

Difficult choices in the new post-conflict agenda: the international community in Rwanda after the genocide

PETER UVIN

ABSTRACT Since the genocide, development agencies have spent tens of millions of dollars in Rwanda on justice, governance, security and reconciliation—issues they used to consider far beyond their mandate until very recently. As a result, Rwanda has emerged as one of the countries where the new post-conflict agenda is being most strongly implemented, under extremely difficult conditions. An analysis of donor behaviour in two high politics areas—the nature of the government and justice—shows that deep and unresolved ethical problems exist with this post-conflict agenda. Lack of information and understanding, conflicts between goals and principles, the difficulty of associating the people concerned in an equitable manner—all these and other issues render unclear the ethical basis upon which donors can base decisions which often have life and death implications for thousands of people.

Six years ago, a genocide took place in Rwanda—a horrific event during which up to one million defenceless people were slaughtered. Those killed were foremost and indiscriminately Tutsi, but also Hutu opponents to the regime. In a recent book I argued that, during the years leading up to the genocide, donors adopted what can only be called a policy of voluntary blindness to the politics of prejudice, injustice, exclusion and human rights violations in Rwanda. Development aid basically lived in a well intentioned but separate sphere, following its internal dynamics, almost totally unrelated to the political and social trends tearing the country apart during that period (Uvin, 1998).

Things have changed dramatically since that time. Almost all those now working in Rwanda are aware of the social and political challenges facing the country and seek to reflect on the agency's impact thereupon. Many spend money in explicit attempts to influence core social and political dynamics of governance, reconciliation and justice. In that respect, Rwanda stands as a major case of the emerging post-conflict agenda.

Indeed, during the past decade, the development community has begun codifying, and tentatively implementing an agenda of using international aid

Peter Uvin is at the Fletcher School of Law and Diplomacy, Tufts University, Cabot Intercultural Center, Medford, MA 02155, USA. E-mail: Peter.Uvin@Tufts.edu.

(together with other tools of foreign policy, ideally) to promote peace and reconciliation in recipient countries. At the multilateral level, important documents are the 1997 OECD *Guidelines on Peace, Conflict and Development Cooperation* and the 1998 UN Secretary General's report on *Priorities for Post-Conflict Peace-Building*. Together, these statements contain a well defined set of goals and methods for donor engagement in areas that until a few years ago were totally off the development agenda (or at least very marginal), such as governance and representation, justice and security, prejudice and reconciliation.

This new agenda has been mainly discussed and implemented in the context of post-conflict countries, such as Rwanda, and has consequently been institutionalised primarily in Post-Conflict Units such as the World Bank's. However, donors are increasingly thinking about using these tools to *prevent* conflict as well. As every country is a potential pre-conflict country, this means that the aims of this new agenda may become mainstreamed throughout *all* development programmes. This is not going to happen tomorrow: the experience with these programmes is still limited and there is strong resistance against their full implementation from both the recipient and many donors' side. However, this article is not only about that small slice of all development aid that occurs in post-conflict countries, it constitutes also a preview of the direction in which the entire development community is heading.

This article studies some of the ethical and strategic difficulties donors faced when implementing the new agenda in post-genocide Rwanda. It focuses on the position taken by donors on such 'high politics' matters as the nature and mode of (s)election of the current Rwandan government (GoR), as well as the administration of justice—both crucial issues for the political and social development of Rwanda, and deeply related to the dynamics of conflict and violence that fester in the region. The article will document the existence, in post-conflict situations like Rwanda's, of eight difficult and unavoidable strategic and ethical choices or problems. These include issues of conflict between objectives, of priorities to be made, of who bears the cost of error, and of biases in knowledge and in implementation. The existence of these problems is unacknowledged in the official documents or, for that matter, in the minds of most practitioners. As a result, they have hardly been discussed until now, nor are there any tools to begin to solve them.

Divergences in donor assessments

Since 1994 donors have differed radically in their assessments of basic matters such as the current dynamics of the Rwandan conflict, the nature and intentions of the government, the weight of the past in explaining the present, or the nature of current ethnic, social and economic trends in society. As a result, even if donors have had the same broad aims, they are unable to agree on priorities and policies. Post-conflict documents are replete with references to the need for better donor co-ordination, and allusions to the fact that, if donors were just to be less parochial and more committed, such co-ordination could surely be achieved. However, the fact that they assess the situation so differently provides an important and possibly legitimate reason not to co-ordinate.

The key division between donors resides in their assessment of the nature and intentions of the current government. The 1994 genocide was ended by the capture of Kigali by the Rwanda Patriotic Front (RPF), a rebel group composed mainly, but not exclusively, of Tutsi refugees. A multiparty government and so-called transitional parliament were created, both loosely based on peace agreements negotiated in Arusha before the genocide; yet there is no doubt in anybody's mind that politics in Rwanda is dominated by the RPF and especially its military leader Paul Kagame, now the country's president. Those who negatively judge the GoR are troubled by its continued, if not increasing, dominance by the RPF; the weakness of systemic checks and balances on the government; the increasing 'Tutsification' of important government positions; the co-optation or repression of independent forces in civil society; and the allegations of major human rights violations. The contrary point of view is that the government is multi-ethnic; has respected the spirit of the Arusha agreements; is trying to improve the quality of its governance; allows for a largely free press and broad-based civil society; and more generally, given the reality of the genocide and continued civil war, has been remarkably willing to try to live up to high standards of governance.

To no small extent, any assessment of the nature of the government is related to this last point, ie the impact of the genocide, which still looms so large in all discussions in Rwanda. One position is that the genocide is a thing of the past, and the current government's reference to it is to be seriously questioned. The following quote from a Scandinavian senior foreign aid manager in charge of Rwanda is representative of this position: 'a strong sense of confidence and pride seemed to have led the GoR to adopt what appears to be a very arrogant attitude with the donor society; it seems the GoR is using the genocide as political capital in order to avoid a dialogue, let alone criticism, of its policies.' Within the international human rights community, it is now common to state that Rwanda, like Israel, is skillfully using the genocide, and the general imagery of victimhood, to justify brutal policies and deflect international scrutiny.

Contrast this with the words of another highly placed manager of a North American foreign aid agency: 'if you are going to understand what is happening in Rwanda today, you have to understand genocide and the enduring consequences of genocide. It permeates, affects and influences human behaviour so totally that it is remarkable that the survivors and the government have been able to exercise the degree of restraint they have been exhibiting.' From this perspective, Kagame is a visionary, charismatic and optimistic man; whatever violence occurred under his reign is the result of 'strategic initiatives gone wrong' (Braeckman, 1998: 104; Gourevitch, 1998). This position has been made most vocally by the USA and the UK, but is shared by many other donors.

Elections, representation and change

All this forces the donors to some odd choices. Notwithstanding the central importance attached to democratic governance in all official post-conflict documents—and, for many donors, in *all* development aid—the donor community in Rwanda has been most wary of pressing for elections. The reason for

this is that many donors accept the GoR's argument that the time is not ripe for democracy and elections, as it would be a recipe for violence and ethnic division. Hence there is little donor pressure on the GoR to organise elections. When the government recently pushed back its initial elections target of five years (which would have obliged it to organise elections in the summer of 1999) by an additional four years, there was little protest from the donors.

This is a radically different situation than the one prevailing in the past. For most of the past 40 years, there was similarly no pressure to democratise, but this position resulted from the fact that democratisation was not considered part of the development agenda.¹ This situation changed during the early 1990s, following the end of the Cold War. The resulting pressure on Rwanda's government at that time to organise multiparty elections is seen by many as having been politically unrealistic and inappropriate, if not as having contributed to the dynamics of political polarisation that eventually led to genocide (Klinghofer, 1998). As a result, democracy is again off the map, but this time not out of political blindness, but because of an implicit *Realpolitik* assessment that democracy is simply too dangerous in a post-genocide society—in other words, that democracy has to be traded off for stability.

Most donors try to adopt an incremental position on the matter, encouraging the GoR to take at least some steps in the right direction, such as allowing political parties in Rwanda to operate with more freedom, or providing more local-level political space. The GoR itself is formally committed to the latter path. In late March 1999 local elections were held, during which 160 000 persons were elected to all kinds of local positions. These elections, however, were non-secret as people were asked to line up behind those for whom they wanted to vote. They were also non-political, for political parties were not allowed, and people with public positions were not allowed to be candidates either, a requirement that seems to have been enforced when some high-level civil servants who wanted to run were not allowed to.

This, then, posed another dilemma: should these elections be condemned as farces, if not violations of human rights? Or should they be treated as locally owned, adapted to the extremely limited economic and political margin for manoeuvre available in a devastated post-genocide society? The answer for many in the donor community has been that they consider the process to have been fair, progressive and realistic. The UN Resident-Representative, who had headed an informal donor monitoring group, stuck his neck out remarkably far, publicly declaring the elections transparent and fair and, within the Rwandan context, a significant achievement. Major donor representatives, such as the US, British and German ambassadors, supported him, and have subsequently provided funding for the training of the newly elected personnel. Critics, however, including human rights observers and scholars, considered the elections mere window-dressing, arguing that the entire process was fundamentally tainted by local pressure and intimidation, and that the new *élus locaux* are deprived of real responsibilities and power.²

Even those donors who broadly support the regime remain worried for the long term (another major trade-off donors constantly face is the one between short-term and long-term aims and dynamics). While they feel they have little choice

but to stand by the government, they also fear that, in so doing, they are strengthening an unrepresentative and authoritarian government, and that they are being seen as partial within the Rwandan context. The government, after all, clearly *is* dominated by the RPF, and, even if donors understand the limited margin for manoeuvre of the government, or if they are respectful of the professional quality of many of its senior people, there still remains a nagging fear that, in the long run, they are condoning, if not strengthening, new dynamics of social exclusion and violence. This explains the contradictory fact that, while many donors support the government, they also provide it with rather little in the way of direct financial aid. Indeed, a large proportion of all aid to Rwanda is given either through multilateral institutions—many of which in turn employ rare direct programming in Rwanda, rather than working through the government—and through NGOs (OECD, 1999a). Thus, although Rwanda receives a large amount of development aid overall, its government is rather deprived thereof (certainly when compared to the previous regime).³

Justice

There have been few countries in history where external actors have spent so much money and energy on matters of justice—a major change from the situation prevailing before the genocide. The quest for justice took place along two axes: reconstruction of the justice system in Rwanda in order to allow for judgement of the perpetrators of the genocide, and the establishment of the International Criminal Tribunal for Rwanda in order to demonstrate the international community's revulsion at these crimes. This article will focus on the former.

After the genocide, the new government made justice one of the cornerstones of its policy. It argued that unless the 'culture of impunity' was once and for all ended in Rwanda, the vicious cycle of violence could never end. Although some donors were interested in a South African 'truth and reconciliation' model, the GoR firmly rejected this: only when the guilty had been punished, would it be possible for the victims, as well as the non-guilty, to create a joint future together. Most donors came to subscribe to this view, and subsequently decided to employ significant resources to reconstruct Rwanda's justice system.

The challenges were Herculean—so much so that an authority such as Ian Martin, former secretary-general of Amnesty International and chief of the UN Human Rights Field Operation in Rwanda, writes about 'the impossibility of justice' (1998: 159). The almost total destruction of the Rwandan justice system, the enormity of the crime being judged, and the massive popular participation in it, created giant legal and social challenges that some observers claim no country in the world has ever encountered. The human resources required for justice needed to be redeveloped: the number of judges had fallen from 600 before the genocide to 237 by the end of 1994 (other sources report 1100 and 100 respectively); prosecutors from 75 to 14; criminal investigators and legal staff from 576 to 193. The physical infrastructure (court buildings, documentation centres, etc) was almost totally destroyed. In addition, terminology notwithstanding, what was being attempted was not the reconstruction, but rather the first-time construction of a fair, efficient and human rights-based justice system that combats impunity

(USAID, 1996: 14). Before the genocide, for example, there was no Bar Association; judges and lawyers were politically appointed and often incompetent and corrupt. What was being created, then, was fundamentally different from the past, and this under the most difficult of circumstances.

The donor community invested heavily in the promotion of justice in post-genocide Rwanda. In total, donors funded more than 100 justice-related projects, costing more than \$100 million. Donors organized the training of lawyers, judges, investigators and police; provided salary supplements to judges and prosecutors, as well as vehicles and the required fuel and maintenance; and advised on reform of administrative and court procedures; constructed buildings, libraries, prisons and living facilities (OECD, 1999a).

Major progress was made in many of these areas. Hundreds of judges, prosecutors and criminal investigators have been trained, albeit faster and less in-depth than under normal circumstances. There are problems with their official appointment, and their level is still low, but further training is continuously made available. Similarly, many buildings were upgraded and equipped. NGOs assisted with confessions and with defence; bilateral and multilateral experts helped in the drafting of new laws and organigrams, etc.

Another major area of donor involvement has been to improve the detention conditions of the prisoners suspected of genocide. Immediately after the new government came to power, local authorities and military men had arrested tens of thousands of people, often on flimsy evidence (Amnesty International, 1997b: 1). Arrests of those charged reached 80 000 by mid-1996, then jumped to 120 000 by the end of 1997 and as much as 140 000 one year later. These people, of which the chief prosecutor himself earlier estimated 20% were falsely accused, were detained in appalling prison conditions (especially in the communal *cachots*) awaiting trial. The international community did assist in providing food and health care (mainly through the International Committee of the Red Cross and in upgrading the conditions of the prisons; a few new prisons were even built. In late 1998 and 1999 a few thousand prisoners were released, but the numbers remain very high, and their conditions of detention awful.

The first genocide trial began in late 1996. By the end of 1997, 304 judgements were pronounced in 94 trials; 28 judgements were on appeal. In 1998 at least 864 judgements were passed (ASF, 1999: 27). In 1999 justice continued at a slightly faster rhythm (HRW, 1999b). All in all, by mid-2000, roughly 3000 genocide suspects had been judged. This can be considered a major accomplishment, especially considering the colossal nature of the task.

Nevertheless, major challenges remain for the justice system, especially if it is to contribute to peace and reconciliation. For one thing, although the justice system has gathered speed, little more than 2% of the detainees have been judged. At current rates, it would take more than a century to finish all the dossiers. Currently, more people die in prison every year than are judged. Most observers agree that the justice system is not able to work dramatically much faster than it has done until now. Thus, thousands of innocent people are imprisoned under awful conditions—while thousands of guilty persons remain free, in Rwanda and abroad. Donors then (as well as the Rwandan government, evidently) are confronted with a very difficult choice: if the justice system is to

continue working under Western standards of documentation and procedure, it will never be able to judge all those implicated in the genocide. In other words, if no principle of formal justice is to be compromised, reconciliation—and even substantive justice, for that matter—will never be achieved.

In addition, notwithstanding the investments and monitoring, the quality of justice *is* lacking. Many judges' competence still leaves much to be desired. There are also too many instances of corruption: judges' salaries are extremely low, and bribing occurs regularly (to avoid this, some donors have paid for judges' salary increments, but will not indefinitely continue doing so). Most worrisome in this respect is that many of those trained never enter the justice sector, but take on jobs in the private sector, where salaries are better and the personal risks lower. In addition, there are serious biases at work. Many prosecutors and judges neglect exculpatory evidence (Amnesty International, 1997b; ASF, 1999: 6, 17). Social pressure on judicial personnel is strong (HRW, 1999a: 749, 757). Finally, the ethnic composition of the judicial system is overwhelmingly Tutsi (Martin, 1998: 1720); according to Filip Reyntjens, one of the foremost Rwanda scholars, every single person trained since the genocide is Tutsi (personal conversation). There is some improvement in the quality of justice, according to most observers. Since 1998 the proportion of detainees found not guilty has risen sharply and the number of those condemned to death has fallen significantly, suggesting that the objectivity of the justice system has been improving (ASF, 1999; ICG, 1999).

A final, fundamental problem is that the entire justice system—and the international community's efforts to rebuild it—has focussed solely on the genocide. Therefore, other forms of injustice and violence that occurred during the past decade go unpunished. Most important here are crimes against humanity perpetrated by the RFP army (RPA). Schematically, there are three instances of such crimes: immediately after the end of the civil war; during the period of civil war and violence in the northwest; and as a matter of general routine against opponents of the regime (HRW, 1999a, 2000; Amnesty International, 1996, 1997a, 2000). In addition, there is the use of massive violence against civilians outside Rwanda's borders, namely the slaughter of tens of thousands of refugees in the Congo in 1998 and of thousands of Congolese civilians again in 2000 (Anicet, 2000). IRC (2000) documents that hundreds of thousands have died as a result of the Rwandan–Ugandan war. These facts cannot be neglected.

Until now, the international community has by and large closed its eyes to these human rights abuses, or attempted to justify them (HRW, 1999a: 735; Amnesty International, 1997a). Once again, this situation occurs not so much from indifference to politics or human rights as from the perception by many actors that there is no alternative to the government and/or that this behaviour can be understood in the light of the genocidal past and the civil war present. The first instance of mass violence was brushed under the carpet for two reasons: (a) a sense that it is very difficult to condemn a regime for murders when it has just been the subject of an un-condemned genocide; and (b) the notion that revenge killings (which is what they were constructed to be, and certainly to some extent were) were understandable. The second and the fourth types of mass violence have been condoned because the regime was under attack and had

to defend itself.⁴

The third type of human rights violation, however, eg violence directed against anyone who could oppose the regime, is least defensible (HRW, 2000). There is widespread agreement that this kind of human rights abuse has been increasing and that it reflects the totalitarian and militaristic nature of the current government and its president, Paul Kagame. Yet, rather surprisingly, most donor and foreign policy representatives have chosen to look the other way or to minimise it, treating it as if it were the same as the other, more ‘understandable’ types of violence. Admittedly, choosing between types of violence, and deciding which ones to condone and which ones not, is a dirty and unpleasant task, fraught with moral dangers. It is much easier to either look away from all types of violence (as many donors and most pro-government Rwandans do) or to condemn all types of violence with the same intensity (as most human rights organisations do). But to get a sense of the margin for manoeuvre in the post-conflict agenda, these distinctions need to be made.

To conclude this section on justice: notwithstanding the major investments and the good intentions of many Rwandans and foreigners alike; notwithstanding the clear progress made in terms of laws adopted, personnel trained, and numbers of judgments made, the risk exists that the formal motions of Western-style justice are maintained, but that the popular perception, and reality, is one of injustice, or, at best, of a ‘winner’s justice’. Donors may be assisting in the writing of a partial vision of the past and the present, in which genocide crimes are the only ones that are acknowledged and the need to combat impunity exists only for one side—and even then imperfectly and partially (see also Sarkin, 1999). The point here is not that the horrors of the genocide should be forgotten or its perpetrators forgiven, or that the RFP crimes are equivalent to the genocide (the ‘double genocide’ argument, dear to many of those connected to the Habyarimana regime). Rather, it is that real, substantive justice is a matter of impartiality and equity (ie all people guilty of the same crime receiving the same punishment). The way things stand, punishment is meted out for past genocide crimes, but justice is not being served, and with it, the chances for reconciliation decline.

Conclusion

Recognising the devastating effects that poor governance, persistent human rights abuses, racist ideologies and impunity have had in Rwanda and elsewhere, donors are becoming deeply engaged in political and social matters that they avoided until recently. In many ways, Rwanda acts as a laboratory for the new post-conflict agenda that donors are beginning to implement. This has greatly complicated the lives of donor representatives. The seemingly clear, technical and apolitical/value-neutral world of before was a lot easier to work in than the murky waters in which they now tread. The new post-conflict agenda poses many deep, and unsolved, ethical questions for donors. Eight such questions can be distilled from this case study.

For one, donors may and do radically differ in their assessments of the situation at hand, and hence of the way to move forward. This is not necessarily a matter of ill will, or of hidden self-interest—although these may and do exist too,

of course. It also results from the fact that, in situations that are very difficult to read even for the best informed person, there are legitimate reasons for disagreements in assessments. Yet, when donors use their financial and power resources to privilege different if not contradictory political and social outcomes, they are bound both to be highly inefficient and to encounter serious questions of moral hazard.

Second, donor objectives and principles, no matter how laudable individually, may conflict (Zalaquett, 1998: 215). In Rwanda, democracy and governance objectives may and do conflict, as do reconciliation and formal justice, economic efficiency and political imperative, short-term security and human rights, or the alleviation of suffering and political stability. Everyone pretends that such unsavoury choices do not exist, and that all good things go together, but the reality is otherwise. On what grounds are the difficult choices between these principles made—and by whom?

Third, with the available resources typically being scarce, especially when compared with the size of the challenges, donors need to prioritise their actions. Each programme manager must make difficult choices as to which morally desirable principles to act upon first. Many considerations influence this choice, which is often not explicitly made—things just happen in a certain way. Eighteen months after the genocide, for example, \$1.2 billion had been spent on refugees, and less than \$10 million on justice—a clear, albeit largely *de facto* choice. To invest heavily in demobilisation, or in social services, or in prisons, or in reconciliation programmes? On what basis is the choice made?

Fourth, the issues that have now moved onto the donor agenda are highly politically sensitive and intrusive; on top of that, they are of an ideal-type that really does not allow delimitation of the field of allowable action. Taken together, they amount to an unconstrained licence to intervene on the part of the international community. The OECD *Guidelines* (1997: par. 66, 73), for example, posit that ODA should ‘promote multi-lingualism and cultural expression by minorities and indigenous people’, ‘ensure that all government institutions and bodies function in a transparent, accountable and accessible manner to the benefit of all members of society, especially minorities, the marginalized, and the vulnerable’, and ‘ensure that the officials and staff of government institutions are representative of the communities served’. These matters are highly contested and only partly implemented, even in the most stable and wealthy donor countries. They are certainly for a country’s citizens to decide upon, and not foreign aid agencies. Finally, their basis in international law is shaky.

Fifth, given the difficulty of understanding post-conflict dynamics and the even greater difficulty of correctly predicting the impact of one’s actions upon them, error is very likely. At the same time, the cost of error is extremely high and entirely borne by locals; foreigners will simply take the first plane out when things go wrong. In other words, the new post-conflict agenda allows donors to make life and death decisions that are often bound to be wrong; yet those suffering the consequences of these errors are never those making the decisions. Under such conditions, the entire process by which difficult and dangerous ethical choices are made for other people must be seriously reformed.

Sixth, when internal or local solutions emerge, they often take forms that do

not conform to Western ethical ideals or international legal principles. Local elections that are non-secret and non-partisan; popular trials without defence⁵—should the international community condemn these as violations of human rights or condone them, or even support them as home-grown and realistic? Based on what criteria should such judgments be made? Where is the line drawn and assistance withheld (Sahnoun, 1998: 9)?

Seventh, donors really only control the form, but not the substance, of the institutions they help build. They can, for example, ensure that courts exist, in terms of having buildings to be located in, trained people to staff the desks, cars and fuel to make the people move, computers to make them write, etc. What they cannot ensure—or in any case not easily, and not with the usual tools of the development system—is that these formal institutions also effectively, substantively, act in the way donors expect or desire. Thus one can have a perfectly rebuilt judicial system that produces no justice, or a well equipped parliament that is little more than an empty shell. Infrastructures, training sessions, even operating costs covered—all these may be necessary, but they do not guarantee well functioning institutions that produce substantive results. The latter only come into being through deep and locally owned social and political dynamics. These dynamics *are* influenced by the international community, but not through their usual projects and not in easily plannable ways. They require astute and explicit analysis of political and social trends, a close ear to the voices that come from within society, a capacity and willingness to address difficult issues respectfully and firmly with local partners, and a willingness to work with a broad range of social actors for the long run (Stiefel, 1999).

Finally, no matter how conscious donors are of the need to involve all groups and segments of society in the dynamics of peace and reconciliation, in practice they do not manage to do so. With the exception of emergency aid, the usual aid system biases towards governments and towards urban areas and well educated people are even stronger in post-conflict work. Donors, when doing post-conflict work, all deal mainly with governments. They hear its voices most clearly, meet its representatives most often, strengthen its capacities above all others, and are constrained by its power most seriously. This government bias even holds under those rare conditions where donors actively seek to impose their wishes: they most easily twist the arms of governments, and not of rebels, for example (Klingebiel, 1999: VII).

The available policy documents do not recognise these limitations, behaving instead as if the long list of laudable principles they outline are all self-evident, equally important and simultaneously achievable. None of these documents provides tools for making choices about priorities under conditions of scarce resources or conflict—the true art of politics.⁶ As a matter of fact, none even mentions that there are choices to be made, or discusses the thorny issue of who will make the choices and on what basis. Taken to its extreme, the new post-conflict agenda, then, amounts to a licence for interventionism so deep and unchecked it resembles colonialism: in the name of a totalising, missionary-style ideology (based on a deeply romanticised vision of the situation ‘at home’), foreigners are encouraged to make deeply interventionist life or death decisions for other societies, unbound by outside control, unconstrained by procedure,

unaffected by outcomes.

I cannot stop the argument here, no matter how analytically correct, theoretically appealing, and academically popular it might be. As a global citizen, I must emphatically state that I am not in favour of withdrawal or isolationism, nor of the 'let them fight it out' approach that is becoming increasingly heard these days (Ottaway, 1999). Rwandans do need the support of those who are fortunate enough to be infinitely richer and more peaceful. More generally, there *is* a place, I believe, for people of good will to engage in processes of social change across borders. Thus, while the risks outlined above are real, ending this article with an across-the-board condemnation of post-conflict assistance seems too facile, especially in these times, when such analyses are likely to be used to argue in favour of withdrawal of international involvement.

Are there any ways out? In the longer run, I believe that it is necessary for the entire development enterprise fundamentally to rethink its mandate, in post-conflict situations as well as all others. The ethical and strategic challenges encountered in post-conflict situations are but the extreme versions of the limitations and ambiguities of *all* development aid, and the ideological and operational foundations upon which it rests. In addition, as the donor community extends its reach further and seeks to use aid for conflict prevention, the kind of ethical questions outlined above will become increasingly clear in *all* development aid, and not only in extreme cases such as Rwanda. What is required is further rethinking of the terms of engagement, both ideological and procedural, between those in rich countries seeking social change and those in whose name this change is sought. This must include a privileging of justice, dignity and empowerment considerations at all times (Stiefel, 1999), as well as the creation of the same sorts of accountability that donors are subject to at home: rigid rules of transparency, an institutionalised voice for and dialogue with those affected, mechanisms for complaints, rigorous independent evaluation, etc.

In the shorter run, in the absence of fundamental rethinking, some of the contradictions and ambiguities involved may be attenuated through two mechanisms (and, as can be expected, these are valid for all aid as well). First, donors must give much more priority to promoting local dialogues, listening to broad sections of people, stimulating local knowledge generation and research, and finding means of making people's voices heard by those in power (Stiefel, 1999)—both out of respect for the dignity of people, and because they are the ones who have to live with the consequences of being wrong (Anderson, 1998). Second, there is significant room for increased clarity and transparency. As the UK Department for International Development's 'Principles for a New Humanitarianism' state: 'we recognize that humanitarian intervention in conflict situations often poses genuine moral dilemmas. We will base our decision on explicit analyses of the choices open to us, and the ethical considerations involved, and communicate our conclusions openly to our partners' (cited in Smillie, 1998: 67). The resulting clarity may benefit frank discussion and mutual understanding between donors, send clearer signals to recipients, and increase donor credibility (OECD, 1999b).

Notes

The author thanks Anton Baaré for his invaluable help. He also benefited from valuable feedback from Stephen Browne, Charles Call, René Lemarchand, Pamela Pozany and Thomas Weiss. The documentation for this article was gathered from conversations with scholars and Rwandans in the USA and Europe; readings of newspapers, scientific articles, agency reports and web sites; my participation in an OECD study on 'The use of incentives and disincentives for peace in Rwanda'; in a UNDP evaluation of the Trust Fund for Rwanda; and in a study for the Belgian Secretary of State for International Cooperation on *gacaca*. The ideas expressed here do not reflect the positions of the latter three organisations, and go significantly outside the mandates they gave me.

- ¹ As a matter of fact, it was commonly accepted that non-democratic regimes were more likely to promote development.
- ² See among others the important article by Brauman *et al* (2000).
- ³ Another reason for this situation is the urgent nature of the problems faced by Rwanda. The international community feels it needs to produce rapid operational results in the face of the human plight, and it would be slowed down by going through the government, given the latter's need for capacity building. This is the standard argument used by donors themselves to publicly explain their limited direct support to the GoR, but I seriously doubt it explains the full picture.
- ⁴ In ethical terms donors here play with the notion of 'just war', an argument supported by Garrett, 1999: 118, 129, 139.
- ⁵ I am referring here to the *gacaca* proposal, currently being adopted by the Rwandan government as a solution to the prison over-population.
- ⁶ The only document I read that even acknowledged there may be such contradictions was a German evaluation of its assistance to six conflict countries. In it, Klingebiel (1999: VII, 37) writes that 'conceptually, general principles underlying development policy (principles of sustainability and partnership/ownership) need to be adjusted when conflict occurs.'

Bibliography

- Amnesty International (1996), *Rwanda: Alarming Resurgence of Killings* (London: AFR Report 47/13/96), 12 August.
- Amnesty International (1997a) *Rwanda. Ending the Silence* (London: AFR Report 47/32/97), 25 September.
- Amnesty International (1997b) *Unfair Trials: Justice denied* (London: AFR Report 47/08/97), 8 April.
- Amnesty International (2000) *Rwanda: The Troubles Course of Justice* (London: AFR Report 47/10/00), April.
- Anderson, Mary (1998) You save my life today, but what for tomorrow? Some moral dilemmas of humanitarian aid. In: Jonathan Moore (ed), *Hard Choices. Moral Dilemmas in Humanitarian Intervention*, pp 137–156 (Lanham: Rowman and Littlefield).
- Anicet (2000) Kisangani, *Journal of Modern African Studies*, September.
- Avocats sans Frontières (ASF) (1999) *Rapport annuel 1998*, Brussels-Kigali.
- Braeckman, Colette (1998) Cowardice and conscience, *World Policy Journal*, 15 (2), pp 99–104.
- Brauman, Rony, Smith, Stephen & Vidal, Claudine (2000) Rwanda: politique de terreur, privilège d'impunité, *Esprit*, 8/9.
- Emizet, Kisangani N F (2000) The massacre of refugees in Congo: a case of UN peacekeeping failure and international law, *Journal of Modern African Studies*, 38 (2), pp 163–202.
- Garrett, Stephen A, *Doing Good and Doing Well. An Examination of Humanitarian Intervention* (Westport, CT: Praeger).
- Gourevitch, Philip (1998) *We Wish to Inform you that Tomorrow we will be Killed with our Families* (New York: Farrar Straus and Giroux).
- Human Rights Watch (HRW) (1999a) *Leave None to Tell the Story. Genocide in Rwanda* (New York: FIDH/HRW).
- Human Rights Watch (1999b) *World Report 2000* (New York: HRW).
- Human Rights Watch (2000) *Rwanda: The Search for Security and Human Rights Abuses* (New York: HRW).
- International Crisis Group (ICG) (1999) *Five Years After The Genocide In Rwanda. Justice In Question* (<http://www.crisisweb.org/projects/cafrica/reports/rw01erepa.htm>).
- International Rescue Committee (IRC) (2000) *Mortality in Eastern DRC. Results from Five Mortality Surveys*, New York (<http://www.theIRC.org/mortality.cfm>).
- Klingebiel, Stephen (1999) *Impact of Development Cooperation in Conflict Situations. Cross-section Report on Evaluations of German Development Corporation in Six Countries*, Reports and Working Papers 6 (Berlin: German Development Institute), 1999.

- Klinghoffer, Arthur Jay (1998) *The International Dimension of Genocide in Rwanda* (New York: New York University Press).
- Martin, Ian (1998) Hard choices after genocide: human rights and political failures in Rwanda. In: Jonathan Moore (ed), *Hard Choices. Moral Dilemmas in Humanitarian Intervention*, pp 157–176 (Lanham: Rowman and Littlefield).
- OECD (1997) *Guidelines on Peace, Conflict and Development Cooperation* (Paris: OECD/DAC).
- OECD (1999a) *The Limits And Scope For The Use Of Development Assistance Incentives And Disincentives For Influencing Conflict Situations. Case Study: Rwanda* (Paris: OECD Development Assistance Committee Informal Task Force On Conflict, Peace And Development Co-Operation) (by Anton Baaré, David Schearer & Peter Uvin).
- OECD (1999b) *The Influence of Aid in Situations of Violent Conflict* (Paris: OECD Development Assistance Committee, Informal Task Force On Conflict, Peace And Development Co-Operation) (written by Peter Uvin).
- Ottaway, Marina (1999) Keep out of Africa, *Financial Times*, 25 February.
- Sahnoun, Mohammed (1998) Mixed intervention in Somalia and the Great Lakes. Culture, neutrality, and the military, in: Jonathan Moore (ed), *Hard Choices. Moral Dilemmas in Humanitarian Intervention*, pp 87–98 (Lanham: Rowman and Littlefield).
- Sarkin, Jeremy (1999) The necessity and challenges of establishing a truth and reconciliation commission in Rwanda, *Human Rights Quarterly*, 21 (3), pp 767–823.
- Smillie, Ian (1998) *Relief and Development: The Struggle for Synergy*, Humanitarianism and War Project Occasional Paper no 33, Providence, RI.
- Stiefel, Mathias (1999) *Rebuilding after War: A Summary Report of the War-torn Societies Project* (Geneva: UNRISD).
- USAID (1996) *Rebuilding Postwar Rwanda. The Role of the International Community*, AID Evaluation Special Study Report no 76 (Washington, DC).
- Uvin, Peter (1998) *Aiding Violence. The Development Enterprise in Rwanda* (West Hartford, CT: Kumarian Press).
- Zalaquett, José (1998) Moral reconstruction in the wake of human rights violations and war crimes, in: Jonathan Moore (ed), *Hard Choices. Moral Dilemmas in Humanitarian Intervention*, pp 211–228 (Lanham: Rowman and Littlefield).