Justice. Challenges for Empirical Research,* Van der Merwe, H., Baxter, V., Chapman, A.R. (eds.). Washington: United States Institute of Peace Press.

Verdeja, E. (2008). A Critical Theory of Reparative Justice, *Constellations, 15,* 2, pp. 208-222.

Vijeyarasa, R. (2013). Women at the Margins of International Law: Reconceptualizing Dominant Discourses on Gender and Transitional Justice, *International Journal of Transitional Justice*, *7*, 2, pp. 358-369.

Waldorf, L. (2004). Unavoidable Amnesty: The Limits of Justice in Rwanda, *International Justice Tribune, 2*, pp. 1-2.

Waldorf, L. (2009). Transitional Justice and DDR: The Case of Rwanda, International Center for Transitional Justice. *Retrieved January 2014 from http://ictj.org/sites/default/files/ICTJ-DDR-Rwanda-CaseStudy-2009-English.pdf*

Young, I.M. (1981). Toward a Critical Theory of Justice, In *Social Theory & Practice, 7,* 3, pp. 279-302.*

Young, R. (1981). Introduction to The Order of Discourse, In *Untying the Text: A Post-Structuralist Reader,* Young, R. (ed.) (1981). London: Routlegde & Kegan Paul.

Zolkos, M. (2012). Democracy and Traumatic Memory in Discourses of Transitional Justice, *Canadian Political Science Association Annual Conference University of Alberta, Edmonton, 12-15 June 2012.*