



## Chapter Two

# Land Scarcity, Distribution and Conflict in Rwanda

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### Introduction

Rwanda is a small country of eight million people in central Africa, with a long history of violent conflict dating back to 1959, and culminating in the 1994 genocide. Conflict in Rwanda has created a large refugee population in neighbouring countries, with Uganda and Tanzania being the largest refugee recipients before the 1994 genocide, and the Democratic Republic of Congo (DRC) receiving the largest number of refugees after the genocide. As this study will show, the Rwanda refugee population has had a destabilising effect on the entire Great Lakes region, including on Rwanda itself.

This chapter examines the relationship between land scarcity and conflict in Rwanda. Historically, land pressure has been a severe problem in Rwanda, where over 90% of the population practises agriculture. Land pressure has resulted in declining overall agricultural production, but increasing production for individuals and groups with favourable land and resource access. Cultivation is encroaching into wetlands, national parks and forest reserve areas to satisfy unmet demands for land by some, predominately underprivileged, groups. Large numbers of internally displaced persons have worsened stress in some ecologically sensitive areas, such as in forests, resulting in localised degradation of forest resources.

We will assess the power dynamics in Rwanda insofar as power through control of the state is essential to control land. We will demonstrate that elite power struggles for control of the state links land and conflict in Rwanda where, historically, control of the state is the principal factor in rights to access, use and ownership of land. While many analyses focus on linkages between conflict and ethnicity, less attention has been focused on the role of land scarcity in the Rwanda conflict. A thoughtful analysis of the so-called ethnic conflict in Rwanda will show ethnicity is a cover for competition to control scarce land. Indeed, this study argues that the causes of conflicts in Rwanda lie in competition to access and control scarce land.<sup>1</sup> We do not imply that land scarcity is the ultimate or most important root cause of the Rwandan conflict. It is, however, a critical component of the complex and intertwined causal factors.

Since 1980 powerful economic, political and social grievances in Rwanda

relate to land scarcity. Overpopulation as well as inequitable distribution of land worsened land scarcity for the rural poor. Increasingly, political power and representation by elite groups at the national level determined control of land. Widespread disinheritance of land rights of the rural poor coupled with resource capture by elite groups has been closely related to deepening rural poverty in the 1980s and 1990s.<sup>2</sup> Deepening rural poverty, in effect, led to violent conflict.<sup>3</sup> Ethnic differences were less important in understanding the dynamics of the conflict than were elite competitions to dominate critical environmental decision-making processes through control of the state. In turn, elite groups characterised these competitions in ethnic terms. Over time, different groups in the conflict were polarised along ethnic lines and were purposefully driven to conflict through ideologies propagated through official media. Gasana observes that the rural poor (both Hutu and Tutsi) described the ruling elite collectively as *abaryi* (eaters) who to them represented a new, exploitative ethnic category.<sup>4</sup> It can therefore be argued that the conflict in Rwanda was ultimately a struggle against inequitable distribution of land, tragically fought along ethnic, Tutsi versus Hutu, lines.

Recent studies of the Rwandan conflict have come to appreciate and acknowledge the role played by ecological scarcity.<sup>5</sup> Many studies, however, still focus intently on the role of ethnicity in the conflict. Homer-Dixon has described Rwanda as a country with severe demographic stress in the period leading to the genocide.<sup>6</sup> In 1991, Rwanda had an estimated population of 7.5 million and a growth rate of 3.3% annually. It had the highest population density in Africa at 271 persons per square kilometre, and between 400 and 800 persons for arable land depending on the prefecture.<sup>7</sup> Ninety-five percent of the overall population inhabits 43% of the total cultivated land. The population density in the rural areas is up to 843 persons per square kilometre.<sup>8</sup>

Land contributed to conflict in the following two ways. The first is population pressure leading to competition for scarce land; the second was the inequitable distribution of land, most of which was controlled by elite groups. Having established the links between land scarcity and conflict in Rwanda, this study uncovers a number of lessons for other countries faced with volatile land issues. These lessons may inform prevention strategies, such as the development of early warning and early response systems.

The failure of the Arusha peace process for Rwanda and of the United Nations intervention force in Rwanda (UNAMIR) to manage the Rwandan conflict effectively suggests that there was a widespread failure to account for the root causes of the conflict. This study demonstrates the importance of including land and resource considerations in conflict prevention and management policies and processes. The Arusha peace process failed in part because it focused on the ethnic dimension of the conflict while ignoring deeper and more critical issues relating to land and resource rights. The lessons for conflict analysts and policy makers are many.

## Background to the Conflict

Prior to the arrival of Belgian colonisers, Rwandan society had developed over centuries into a remarkably organised state, with a high degree of centralised authoritarian social control.<sup>9</sup> King Rwabugiri, the former Tutsi King of Rwanda, ruled the formerly semi-autonomous Tutsi and Hutu lineages harshly, confiscating their lands and breaking their political power. The king entrenched inequalities through the spread of *uburetwa*, a feudal system under which poor Hutu farmers exchanged labour for access to land owned mainly by Tutsi. As a result, polarisation and politicisation of ethnic groups started. Land became a factor of differentiation between Hutus and Tutsis.<sup>10</sup>

There is a long history underlying the relationship between land and politics in Rwanda. Land was used during the colonial era to divide the Rwandan population along ethnic lines. When Belgian colonisers came to Rwanda they favoured the Tutsi for administration, in effect establishing a governing class of mainly Tutsi. They adopted the indirect rule system that enabled Belgium to extract more taxes and labour from small farmers, mostly Hutu. Belgian colonisers justified their preferential treatment of the Tutsi by relying on racist ideologies. The Tutsi governing class, meanwhile, exploited their authority by seizing cattle and land from other Tutsi and Hutu peasants. King Rwabugiri also used land to increase tension between the Hutu and Tutsi. During and after the period of colonial rule, the governing class in Rwanda once again used land to polarise the Hutu and Tutsi ethnically. Insecure rights to land and resources for the rural poor were mobilised for political gain.

A number of analyses have traced the historical background to the Rwandan conflict, and in particular, the 1994 genocide which saw the death of an estimated 800,000 Rwandans mainly Tutsi and moderate Hutus.<sup>11</sup> Many of these works link the civil war and the genocide to the colonial period.

There is a widespread belief that German and later Belgian colonialists reinforced divisions between Hutu, Tutsi and Twa ethnic groups. This was in part the result of a racist colonial perception that viewed Tutsi as superior to other groups, including Hutu. The Tutsi were treated preferentially by Belgian colonial authorities. This, consequently, strengthened Tutsi hegemony over the Hutu. Historically, Tutsi and Hutu identities were not clearly defined. The terms Hutu and Tutsi appear to have originally been flexible in that a man could be Tutsi in relation to his clients or inferiors, and Hutu in relation to his patrons or superiors. It was possible for those born Hutu or Twa to be ennobled to hold elite positions thus becoming Tutsi. Colonialists, however, by favouring Tutsi on the basis of racist ideology, reinforced ethnic divisions. These differences were reinforced by the introduction of compulsory identity cards in 1931, which indicated ethnicity.

At this point, Rwandans began to relate more to their respective ethnic groups, which would be critical to determining access to political representation

and access to resources. Colonialism thus sharpened the differences between Tutsi and Hutu. At independence the new government continued the use of identity cards. These would be used later to identify Tutsi during the genocide. According to Prunier<sup>12</sup>, the Republic of Rwanda, created at the end of colonial rule in 1962, was ethnically divided. Others note the long history of political and economic rivalries between the Hutu and Tutsi ethnic groups that predate the contemporary conflict. This rivalry found expression in the periodic outbreaks of violence leading to regular surges of large refugee outflow.

The first major conflict in the history of Rwanda was the 1959 so-called 'Hutu revolution' against Tutsi hegemony. The ethnic animosity and Hutu discontent created in the colonial period was catalysed and Hutu chiefs organised the killing of rich and poor Tutsi. The abrupt shift in Belgian policy, and the role played by the Catholic Church in empowering the Hutu against the Tutsi, paved the way for this revolution. The 1959 'social revolution' marked a period during which the Tutsi were excluded from participating in political and economic processes in Rwanda. Though known as a Hutu 'revolution', only a minority Hutu elite were to benefit. Poor Hutu were largely excluded from national political and economic processes, as well. Thus, the social revolution substituted one elite group for another.

The majority of the rural poor, both Hutu and Tutsi, remained outside the realm of official politics and the formal economy. Education and employment opportunities and positions in the military were reserved for a small Hutu elite from the north. Thus in the 1990s, when power and access to resources was concentrated in the hands of the northern elite, a pervading sense of frustration with formal politics and economy, and its inability to ensure livelihood security for most groups, ignited conflict. Ethnic divisions, therefore, were not the cause of the conflict. Instead, these were the result of political manipulation by a powerful ruling elite.

The 1959 conflict saw a mass exodus of Tutsi refugees into neighbouring countries, especially Uganda<sup>13</sup>. Tutsi refugees in Uganda reorganised themselves and in 1963 launched the first military invasion into Rwanda in an attempt to capture the state. The invasion was unsuccessful and resulted in widespread killings of Tutsi and accelerated flows of refugees into neighbouring countries.<sup>14</sup>

The period between 1963 and the 1990 civil war was one of uncertainty, marked by Tutsi armed incursions into Rwanda and ethnic cleansing of Tutsi inside Rwanda. The post-independence period was thus marked by ethnic violence between Hutu and Tutsi and Tutsi refugee outflows mainly to Tanzania and Uganda. The subsequent Hutu governments fostered and manipulated ethnic divisions to maintain a popular rural support base.

In 1990, the Rwanda Patriotic Front (RPF) organised an armed invasion into Rwanda, from Uganda. Predominantly Tutsi, many of the RPF members were refugees or children of refugees driven out of Rwanda in the aftermath

of the 1959 conflict. 1990 thus marked the beginning of a civil war that by 1992 had displaced one-tenth of the population and widely disrupted agricultural activities.<sup>15</sup> Even after the signing of the Arusha Peace Accords in August 1993, hostilities continued. During this period, radical Hutu plotted the genocide with the support of the government.

Tensions reached a climax on April 6, 1994, when the plane carrying Rwandan President Juvenal Habyarimana and his Burundian counterpart, President Cyprien Ntaryamira was shot down, killing them both and marking the beginning of the genocide. Fighting between the RPF and the Rwandan defence forces (*Forces Armées Rwandaises* or FAR) escalated and within a period of 100 days an estimated 800,000 Tutsi and Hutu moderates were killed by members of a radical Hutu militia group.<sup>16</sup> The RPF emerged victorious in July 1994 and leads the government in Rwanda to this day. However, full peace and national reconciliation is still elusive. Persistent armed incursions into Rwanda that are organised by members of FAR and the Hutu militia group responsible for the genocide (the *Interahamwe*, now operating under its French acronym PALIR, or the *Peuple en Armes Pour Libérer le Rwanda*) continue.

In the post-genocide period, the precarious refugee situation continues to be a source of insecurity and instability to Rwanda. The government of the neighbouring Democratic Republic of Congo (DRC), where many ex-FAR servicemen and Hutu militia sought refuge, has either been unwilling or unable to disarm them, sometimes seeing them as allies in a common struggle against Rwandese occupation.<sup>17</sup> Rwanda justifies the presence of its occupying forces in the DRC on the grounds of the continued presence of FAR and PALIR cells inside the DRC. Rwanda feels that its national security is threatened as long as the PALIR continues to operate from inside the DRC. Rwandan President Paul Kagame has stressed that Rwanda's DRC policy is to contain PALIR military activities.

## Key Factors

Although the importance of ethnicity should not be overestimated, it is still important to trace the use of ethnicity in conflict discourse. In Rwanda, historical narratives of social injustice were employed by Hutu extremists prior to the genocide in 1994 to justify their exclusive claim to power.

Prunier<sup>18</sup> analyses the role of colonialism in creating a cultural mythology that informed the ideology and actions of Hutu and Tutsi, and the role of this mythology in causing conflict. To Prunier, although conflict in Rwanda can be viewed as a power struggle between Hutus and Tutsi dating to colonialism, ethnicity is not necessarily the most important factor to understanding the conflict. He cautions against dividing the Rwandan society into Hutu, Tutsi

and Twa tribes. As Prunier explains, they share the same language and culture and, historically, coexist without separate tribal homelands.<sup>19</sup>

In Rwanda, there are no ethnic distinctions in terms of language, culture and religion. According to Vidal, it would be simplistic to understand the Rwandan conflict as a manifestation of ethnic differences. Like Prunier, Vidal sees ethnicity in Rwanda as a colonial creation, but one that was exacerbated and manipulated by extremist politicians to maintain popular support and control of the state. Reyntjens disagrees, and claims that ethnicity always existed in Rwanda and is to blame for the 1994 genocide.<sup>20</sup>

It is informative to note the patterns of ethnic division in Rwanda, and the contexts in which ethnic divisions are raised in relation to specific political and economic aims, including, importantly, control of the state. Conflict in Rwanda to control the state illustrates the importance of state institutions and other decision-making structures, for instance, to determine land and resource rights. Lee observes that such conflicts have been common throughout human history: "Communities have fought to preserve access to scarce resources or to prevent another from gaining such access."<sup>21</sup>

During the Habyarimana regime, power was concentrated in the hands of the *akazu*<sup>22</sup>. The *akazu* mainly came from the northern prefecture of Gisenyi and supplied a third of top government jobs and almost all heads of security apparati. They also benefited disproportionately from state development projects.<sup>23</sup> The *akazu* dominated the state and maintained virtual exclusive control over Rwanda's land and resources using the laws and institutions of the state. Thus in Rwanda, the question of who controlled which decision-making structures and processes to decide ownership of what land and resources and for which groups was the key issue underlying conflict leading up to civil war and genocide. Conflict to capture the state was simply the means used to gain or maintain control of scarce land and natural resources.

In viewing conflict in Rwanda through the lens of state control, it must be critically questioned how arguments of ethnic difference were used to support the war and genocide. Storey<sup>24</sup> lists the following strategies adopted by the *akazu* to deal with challenges to their domination of the state and control of land and natural resources:

- mass propaganda that blamed the Tutsi minority for poverty, famine and general economic hardship;
- violence against opposition figures; and
- genocide.

The international advocacy group Human Rights Watch has documented incidences of ethnic incitement of rural populations by elite groups.<sup>25</sup> In the 1980s and 90s, the gap between the rulers and the ruled (both Hutu and Tutsi) was clearly widening and poverty was at a record peak. But with the advent of multiparty democracy, and the Arusha Accords, electoral competition and

forced government concessions to the RPF threatened to deprive the *akazu* of its control of the state machinery. Therefore although both poor rural Hutu and Tutsi were denied secure rights to land and resources, the *akazu* popularised a view that predatory Tutsi were the source of deprivation among Hutu peasants, and were accomplices of the rebel Rwanda Patriotic Front that was seeking to overthrow the Hutu dominated government.

The *akazu* regime, faced with widespread internal and external opposition, manipulated ethnic differences to incite violence and genocide in order to weaken Tutsi-led opposition.<sup>26</sup> In zero-sum competitions to control scarce land and resources, where the gain of one group implies the loss of another, ethnicity is a convenient guise for elite competition. Ultimately, grievances over access to and control of scarce land and resources assumed an ethnic orientation in Rwanda.

The multiple effects of economic decline, population pressure, structural adjustment policies (SAPs) and growing internal opposition weakened the government's legitimacy and its administrative ability, thus contributing to conflict in Rwanda. Declining government revenues owing to the sharp fall in world coffee prices, Rwanda's main export earner, caused the economic slump of the 1980s. Together with SAPs, the already exhausted economy was weakened further. The rural poor were hardest hit.

Collins,<sup>27</sup> Chossudovsky<sup>28</sup> and Karnik<sup>29</sup> attribute the weakness of the Rwandan state to the policies of the World Bank and IMF. They observe that SAPs imposed on Rwanda by international lenders in the early 1990s destroyed economic activity and rural livelihoods. Ruling elites, however, were spared devastating effects by passing the cost of structural adjustments onto the poor. SAPs also fuelled unemployment, which was already at critically high levels and created a situation of general social despair. Chossudovsky claims that it was the general impoverishment of the population that contributed to desperation, insecurity and violence.<sup>30</sup> These factors combined with the effects of the 1988–89 drought to induce ever higher levels of stress among the rural poor. The rural poor, in response, devised a variety of strategies to strengthen their livelihoods, including complicity in genocide motivated by incitement from elite political leaders.

These crises prompted the 1990 RPF invasion. According to former Rwandan President Pasteur Bizimungu, the Rwandan political system was on the verge of collapse owing to this situation, and any push from outside would only have completed the process of its collapse.<sup>31</sup> However, with growing internal demands for democratisation, and with the government threatened by these crises as well as an imminent RPF invasion from Uganda, extremist political parties, notably the *Coalition Pour la Defence de la Republique* (CDR) and part of the *Mouvement Republicaine pour la Democratie et le Developpment* (MRND) began systematic campaigns and attacks against the Tutsi.

Refugees have been and continue to be a source of conflict in Rwanda. The conflicts of 1959 and 1963 forced a number of Tutsi into exile. These refugees

were denied the right of return by the Habyarimana government. Towards the end of the 1980s, there were about 480 000 refugees (representing about 7% of the population and almost half the entire Tutsi population) seeking to return to Rwanda, but who were denied this by the government. Refugees claiming the right of their return to Rwanda posed a major challenge to the government, which refused, officially because of population pressure and scarce land.<sup>32</sup> The right of refugee return was a key objective of the RPF, comprised predominantly of exiled Tutsi. Tutsi refugees since independence had organised armed incursions into Rwanda. These were followed by retaliatory attacks by the Rwandan defence forces on Tutsi populations within Rwanda. The RPF invaded Rwanda in 1990 in order, it claims, to ensure the return of refugees to Rwanda. Thus by failing to deal with the refugee problem prior to 1990 and by denying their return, the government set the stage for future civil war in Rwanda.

Internally Displaced Persons (IDPs) have also contributed to the conflict in Rwanda by worsening land and resource scarcities in areas where they settled. Thousands of IDPs were created as a result of the civil war in Rwanda dating from 1990. Gasana claims that Byumba, Butare and Ruhengeri prefectures hosted up to one million IDPs, severely straining scarce resources in these areas.<sup>33</sup> He sees a powerful interaction between scarcity of land and resources and IDPs, which, according to him, aggravated the conflict.

Currently, Hutu refugees are an important source of instability in Rwanda and the Great Lakes region in general. These are mainly ex-FAR soldiers and Hutu militia who organise armed incursions into Rwanda from the DRC. It is clear that as long as the refugee problem is not resolved, long term peace and national reconciliation in Rwanda will be impossible. Thus in November 1996, the Rwandan government, frustrated by the growing number of armed attacks from refugees based in the DRC, closed down refugee camps. However, many of the refugees declined to return and retreated deeper into the DRC, thus remaining a source of insecurity to Rwanda to this day.

The post-genocide massive return of Tutsi refugees (first caseload refugees) has led to conflict over ownership of property and land. The ongoing return of Hutu refugees (second caseload refugees) from closed refugee camps in the DRC has placed an enormous strain on scarce resources and is a source of conflict between first and second caseload refugees competing for ownership of land and property. As a result Rwanda is faced with the monumental task of resolving competing land and property claims.

## **Key Actors**

By 1990, the Rwandan state had increasingly become authoritarian and unpopular, especially among the rural peasantry, and was facing threats both internally from opposition parties, and externally, from the RPF.<sup>34</sup> It is argued

that extremist political parties within the Habyarimana government, struggling for survival, saw conflict and the genocide as a last attempt to survive.<sup>35</sup> The government and extremist political parties, notably the CDR and a section of MRND, then became the most outspoken protagonists on the government's side. Senior and influential elites in the Habyarimana government manipulated existing grievances, especially grievances concerning land scarcity and economic hardships, to create a conflict pitting Hutus against Tutsis to maintain political power amid growing internal opposition.

Rebel and militia groups constitute a second category of actors and are predominantly composed of refugees, with the first caseload refugees made up of Tutsis and the second caseload refugees made up predominantly of Hutus. Prior to the 1994 RPF victory, Tutsi refugees forcefully attempted to return to Rwanda, and in the process, destabilised social and political systems in Rwanda. The RPF was composed of exiled and refugee Tutsi. Currently, Hutu refugees, many whom are ex-FAR soldiers and members of former paramilitary groups, have regrouped from bases in the DRC and formed the new armed group, PALIR, whose goal is to capture the Rwandan state by force. PALIR remains a dangerous and destabilising force to the government of Rwanda, which is seeking reconstruction and national reconciliation of the population. The *Armée de Liberation du Rwanda* (ALIR), the armed wing of PALIR, continues to carry out armed attacks into north-west Rwanda from bases inside the DRC. Violent conflict between the Rwandan army, RPA, and Hutu militia groups continues today.

Local populations participated in the conflict in two ways. The first was through direct armed support in the genocide and civil war. A second was to assist armed opposition groups against the government, an opposition that emanates from their grievances concerning economic marginalisation and disinheritance of land and property. During the 1994 conflict, the rural peasantry played a major role in terms of carrying out the genocide orders.<sup>36</sup> Prunier observes that one of the incentives for the rural poor to be involved in the conflict stems from land and resource scarcities. In his view, Hutu peasants killed the Tutsi because they would inherit the land of the murdered Tutsi.<sup>37</sup> To the poor rural Hutu, inheritance of additional land and property was a big incentive to participate in the genocide.

## Conflict Management Strategies

The conflict in Rwanda received little international recognition for a long period. This changed following the outbreak of civil war in 1990 and the massive human rights violations accompanying the war, and the threat these posed to regional peace and security in central Africa.<sup>38</sup> Following the civil war that broke out in 1990, the government and RPF entered into negotiations in Arusha,

Tanzania, with the aim of finding peaceful solution to the conflict. The negotiations, initiated by the Organisation of African Unity (OAU) and facilitated by the government of Tanzania, began in July 1992 and were concluded in August 1993. The Arusha peace process was the first major international response to the war. The subsequent Arusha Accords provided for the following:

- a ceasefire;
- the formation of a broad-based transitional government with power sharing;
- incorporation of the RPA into the army; and
- return of all refugees.

In June 1993, just before the Arusha Accords were signed, the UN Security Council established the United Nations Observer Mission for Uganda and Rwanda (UNOMUR). The mandate of UNOMUR was to ensure that no military assistance crossed the Uganda border into Rwanda.<sup>39</sup> The United Nations Assistance Mission for Rwanda (UNAMIR) was established after the signing of the Arusha Accords and the establishment of a ceasefire between the RPF and the Rwandan government. UNAMIR's overall mandate was to support implementation of the Accords as well as to protect humanitarian organisations operating in Rwanda during the transitional period.

Extremist groups within the government, notably the CDR and a faction of MRND, were opposed to the Arusha Accords, which they believed gave too much power to the RPF, including key defence and health ministerial positions, as well as large influence in the national armed forces.<sup>40</sup> The governing Hutu elite began to undermine the Accords with the support of extremist Hutu elements. In particular, the extremist Hutu party (CDR) did not participate in the peace process and was not included in the Accords, leading to their armed opposition. At the time, the CDR was a major political force in Rwanda. Adelman<sup>41</sup> argues that the exclusion of the CDR from the Arusha peace process was its major shortcoming. Only four days after the signing of the peace agreement, 'ethnic' massacres began in Kibuye, for which extremist Hutu groups were held responsible.<sup>42</sup>

The main lesson emerging from the failed Arusha peace process for Rwanda was that zero-sum solutions that exclude some groups, no matter how strong, are unworkable. Furthermore, the Arusha peace process focused more on the ethnic parameters of the conflict while overlooking other important causes, such as pervasive unequal land ownership, decreasing international value of agricultural commodities and deepening rural poverty. However, effective interventions in conflict are only possible when all sources of conflict are recognised, and the dynamics between these understood.<sup>43</sup> The Arusha peace process was preoccupied with issues of power sharing, elections and the composition of armed forces, all which were meant to diffuse ethnic sources of conflict. Although these were important considerations, by not addressing

other sources of conflict, these considerations alone were not sufficient to manage the conflict.

The UN assumed responsibility for overseeing the implementation of the accords under UNAMIR, which had a broad mandate including peacekeeping, humanitarian assistance and general support to the peace process during the transitional period. However, the deployment of UNAMIR peacekeepers was slow and they lacked the mandate to coerce combatants to observe the Accords. The international community, meanwhile, was focused on the apparent success of the peace process, and neglected to devise a contingency plan to address the conflict should the ceasefire break (which it did).

The design of the intervention was traditional and did not consider the nuances of the Rwandan situation, nor account for the rapidly shifting dynamics of conflict and peace in the country. Events inside Rwanda were widely misinterpreted by the international community and did not distinguish between impending genocide and civil war. Hence when the genocide began, it was considered part of the civil war. The international community maintained its distance from events on the ground while reducing its mission to a mere 270 observers. Apparently, the UN was basing its actions on the Somalia experience, from which it recognised the need to maintain some measure of neutrality. However, the conflict in Rwanda differed greatly from Somalia.

After the genocide had begun, the UN authorised the deployment of French troops as part of Operation Turquoise with the purpose to establish a safe humanitarian zone for the protection of civilians. Operation Turquoise was authorised under Chapter 7 of the UN charter to use force to achieve its humanitarian objectives (unlike UNAMIR that was established under Chapter 6 and hence lacked enforcement powers). Even though it did manage to save some lives in the humanitarian zones, and facilitated the flow of humanitarian assistance to displaced populations, it did not succeed in halting further hostilities and the massacre of civilians. It is argued that Operation Turquoise, which was seen as more sensitive to francophone interests, protected the status quo in Rwanda at the time, whereas the rebel RPF movement was viewed as squarely anglophone.

In the post-genocide period, the UN explored methods of national reconciliation and peace building with a focus on ending the culture of impunity that was entrenched in Rwanda. The UN established the International Criminal Tribunal for Rwanda (ICTR) in November 1994 to facilitate the process of national reconciliation and reconstruction. The trial of suspected perpetrators of the genocide is one of the mechanisms by which the international community hopes to create conditions for justice and reconciliation leading to peace building and stability in Rwanda. Also, by placing the responsibility for human rights violations and other atrocities on specific individuals rather than an ethnic group, it is hoped that the tribunal can help

to diffuse ethnic tensions, and deter such atrocities from being committed again. Individual trials avoid laying blame for the genocide on Hutu, many of whom were killed in the events of April and May 1994 as well.

The ICTR trials in Arusha are complemented by trials in Rwanda. Since 1999, revival of the *gacaca* traditional court system has been discussed, and recently implemented, as an option to alleviate pressure on the overburdened justice system in Rwanda. *Gacaca* courts will be held at the local level by locally elected judges and have jurisdiction over the minor categories of crimes committed during the genocide. It is too soon to judge the ability of the *gacaca* courts to contribute to the process of reconciliation and justice. However, it is clear that its success will depend on the ability of the 'traditional' judge to be distant enough from the genocide to pass fair judgments that are considered legitimate and acceptable to all parties concerned.

The Rwandan justice system is overburdened with the responsibility of bringing justice to those who survived the genocide. Many years after the genocide in 1994, several thousand suspects still languish in custody without trial or due process of the law. In order to ease pressure on the justice system, it is proposed that traditional *gacaca* courts headed by local elders be revived to deal with minor cases. The courts will function from the cellule to the prefecture levels. The cases to be tried would be those in Categories 2 and 3. Category 2 is for those accused of overseeing massacres and for failing to prevent them when in a position to do so. Category 3 is for those who killed or looted during the genocide. Category 1 which would not be tried by the *gacaca* courts is for the planners of the genocide. Those found guilty in *gacaca* courts will be able to appeal to another court. Legislation to establish *gacaca* was adopted in October 2000.

The *gacaca* is controversial in Rwanda. Many, particularly Tutsi, question whether *gacaca* will bring about intended justice and reconciliation in Rwanda. Many Tutsi believe the *gacaca* are predisposed to leniency towards genocide suspects. For example, the Rwandan Justice Minister, Jean de Dieu Mucyo, claimed that community service could be an option for sentencing in *gacaca*.<sup>44</sup> It is feared that revenge attacks by genocide survivors on those sentenced in *gacaca* could develop, thus sabotaging the reconciliation it is aiming to achieve.

Another consideration is that the integrity and credibility of traditional courts has rested on the people selected to fulfil the role of arbitrator or judge. However, population displacements and resettlement after the genocide imply that the structures of community life in most areas have been disrupted. This would make it hard for the prospective *gacaca* judges to establish credibility both with the accused and with the genocide survivors. Credibility of the court and its decisions will be essential for real justice and national reconciliation in Rwanda.

In contending with the destabilising refugee situation, the government, with the help of the United Nations High Commissioner for Refugees (UNHCR), has undertaken confidence-building measures to encourage the

safe return of refugees, including those engaged in the genocide. However, the government of Rwanda has also moved to forcefully close refugee camps within Rwanda and in the DRC. In any case, the safe return of refugees is vital to the normalisation of political, economic and social orders in Rwanda, and is key to the long-term stability of the country.

Prior to the genocide few non-governmental organisations and other civic bodies operated in Rwanda due to the extensive control that the Habyarimana government exercised over civil society. International organisations, such as Oxfam, International Alert, and *Medecins sans Frontieres*, maintained limited operations in Rwanda, primarily to observe human rights and provide early warning information for conflict managers. Following the 1993 ceasefire brokered as part of the Arusha peace process, international organisations monitoring the situation in Rwanda warned that extremist forces linked to the Habyarimana government were arming and organising themselves to derail the peace process.<sup>45</sup> They also warned of human rights violations, including extrajudicial executions of civilians.<sup>46</sup> These warnings, however, were largely ignored by the international community.

In contrast to the situation before the genocide there has been large-scale humanitarian intervention in Rwanda by international organisations in the post-genocide period.<sup>47</sup> The international community, criticized for its failure to intervene before the genocide, provided substantial emergency assistance and reconstruction aid following the end of the civil war in 1994. It has supported macro-economic reforms and the re-establishment of basic services in Rwanda. Economic growth is widely seen as essential for long-term peace and stability in Rwanda and throughout the Central Africa region. The IMF and World Bank have supported a number of reforms in Rwanda to benefit reconstruction, and the United Nations Development Programme (UNDP) established a trust fund for Rwanda to channel aid for building the capacities of institutions and the state.

There has also been a proliferation of non-governmental organisations in Rwanda in recent years. These organisations are engaged in a wide range of activities to support humanitarian assistance and peace building. Many local organisations<sup>48</sup> address issues such as social justice, human rights, and reconciliation and rehabilitation of those traumatised by the conflict. Faith-led initiatives are prominent among the manifold civic society initiatives started in Rwanda.

## **Overview of the Environment**

Land is the focus of ecological grievances in Rwanda. Rwanda is described as a country with severe population pressure and widespread dependence on limited resources for subsistence.<sup>49</sup> According to Homer-Dixon, demand-induced

scarcity in Rwanda resulted from overpopulation and supply-induced scarcity was caused by decline in soil fertility due to over-cultivation, degradation of watersheds and the depletion of forests.<sup>50</sup> The effects of ecological scarcity were beginning to be felt in the 1980s when food production failed to keep pace with population growth. The population was growing but there was little or no land for agricultural expansion. Earlier expansions into forest reserves had depleted wood fuel leading to scarcity.<sup>51</sup>

In the 1980s and the period preceding the drought, Rwanda moved from being one of Africa's top performers in agricultural production to one facing massive food shortages. Homer-Dixon observes that although food output rose by 4.7% annually between 1962–1982, a higher increase compared to population growth, much of this was a result of expanding cropland areas and a reduction of fallow periods rather than a result of improved agricultural methods, such as the use of fertilizers.<sup>52</sup> Hence by the late 1980s, most land, including steep hillsides, was under cultivation. Soil fertility fell sharply and with a growing population, per capita food production decreased as well. As a consequence, the country began to face severe food shortages, more so in the southern prefectures where internal opposition to the government grew.

The government of Rwanda received overseas development assistance to undertake environmental and development projects to improve rural livelihoods and alleviate poverty. International aid, however, was unevenly distributed, with the bulk of it skewed towards President Habyarimana's home region in the north-west region of Rwanda. Because of this, disenchantment with and resentment towards the government grew in southern prefectures and encouraged the spread of internal opposition to the government. Threats to the Habyarimana's government emerged.

As described earlier, the rural poor bore the brunt of environmental scarcity and were the most visibly affected. Many of these poor families, owing to diminishing size of family land holdings, moved onto unproductive lands that were threatened with massive soil erosion. Resource capture by elite groups and population pressure led to unsustainable land use, such as cultivation on steep hillsides, shortening of fallow periods and deforestation to open additional land for farming. Food insecurity continued to grow up to the time of the genocide. All the while, the rural poor protested against the unequal distribution of land and resources.

Southern elites harnessed the ecological grievances of the rural poor for their own political gains. They stressed that the government invested more in rural development in the north while marginalising the south. When it was clear that growing opposition to the government in the southern prefectures was threatening the legitimacy of Habyarimana's government, the RPF capitalised on the opportunity and launched their invasion from Uganda to the north. The governing Hutu elite, however, was able to cast the conflict as one between Hutu and Tutsi, not between a marginalised majority and privileged

ethno-regional minority. In Gisenyi and Kibuye prefectures in the south, for example, where violence took an ethnic form, elite Hutu exploited the grievances of the poor landless and turned them against their Tutsi neighbours while promising them the Tutsi lands in return.<sup>53</sup>

The civil war displaced up to one million Rwandans inside Rwanda. Many of them settled in areas already confronted with ecological scarcity such as the Ruhengeri and Butare prefectures, whereas others moved into sensitive environments, such as steep hillsides. IDPs increased resource demands leading to fierce competition between themselves and other local inhabitants. Gasana argues that the dissatisfaction of the rural peasantry as well as the grievances of the IDPs were channelled into anti-RPF and anti-Tutsi sentiments, leading to conflict.

Grievances linked to soil erosion also emerged in the highlands of the southern prefectures of Gisenyi and Gikongoro and parts of Butare, Byumba, Cyangugu and Kibuye. These prefectures have acid soils that lack any regenerative capacity when put under intense cropping and are highly erodible. These prefectures all recorded negative rates of food production and hence retained a permanent situation of food scarcity compared to the positive rates recorded in the northern prefectures of Kibungo and Ruhengeri.

## **Land as a Source of Conflict**

The role of land is crucial to understanding the civil war and genocide in Rwanda. Several authors have asserted the link between land scarcity and conflict in Rwanda. Land is the most important asset for most Rwandans and will remain important for many years to come.<sup>54</sup> Around 95% of the active population derives its livelihood from the production of food crops. A common understanding imparted in many analyses of the Rwandan conflict is that population pressure leading to land scarcity was the ultimate cause of conflict in Rwanda. However, it is clear that this view is limited, and that a number of other factors interacted to cause conflict in Rwanda, as Olson<sup>55</sup> notes. Rapid population growth, soil degradation, low prices for agricultural produce, lack of access to productive resources, unequal distribution of land, limited government investment, and limited off-farm opportunities amounted to “production pressure on a constrained resource”, in the words of Olson.<sup>56</sup>

### **Land Acquisition and Access**

A 2001 survey carried out by the Ministry of Environmental Rehabilitation and Protection examined several mechanisms used to acquire land in Rwanda, including inheritance, government distribution, the market and by donation.

Inheritance, historically, is the predominant mode of land acquisition for Rwandans. Male children were entitled to inherit land and property from their parents upon the parents' death. However, a new law was recently promulgated that gives the same rights of inheritance to girls.

A second mechanism was acquisition through government distribution. Government authorities allocate land to landless peoples, including returning refugees, in new settlement areas, including swamps and natural reserves. Returning refugees are the primary beneficiaries of government land allocations in the post-civil war and genocide period. However, land distributions by the government are decreasing because there is no additional land for distribution.

Despite limitations in land laws and regulations, a small land market has also developed in Rwanda. However, few have the ability to purchase land on the market. There is a real risk that land distribution will become more disparate as the rural poor are forced to sell their land due to poverty, and other rural poor are financially unable to acquire new land.

Acquiring land through temporary lease is becoming more common owing to the decreasing availability of land for cultivation. Leasing land is one strategy that smallholders and landless farmers use to acquire land for cultivation. They pay rent for each growing season to families with larger holdings or to other poorer farmers who lack the means to farm.

There is a history of donating land to poor kin in Rwanda. However this practice is becoming infrequent owing to growing land scarcity. Instead, relatives of landless families may temporarily loan land for one or more growing seasons.

The results of a survey carried out in 1988 (Table 1) show a change in the mode of land acquisition. Purchases of land are increasing and are now the primary mode of land acquisition. Formerly, allocation of land by the government was the primary means through which men inherited land on behalf of their families. However, the government is no longer able to allocate large areas of land given that nearly all land in Rwanda is in use.

**Table 1:** Evolution of land acquisition in time (in % of plots)<sup>57</sup>

Mode of land acquisition	Land owned for more than 25 years	Land owned for less than 10 years
Purchase	2.4	20.4
Clearing	1.6	4.7
Inheritance	72.2	67.5
Donation	8.3	4.7
State allocation	15.5	2.6

According to customary land tenure systems in Rwanda, only men had the right of access to land. Upon marriage, young women had to leave their families to join their husbands who inherited land from their parents. In her new family, a woman could not inherit her husband's property rights; only men were entitled to inherit landed properties. A woman could inherit land only when she had neither male children nor living male relatives of her deceased husband. However, the widow had the right to use her late husband's land as long as she stayed in her husband's house and raised their children. The fact that women did not have the same rights to land and property as men, however, generally did not worsen conflict.

In Rwanda, although women perform more of the agricultural labour, they have benefited less than men from social development. Women's rights to property and land are limited. Moreover, women have few education or employment opportunities often because of persistent social stereotypes that the role of women is exclusively domestic. Women in Rwanda played a central role in the reconstruction of the country. After the genocide they formed an exceptionally large proportion of the population and many had to head their households. Women also assumed new roles in Rwandan society. Some improvements to promote gender equality were made following the war and genocide, such as the establishment of the Ministry of Gender and Social Affairs. The government also plans to create a legal framework that recognises women's rights. The revision of the matrimonial code offers couples a choice of property regimes, including the option to own land and property equally. The labour code and land legislation will remove restrictions on women's ability to work and own property. There are also efforts to mainstream gender in all policies and programmes, empower women through education, targeted micro credit programmes and community safety nets.

New legislation enacted in November 1999 makes it clear that men and women are equally entitled to inherit land from their parents. In the proposed new comprehensive land law, women and men have equal land rights. When this law is enacted, women will be able to inherit land and property from their parents and husbands. Empowerment of women may have indirect benefits for food security, as strong land and resource rights should enable women to invest in greater agricultural production.

## Demographics

Population pressure is an important factor contributing to land scarcity in Rwanda. It is well known that Rwanda is the most densely populated country in Africa (329 per square km, against 29 in sub-Saharan Africa in 1998). In the 1980s the population density on arable lands was estimated at 390 persons per square kilometre. In the intensively cultivated regions in southern Rwanda, such as Butare, the population density was an estimated 400 to 500

persons per square kilometre. The 1991 census estimated the Rwandan population to be 7.15 million and overall population density to be 271 persons per square kilometre. This was the highest population density recorded in Africa at the time.<sup>58</sup>

Furthermore, most arable land is under cultivation. In 1998, almost 70% of the estimated 1.3 million hectares of arable land were under cultivation. During the period between 1980 and 1988, the population increased by 3.3 % per annum while the overall agricultural area increased by only 0.3%.<sup>59</sup> The continuous decrease of agricultural land due to population pressure was worsened by the localised degradation of lands already under cultivation. Table 2 shows that natural reserves have decreased by more than 50% as population has increased with a concomitant increase in the demand for land. Whereas the area of arable land increased only by 10%, agricultural households increased by 110% during the same period. By the end of the 1980s, nearly all the arable land for agricultural production was in use. The ultimate impact was severe food insecurity linked to unsustainable environmental practice and resource capture. In 1990, over two million of the total Rwandan population was living under conditions of permanent food insecurity.

If the current trend continues, agricultural conditions in Rwanda will worsen. Already, agriculture is encroaching into protected areas and other ecologically sensitive areas. Based on current population growth and patterns of land use, it is estimated that 82% of all land holdings will be less than one hectare or smaller by 2010. An estimated 38% of all holdings will be smaller than 0.275 hectares.

## Land Distribution

Land scarcity was a perennial problem in Rwanda even before the outbreak of civil war in 1990. Owing to a number of interrelated factors, there was insufficient land to meet the needs of the growing population in Rwanda over time. 'Free' land was exhausted and the size of family holdings was decreasing. The size of family holdings declined on average from 3 hectares per family in 1949 to 2 hectares in the 1960s, 1.2 hectares in the early 1980s and 0.7 hectares by the early 1990s. This average, however, conceals great disparities in the size of land holdings, with an increasing number of landless and near-landless peasants at the same time that the size of the largest farms was increasing. Stress induced by high population density chiefly affects small-holders who have few opportunities off the land to begin with.

Unequal land distribution in Rwanda dates back to the 1940s when cattle-owning Tutsi controlled large areas of land to graze livestock. Most of the farming population was settled in the western highlands. The eastern savannas bordering Tanzania were reserved as pasture for grazing Tutsi livestock. The Hutu social revolution of 1959 and national independence in 1962 resulted in

the opening of large rangelands to settlement by Hutu farmers. An unknown number of Hutu migrated to these rangelands from the highlands in western Rwanda, where the local uneven distribution of land resulted in widespread landlessness.<sup>60</sup> Competition for land was fierce at the time. In addition to a cycle of conflict and population displacements prior to and following independence in 1962, there was also a total absence of a land policy or national land use plan.

Resource capture by the elite was evident in the 1980s when the disparity in land ownership between poor rural peasants and the elite grew tremendously.<sup>61</sup> In 1984, nearly 50% of the agriculturally productive land was held on 182 farms out of an overall total of 1 112 000 farms.<sup>62</sup> Furthermore, whereas 43% of poor families owned only 15% of cultivated lands, 16% of rich families owned 43% of cultivated lands.<sup>63</sup> These figures are supported by a survey carried out in 1988 in five prefectures of Rwanda that show 60% of agricultural households owned only 31.4% of arable land while 20% of the population owned 46.9% of the total cultivable land. Increase in population led to further divisions of smallholdings through inheritance, further decreasing the viability of subsistence farming on many plots. Land scarcity among the rural poor forced many to cultivate steep slopes prone to erosion and that are acidic and unproductive.

By the 1990s, Rwanda was thus facing serious land scarcities that were worsened by unequal access to and distribution of land caused by resource capture by the elite. Although more than 90% of the population of Rwanda subsists on various types of farming, most lack secure rights to own land. In 1994, 57% of rural households owned less than one hectare of land, and 25% owned less than half a hectare. In a survey carried out before the genocide in 1994, the Ministry of Agriculture found that 45% of the rural population (estimated to constitute 92% of the total population of Rwanda) were unemployed or landless peasants. Another survey that was carried out by a non-governmental organisation, the Agency for Cooperation and Research in Development (ACORD), in 1998 among 271 village households in Rwanda found that 26% were landless. Furthermore, according to the survey, a majority of landholders had less than one hectare of land. Most of the land belonged to elite groups connected to powerful government officials. Rarely do elite groups fully utilise their land holdings.

Even though the statistics on the disparity of the distribution of land between rich and poor are few, it is clear that the size of farms for rural poor are decreasing in size while the land holdings of the wealthier are becoming larger. Indeed, more privileged individuals and groups possess the financial means to acquire additional land that in many cases they do not use. The unequal distribution of land is presumably a larger problem than population pressure. Widespread disinheritance and unemployment in rural areas posed a number of alarming risks to the government. There is little question that

the political economy of land was a significant factor contributing to the civil war and genocide in the 1990s. The government, unable to address the land issue without incurring a loss of patronage, attempted to use land to maintain control of the state and thereby dominate the institutions and other decision-making structures to allocate scarce land. Meanwhile, elite groups focused on accumulating wealth at the expense of the rural poor. By controlling the state they dominated key decision and rule-making processes to allocate land and resources.

As observed earlier, land scarcity is prevalent for both the Hutu and Tutsi in Rwanda. Resource scarcity is not divided along ethnic lines. Indeed, the great majority of both Tutsi and Hutu did not benefit from the 1959 social revolution. The situation for the majority of the rural poor did not change. Instead, the revolution worsened poverty and inequality and concentrated wealth in the hands of a ruling elite. However, grievances of the poor rural Hutu failed to materialise into protest against the control of the state by a small ruling elite. The government became increasingly insecure as food insecurity grew in rural areas. The government was deeply concerned that growing food insecurity threatened the legitimacy of their rule and state control. Ethnic differences were used to polarise Hutu and Tutsi and to shift responsibility for social injustice onto the Tutsi, regardless of class.

## Land Scarcity and Adaptation

Olson<sup>64</sup> identifies four main strategies to mitigate land scarcities in Rwanda. One response to land scarcity is agricultural intensification. Different methods used by farmers included reducing fallow periods, continuous cropping, adopting labour intensive techniques, investing in land capital and switching to higher yielding crops. Intensification of agricultural methods predates independence in Rwanda, when land was distributed in favour of groups who grazed livestock, mainly Tutsi. Hence, Hutu farmers intensified agricultural practices in the western highlands where population densities were high and land was scarce

A second response is to generate income off the land, either through trade and exchange, or by working as agricultural labourers on nearby farms. Opportunities off the land, however, are few. A third strategy is migration to other rural and urban areas. The fourth strategy identified by Olson is family planning, which includes delaying marriage and limiting the number of births within marriage.

The former government of Rwanda, in cooperation with non-governmental organisations and the private sector, pursued a number of other strategies to mitigate the impact of land scarcity. Overall, government investments focused on the agricultural sector. Agricultural policy was based on intensive farming, protection against soil erosion, and the use of selected seeds, fertilizers and

other inputs. However, these were rarely available to smallholders, and the implementation approach adopted by the government was draconian. Farmers themselves adopted zero-grazing systems for livestock, and switched from cattle to smaller livestock, such as goats and rabbits. However, changes to agricultural practice had a very limited overall impact on alleviating land scarcities, particularly for the poorest.

In light of the government's failure to pursue a policy to promote agricultural intensification, expansion of arable land continued throughout the 1980s ahead of the civil war. Pasture areas declined from 487 000 hectares in 1970 to 200 000 hectares in 1986 or to 19% of the overall land area devoted to agriculture. The total cultivated land area during this time expanded from 528 000 hectares to 826 000 hectares.<sup>65</sup> By the late 1980s, 94% of all cropland was devoted to food crops, which took up 42% of the total land area (up from less than 25% in 1965).

Another policy pursued by the former government was to force the Tutsi to migrate to neighbouring countries. The departure, death or flight of more than half of the Tutsi population in the early 1960s and in 1972 opened vast rangelands in the east of the country where Tutsi previously grazed livestock.<sup>66</sup> Land formerly used by the Tutsi was redistributed to rural Hutu for farming.

## Land, Politics and Power

Land forms the basis for material wealth in Rwanda. Control of land is required to generate wealth and to sustain livelihoods. It is understandable, therefore, that a vast majority of Rwandans in the time leading up to the genocide were unable to meet basic livelihood needs through subsistence production strategies given that land was scarce, and many were cultivating unproductive marginal lands or were entirely landless. Subsistence production was rarely adequate to sustain livelihoods in the best of times. Few income-generating activities off the land compounded the impact of land scarcity. According to the World Bank rural unemployment had already reached 30% in the early 1980s. Unemployed youth migrated to urban centres to take non-agricultural jobs, such as couriers and security guards.

It was towards the end of the 1980s that an acute famine began in the south of the country and resulted in widespread deaths and population displacements into less populated and more fertile areas, such as the east of the country or to neighbouring Tanzania and Uganda. Land scarcity inevitably led to widespread acute shortages of food. Food imports and aid became increasingly important to cover shortfalls and weaken any potential opposition to the government (See Table 2).

Rwanda is economically dependent on subsistence production that is highly at risk to ecological change. Its economy, consequently, is vulnerable to the effects of stress induced by ecological changes. By the early 1990s, when

**Table 2:** Food imports 1987–1997

Type	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Commercial imports	25	31	48	56	56	60	42	17	21	39	52
Food aid	13	3	2	2	9	15	134	58	83	130	130
Total	38	34	50	58	65	75	175	75	204	169	182

rural livelihoods were threatened by environmental stress, dissent and opposition grew among the rural poor. Environmental degradation and population growth precipitated the emergence of internal opposition to the government, which could no longer provide welfare for the rural poor. This coincided with a weakening of the legitimacy of President Habyarimana's government.

Prunier observes that during Habyarimana's regime, the land question was becoming increasingly thorny. Population pressure had reached critical levels, and agricultural production was decreasing owing to soil erosion and deforestation.<sup>68</sup> This was worsened by the capture of land by powerful elite groups. The government, however, was less concerned with redressing the root causes of rural deprivation than with maintaining its control of the state. Notably, the government failed to implement any substantive legal and policy reforms to balance inequities in the distribution of land, or other reforms to strengthen the land and resource rights of the rural poor and to prevent further capture of land by the wealthy.

Instead, the government sought ways to maintain its complete control of the state, and to continue its policy of exclusion of the Tutsi minority. The most striking example is the creation of the *Interahamwe* militia, largely made up of frustrated youths. Their parents were no longer able to lend support, so they therefore sought their own means of survival. The Arusha Accords provided for the integration of the two armies – the Armed Forces of Rwanda (FAR) and the Rwanda Patriotic Front (RPF). The government supported the *Interahamwe* as a militia force that could act with impunity to protect the interests of the ruling Hutu elite. A confidential memo from August 1991 that was transmitted to local authorities explained: "Popular self-defence must be assimilated into the population up to the smallest administrative unit (commune). The training of the volunteers shall be given by members of the Rwandese Armed Forces."<sup>69</sup>

For the ruling class, the popular defence force, or the *Interahamwe*, was a critical part of its strategy to maintain control of the state in spite of the integration of the Tutsi into the national armed forces. The popular defence force itself was composed mostly of unemployed youth from rural areas that invited the opportunity for social and economic advancement. Similarly, a news

commentator at the time of the genocide claimed that the ruling elite recruited the militia (*Interahamwe*) from a half-schooled youth, with no sense of direction and easily manipulated by money, beer and Indian hemp. In fact, the *Interahamwe* received priority in employment, government loans, access to land and resources, and education in return for their complete loyalty to the interests of the ruling government.

Since control of the state enabled access to and control of scarce land, a power struggle between competing elite groups to capture the state developed over time. It is this competition that culminated in the genocide. Historically, Hutu occupied land vacated by displaced Tutsi, thereby relieving land scarcity temporarily. While conflict was used to entrench the power of a ruling elite, it empowered poor and rich Hutu alike to claim land vacated by the fleeing Tutsi. In the 1980s, the Habyarimana regime acknowledged that population pressure on land was a major problem facing Rwanda. However, the government reasoned that land scarcity prohibited the return of refugees since there was no land for redistribution. When interviewed by a French newspaper in 1989 on the possible return of Tutsi refugees to Rwanda, President Habyarimana responded, "Rwanda is overpopulated, there is no available space for Tutsi refugees." Instead, the Rwandan government insisted that neighbouring countries, mainly Tanzania and Uganda, take the necessary measures to allow Tutsi refugees to remain permanently. The government went as far as to propagate the view that the Tutsi were colonisers from Abyssinia, to where they should return.

When Tutsi refugees demanded their right to return, the government and Hutu extremist groups purposefully politicised the land issue to fuel resentment among rural Hutu. Furthermore, claims to land by returning Tutsi refugees were used to cast Tutsi intentions as an attempt to capture the state and reclaim scarce land from Hutu. The popular understanding among Hutu peasants at the time was that any returning Tutsi refugees would reclaim their land. The return of Tutsi refugees, therefore, was deeply political and emotional to poor rural Hutu who were concerned with the security of their own land rights. The government considered that all means, including genocide, were necessary to discourage the return of Tutsi refugees and to enlarge Hutu control of land.

Hutu extremists in support of the ruling government calculated acts of genocide by purposefully laying the blame for land scarcity and widespread poverty on the Tutsi minority. According to Prunier, the orders to commit the 1994 genocide (given by government authorities) were heeded by rural Hutu who were led to believe that they would inherit the land of the killed Tutsi. As in the past, the government assured Hutu peasants that land vacated by Tutsi who were displaced or killed would be redistributed to landless Hutu and other smallholder Hutu farmers. Claims to land were a strong motivation underlying recurring pogroms in Rwanda over time. The ruling elite manipulated land scarcity to its advantage, claiming to redress scarcity for the poor rural Hutu.

Thus, in the early 1990s, when the ruling regional Hutu elite from northern Rwanda was challenged by provisions contained in the Arusha Accords, the government increasingly emphasised Tutsi control of rural land and resources to win the popular support of rural Hutu peasants and maintain control of the state. Rural Hutu strongly supported the genocide of the Tutsi and moderate Hutu in 1994. Access to and control of land was essential to sustain rural livelihoods. Hutu are known to have participated in the genocide in the belief that land belonging to the murdered Tutsi and moderate Hutu would become theirs.

## Responses to the Land Problem

Migration has been a common feature in the history of central Africa, including Rwanda, since before the arrival of colonialists in the 1800s. Since independence in 1962, migration and settlement have been important elements of the government of Rwanda's land policy.

One programme pursued by the former government was resettlement of rural populations into farming villages. The expressed purpose of the villages was to encourage rational exploitation of arable land in rural areas, mainly by reducing population pressure on the land. Under the resettlement programme, 60 families were resettled per every 120 hectares, or on average two hectares for every resettled family. Peasants signed a contract with the government agreeing to reduce the number of cattle, intensify agriculture and grow cash crops, mainly coffee, in order to increase income. Fragmenting land, as well as inheritance, was also forbidden. The government undertook to provide adequate training and to build basic infrastructure, such as roads, schools, and water supplies. Lands that were redistributed under the programme included national and communal lands, as well as lands belonging to refugees.

However, the resettlement programme failed largely because it was not accompanied by real land reform that redistributed land to the rural poor fairly, or the transfer of technologies to peasant farmers. Overall it was a short-term solution that dealt only with immediate needs. Population pressure was reduced locally in some areas, but it remained a limited response that did not redress the root causes of widespread land scarcity.

After the failure of the first land reform, the government proposed Rural Development Centres (RDCs) to purportedly mitigate land scarcity. The RDCs were to comprise existing rural villages or new centres. The RDCs were to be nodes for rural economic development and diversification. RDCs consisted of two zones of use. The first, the inner zone consisted of grouped settlements around a centre where basic services were available. A second outer zone was reserved for collective farming and livestock grazing. Examples of RDCs include Nyacyonga and Rilima in Greater Kigali, Rutare in Byumba, Rubengeru in Kibuye and Rukumberi in Kibungo prefectures respectively.

Although there are few socio-economic analyses of RDCs, there was widespread resistance to RDCs by rural populations. Complaints included that houses were far from the farming area, and that few off-land opportunities were established in the new RDCs.

Besides government-supported programmes for migration and resettlement, there were large-scale spontaneous migrations of rural poor from Rwanda to Tanzania. Although there are many reasons for this movement, the main one must be the lack of land for agriculture and livestock breeding in Rwanda and the availability thereof in Tanzania.

Peasants (mainly from the south), pushed by poverty and land scarcity, sold their smallholdings to buy passage to Tanzania. However, many were returned to Rwanda. The first group returned in 1985 and was resettled in Kibungo region. A second group returned in the 1990s, but remained internally displaced. Many participated in the 1994 genocide.

More recently the government has embarked upon a villagisation (*Imidugudu*) resettlement programme and law reform. Each is discussed in turn below.

The villagisation programme<sup>70</sup> initiated by the government of Rwanda is a reconstruction programme. The government considered *Imidugudu* as a pragmatic solution to the scarcity of property and land, particularly for returning Tutsi and Hutu refugees. It was also seen as a way to mitigate conflict emerging over property and land by the population of returned refugees.

The main problem that the government faces in implementing *Imidugudu* is high population density. The government prefers to settle populations in previously unsettled areas such as the Akagera National Park in the north-east, and in the former presidential hunting grounds near the border with Tanzania in the south-east. However, there have also been cases where people were regrouped into newly constructed villages within the periphery of densely populated urban areas such as Kigali.

UNHCR and other non-governmental organisations initially funded *Imidugudu*. However, the overall aim of the programme was disputed between the donors and the government. The donors wanted a more limited programme that focused on reconstructing shelters for the homeless and returning refugees, whereas the government was interested in a much broader programme of 'regroupment' to promote ethnic and social integration and national reconciliation. Villagisation embodied national reconstruction to the Rwandan government. According to the government, services such as water provision, health facilities and schools could be more easily built in regroupment villages. Furthermore, regroupment villages would be built on marginal lands, opening fertile land for agrarian reforms, including land and resource reforms.<sup>71</sup>

*Imidugudu* was implemented in Kibungo, Cyangugu, Butare, Byumba, and Kigali prefectures. However, ethnic differences still trouble *Imidugudu*. Local authorities are responsible for identifying beneficiaries of the programme, but

as Van Hoyweghen observes, apart from villages created in Kibungo and other areas in north-western Rwanda, nearly all other settlements are inhabited by Tutsi (either genocide survivors or first caseload refugees).<sup>72</sup> Local authorities, in many cases, do not recognise the Hutu as victims of the war and genocide. Confounding the problem is that Tutsi genocide survivors claim they are susceptible to militia attacks because they reside in clearly identifiable ‘Tutsi’ villages. *Imidugudu*, therefore, has contributed to social tensions in some areas of Rwanda.

Since the UNHCR withdrew support of *Imidugudu*, the programme is threatened with a lack of sufficient financial support. It is clear that the government cannot pursue the programme without the assistance of the UNHCR or other international donors. It therefore remains to be seen the extent to which the villagisation programme will be implemented.

Turning now to the issue of law reform.

The preceding pages have made the point that land is the most important productive asset for most Rwandans. Yet Rwanda has a legacy of disputed land rights, arising partly from the lack of legal status for land title and partly from the return of refugees whose land has been redistributed to other occupants. Hence the provision of security and the resolution of land disputes are important objectives of the current government.<sup>73</sup> In line with objectives outlined in Rwanda’s poverty reduction strategy, the government is acting to reduce conflicts over land, for example, through draft Land Policy and Land Law.

The Draft Land Policy includes the following provisions:

- All Rwandans enjoy the same rights of access to land, implying no ethnic or gender discrimination.
- All land should be registered in title that can be traded, except where doing so would fragment the land into plots that are less than one hectare in size.
- Land use should be optimal. Households will be encouraged to consolidate plots to ensure that each holding is not less than one hectare; there will also be a maximum size of 50 hectares for any individual landowner. Families will be required to hold land in common should fragmenting the land reduce the size of the plot to less than one hectare.
- Land administration will be based on a reformed cadastral system and be subject to further consideration.
- The rights of occupants of urban land will be recognised on condition that they conform to established rules.

The Draft Land Law specifies that:

- Persons occupying less than two hectares, and those with customary holdings of between two and 30 hectares, where the owner has a project and a development plan, will be recognised as the rightful owners.

- Transfer of title deeds requires prior consent of all family members.
- A land tax will be imposed.
- Undeveloped land reverts to the state's private domain after a period of three years.
- Holders of *ubukonde* land (originally distributed by the clan head), known as *abagererwa*, will have the same rights as other customary owners.

The objective of the draft policy and law is to improve land management while conferring security on the existing occupants of the land. It will be important to devise cost-effective methods of resolving disputes at a community level. It will also be essential that smallholders occupying plots that are less than one hectare are not displaced on the basis of the Land Policy. The process of allocating title will require inclusive local level participation. It may be both more cost effective and transparent to conduct a survey to determine land titles in each community on a particular occasion, rather than to allow individuals to apply opportunistically to register particular pieces of land. Traditionally, local land disputes were resolved by the local *gacaca*, or court. Many households hold several plots at different altitudes both as an insurance mechanism and to spread their labour inputs evenly over different times of the agricultural calendar. As non-agricultural incomes rise, it should be possible for households to diversify their income sources and therefore reduce their dependence on land.

The poverty reduction strategy for Rwanda outlines a number of actions to ensure that legal and policy reforms for land are effectively implemented, including:<sup>74</sup>

- cabinet and parliament review of the draft land policy and land law;
- awareness raising and other civic programmes to educate the population about their land and resource rights;
- establishing a cost-effective system to administer land and resource rights; and
- creating mechanisms to settle disputes over land at the local level.

The measures undertaken by the Rwandan government to ensure tenure security and ownership rights are a crucial step to redressing the role of land in the conflict in Rwanda. Importantly, however, current reforms undertaken by the government do not redistribute additional land to poor peasants. The overall impact of the policy and legal reforms, therefore, may be limited as long as redistribution is omitted.

## Conclusion

Land is not the root cause of the Rwandan conflict. Various factors contributed to the onset and continuation of conflict in Rwanda. The role of land, however, is critical to understanding conflict dynamics in Rwanda. Land scarcity in Rwanda is both a function of population pressure and the unequal distribution of land. Control of the state by elite groups has facilitated their domination of land ownership. This has aggravated land scarcity for the rural poor by concentrating ownership of land with a minority.

Prior to the genocide, land was an important factor underlying the formation of violent conflict between the ruling elite and armed opposition. The land issue continues to complicate peace-building and national reconciliation in the post-genocide period. The government is confronted with an enormous responsibility to settle thousands of returning refugees and secure the land and resource rights of the rural poor, who are the majority of the population. At the same time the government, with the support of the international community, is seeking ways to reduce dependence on subsistence production that depends on access to scarce land. Dependence on access to scarce land has reinforced the vulnerability of the rural poor, Hutu and Tutsi alike.

International policy in support of peace building in Rwanda must be based on a more careful assessment and scrupulous investigation of the dynamics underlying conflict in Rwanda. As this study shows, by emphasising the ethnic parameters of the conflict over other important variables, including land, past international interventions in Rwanda were, at least to some degree, misguided. This was evident in the Arusha peace process, which emphasised power sharing, the composition of the armed forces and elections in order to diffuse ethnic tension, but did not redress other important structural factors at play. The Arusha Accords, importantly, called for the return of all refugees. However, the peace process neglected to understand the explanations given by the government and did not attempt to overcome these by assisting resettlement in terms of creating employment and helping to resolve competing claims to land and resources. Given the highly charged environment in Rwanda at the time, it is clear that any return of refugees required careful planning and significant international involvement at all levels.

A further important finding is the need for inclusive peace-building approaches. The extremist Hutu party, CDR, did not participate in the Arusha peace process, and was later influential in undoing the Arusha Accords. Similarly, some rebel groups fighting in the neighbouring DRC were excluded from the Lusaka framework for peace building. It is important that all armed factions participate in peace building. This may require ongoing dialogue to address the hesitancy of some parties, and to reassure different factions of the necessity and long-term dividends of peace. Furthermore, governments must be open to negotiation with different armed groups during

peace dialogues in order to identify a lasting solution to the conflict for all sides. It is also imperative that conflict prevention and management strategies for Rwanda recognise the linkages between Rwanda and other countries forming part of the central Africa conflict. Conflict and peace in Rwanda, DRC, Burundi and Uganda are intimately related. Conflict in these different countries centres on similar actors, interests and issues. Conflict managers should devise a comprehensive framework that seeks to build peace across borders and to minimise the impact of conflict in one country on neighbouring countries.

Many reforms will be necessary to effectively manage the sources of conflict in Rwanda. The government has the responsibility to strengthen the security of rural livelihoods, and to create employment for thousands of unemployed youth. Specifically, a new environmental policy is required to enhance the ecological capital upon which rural livelihoods are based, as well as to devise ways of generating greater goods and services from these.

Improving overall land use should be a key priority of the Rwandan government and international development agencies operating in the country. This will imply a scrupulous assessment of existing uses and devising a new national land use plan to increase the provision of ecological goods and services for the poorest. The introduction of a broader range of agricultural methods through the transfer of new technologies that are suited to Rwanda's ecological vagaries may be a necessary element of improving overall land use.

It is highly probable that Rwanda's agriculture will reach its natural limit in the near future, making it necessary to diversify the country's overall production methods and income-generating opportunities. Government initiatives should reduce dependence on the land, while offering real opportunities for generating income in other sectors.

This study points strongly to the unequal distribution of scarce land as a significant factor contributing to the civil war and genocide in Rwanda. Substantive agrarian reforms that would lead to a more equitable distribution of land have been delayed for more than 30 years by the government. The government, however, has a moral duty and responsibility to redress gross inequalities in land ownership, and to improve livelihoods for the rural poor. Land redistribution to benefit the poorest will be a necessary part of any strategy for meeting these responsibilities. Doing so will reduce powerful tensions related to access to and control of land, and contribute to the process of national reconciliation and peace building.

Finally, land issues must be integrated into the training of conflict prevention and management specialists in Rwanda. Non-governmental organisations need to refocus their emphasis on environmental or ecological issues to address issues of land and resource rights. This may help to shift the emphasis from preventing perceived degradation of the environment to advocating for and defending the rights of the landless and the rural poor. There is no

doubt that dealing with the issue of land and resource rights in a considered and open way at the level of policy making to the level of local level dispute resolution will have enduring benefits for peace building in Rwanda.

## Endnotes

- 1 See also M A M Salih, Political narratives and identity formation in post-1989 Sudan, M A M Salih & J Markakis (eds) *Ethnicity and the state in Africa*, Nordiska Afrikainstitutet, Uppsala, 1998, for further analysis of land conflict linkages in Rwanda.
- 2 See T Homer-Dixon & V Percival, Environmental scarcity and violent conflict: The case of Rwanda, *Journal of Environment and Development*, no 5, 1996 for greater explanation of the role of resource capture in violent conflict.
- 3 See J K Gasana, *Natural resource scarcity and violence in Rwanda*, Paper presented to the IUCN World Conservation Congress, Jordan 4 November, 2000, p 5.
- 4 Ibid, p 5.
- 5 See Homer-Dixon et al, op cit; H Hintjens, Explaining the genocide in Rwanda, *Journal of Modern African Studies*, no 34, 1999 and S Van Hoyweghen, *From humanitarian disaster to development success?*, Centre for Development Studies, University of Leeds, working paper no 18, 2000.
- 6 Homer-Dixon et al, op cit, p 270.
- 7 See United Nations, *The United Nations Environmental Programme, Environmental Data Report 1993–1994*, Blackwell, Oxford, 1993, p 217, and *The Economist Pocket Africa*, The Economist, London, 1995, p 20.
- 8 See Gasana, op cit, p 6.
- 9 Ibid.
- 10 Danish International Development Agency (DANIDA), *Special Report for Rwanda*, 1997. < www.um/dk/danida/>
- 11 See P Chretien *La Defi de l’Ethnisme: Rwanda et Burundi, 1990–1996*, Karthala, Paris, 1997; G Prunier, *The Rwanda crisis: The history of a genocide*, Fountain Publishers, Kampala, 1995 and F Reyntjens, *Afrique des Grandes Lacs en Crise: Rwanda, Burundi 1988–1994*, Karthala, Paris, 1994.
- 12 Prunier, op cit.
- 13 These refugees were later to become a major destabilising force in Rwandan politics.
- 14 See Prunier, op cit, 1995, p 52.
- 15 T Homer-Dixon, Strategies for studying causation in complex ecological political systems, *Occasional Paper, Project on Environment, Population and Security*, American Association for the Advancement of Science, Washington DC, 1995, p 12.
- 16 See Prunier, op cit, 1995, p 261.
- 17 This is the view of the Rwandan government.
- 18 Prunier, op cit.
- 19 See also C Vidal, Les Genocide des Rwandais Tutsis: Trois Questions d’Histoire, *Afrique Contemporaine*, vol 17, 2e trimestre, 1995.
- 20 Reyntjens, op cit, p 326.
- 21 S W Lee, Not a one time event: Environmental change, ethnic rivalry and violent conflict in the 3<sup>rd</sup> world, *Journal of Environmental Development*, no 6, 1997, p 369.

- 22 The *akazu* in Kinyarwanda means a 'little house'. The term applied to the ruling clique in Rwanda then, centred around the family of Habyarimana's wife. See Reyntjens, op cit, 1994.
- 23 See Human Rights Watch, *Leave none to tell the story: Genocide in Rwanda*, New York, 1999.
- 24 M A Storey, *Structural adjustment, state power and genocide: The World Bank and Rwanda*, African Review of Political Economy, vol 28, no 89, 2001.
- 25 See various Human Rights Watch reports.
- 26 Hintjens, op cit, p 248.
- 27 B Collins, *Obedience in Rwanda: A critical question*, Hallam University School of Cultural Studies, Sheffield, 1998.
- 28 M Chossudovsky, *The globalization of poverty: Impacts of IMF and the World Bank reforms*, Zed Books with the Third World Network, London, 1997.
- 29 N S Karnik, Rwanda and the Media: Imagery, war and refuge, *Review of African Political Economy*, no 78, 1998.
- 30 M Chossudovsky, op cit, pp 111–112.
- 31 Prunier, op cit, p 90.
- 32 See United Nations, *The UN and Rwanda, 1993–1996*, New York, 1996, p 11; H Adelman & A Suhrke, *The international response to genocide: Lessons from the Rwanda experience*, Joint Evaluation of Emergency assistance to Rwanda, Copenhagen, 1997, p 20.
- 33 Gasana, op cit, p 12.
- 34 See Hintjens, op cit, p 241.
- 35 Ibid, p 242.
- 36 They were manipulated and used by extremist Hutu politicians to fulfil their desire of creating an exclusive Hutu state, which would ensure their political survival and holding of power.
- 37 Prunier, op cit, p 142.
- 38 United Nations, op cit, p 14.
- 39 Ibid.
- 40 See Homer-Dixon et al, op cit, p 2.
- 41 Adelman et al, op cit.
- 42 Prunier, op cit, p 62.
- 43 See F Cliffe & R Luckham, Complex political emergencies and the state: Failure and the fate of the state, *Third World Quarterly*, no 20, 1999.
- 44 *Gacaca* would use a mixture of prison terms and community service in its sentencing. See The Economist Intelligence Unit, *Rwanda Country Report*, 1<sup>st</sup> quarter, 2000, London, p 9.
- 45 See Adelman et al, op cit, p 7.
- 46 See United Nations, op cit, p 20.
- 47 The USA, for example, which had opposed UNAMIR has been one of the biggest donors to the relief operations. See, e.g, Van Hoyweghen, op cit, p 18.
- 48 These local NGOs include ACORD (Agency for Cooperation and Development) Ligue des Droits de la Resource dans les Region des Grands Lacs (LDGL), Conseil de Concentration des Organisations d'Appui Aux Initiatives de Base (CCOAI), Réseau des Femmes, and Haguruka.

- 49 Homer-Dixon et al, op cit, p 270.
- 50 Demand-induced scarcity results from population pressure whereas supply-induced scarcity results from the degradation of resources.
- 51 91% of total wood consumption in Rwanda was for fuel wood. See Homer-Dixon, op cit.
- 52 Ibid, p 3.
- 53 Gasana, op cit, p 12.
- 54 See International Monetary Fund (IMF), *An approach to the poverty reduction action plan for Rwanda*, The Interim Poverty Reduction Strategy Paper, 2000.
- 55 J Olson, *Demographic Responses to Resource Constraints in Rwanda*, Rwanda Society-Environment Project, working paper no 7, 1994.
- 56 Ibid.
- 57 B Blarel, Banque Mondiale with SESA, 1988.
- 58 See Republique Rwandaise, *Recement Generale de la Population et de l'Habitat au 15 Aout 1991*, Kigali, 1993.
- 59 G Baechler, *Violence through environmental discrimination*, Academic, Kluwer, 1999.
- 60 Olson, op cit.
- 61 Resource capture applies to both control of resources and control of the state for political and economic gains. See Gasana, op cit. Gasana views both access to power and access to land as intimately related as control of the state enabled elite groups to capture land among other property.
- 62 Baechler, op cit, p 139.
- 63 See Gasana, op cit. See also Adelman et al, op cit, p 18.
- 64 J Olson, Behind the Recent Tragedy, *Rwanda Geo Journal*, vol 35, no 2, 1995.
- 65 See Olson 1995, p 326.
- 66 P Uvin, *Aiding violence: The development enterprise in Rwanda*, Kumarian Press, West Harford, CT, 1998, p 187.
- 67 World Bank, Rwanda Poverty Survey, 1998.
- 68 Prunier, op cit, p 16.
- 69 See *French Policy in Rwanda 1973-1994*.
- 70 Known as *Imidugudu* in Rwanda.
- 71 See Van Hoyweghen, op cit, p 28.
- 72 Ibid, p 29.
- 73 See International Monetary Fund, op cit.
- 74 Ibid.