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EDITORIAL

L'Université Libre de Kigali est une institution qui est en train de prendre toute sa taille dans l'espace universitaire rwandais.

L'une des missions que l'Université Libre de Kigali se propose est celle de promouvoir la recherche scientifique pour mieux servir la communauté. C'est pour cette raison que cette institution met à la disposition du public ses réalisations dans le domaine de la recherche à travers sa revue scientifique.

La volonté et la détermination qu'elle manifeste de devenir la meilleure des Universités rwandaises commencent à se concrétiser. C'est dans ce cadre que la revue scientifique de l'ULK vient concrétiser la mission de recherche assignée à l'Université, à côté des deux missions que sont l'enseignement et le service à la communauté.

Ces publications reflètent les analyses et les expériences des enseignants de l'Université Libre de Kigali et autres spécialistes. Les solutions proposées s'appuient sur des analyses d'une profondeur et d'une qualité certaines, touchant des réalités socio-politiques, économiques et juridiques.

Dans le souci d'atteindre une audience beaucoup plus large et diversifié, le principe du bilinguisme a été respecté car certains articles sont publiés en Français, et d'autres en anglais.

L'Université Libre de Kigali saisit cette opportunité pour exprimer sa profonde gratitude à tous ceux qui ont contribué de manière significative à la réalisation de ce 8è numéro.

Dr NGAGI M. Alphonse

A CRITICAL ANALYSIS OF THE SCOPE AND NATURE OF THE CONCEPT OF HUMAN RIGHTS

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I. INTRODUCTION

Human rights have been defined as basic moral guarantees that people in all countries and cultures allegedly have simply because they are people¹. Calling these guarantees rights suggests that they attach to particular individuals who can invoke them, that they are of high priority; and they are rights because they belong to an individual as a consequence of being human. They refer to a wide continuum of values that are universal and in some sense equally claimed for all human beings². It goes without saying that if they refer to the concept of human beings as having universal rights, those rights have their status regardless of legal jurisdiction or other localizing factors, such as ethnicity and nationality.

The concept of Human rights is based on the idea that each person has worth and dignity, and thus deserves certain basic freedoms. When those freedoms are recognised, each individual can enjoy safety, security, and the ability to make many decisions about his or her life. As a body of norms on rules Human rights belong to the whole humanity³. The possession and entitlement to

¹ Donnelly *International Human Rights* (1993) 19.

² Ishay *The History of Human Rights* (2004) 3.

³ Kofi Annan (message by the UN Secretary-General) in Van Der Heijden & Tahzib-Lie *Reflections on the Universal Declaration of Human Rights* (1998) 18.

exercise Human rights is invested in all people; they have the same basic rights. Without the recognition of these rights and their adequate protection human society would simply not exist. At this broad level, therefore, the use of Human rights is that through them, people become more truly human and their society worth living in.

The source of Human rights is man's moral nature (freedom, justice and peace), which is only loosely linked to the human nature of basic human needs; Human rights are needs of Human dignity, rather than health, and violations of Human rights are the denials of one's Humanity rather than deprivations of needs⁴.

What Human rights do primarily aim to identify is the basis for determining the shape, content, and the scope of fundamental, public moral norms. Human rights aim to secure for individuals the necessary conditions for leading a minimally good life⁵.

The origins of the concept of Human rights are usually agreed to be found in the mists of time yet the term itself dates back barely sixty years to international discussions preceding the founding of the United Nations. Since 1945, the scope of Human rights has been elaborated and the concept now permeates the fabric of international society⁶. According to their historical background, Human rights are more a philosophical or moral concept than a legal one⁷. For Heinze, Human rights are standards of a complex nature and origin; therefore, they can be classified into different ways, for instance as religious

⁴ Donnelly (1993) 22.

⁵ The moral foundation of Human rights is also found in Article 1 of the Universal Declaration which says: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".

⁶ Smith *Textbook on International Human Rights* (2003) 5.

⁷ Id.

standards, philosophical ideas, mere altruistic sentiments or as legal norms⁸. In this hypothesis, Kuhnhardt proceeded to argue that the legal aspect of Human rights is quite important because law, especially Human rights law, is a mediator between the real and the ideal world⁹. Human rights can best finally be understood as those rights which are fundamental to the human condition, and as fundamental principles of justice¹⁰.

The proclamation of the Universal declaration of Human rights on the 10th December 1948 in the General Assembly of the United Nations can be seen as a turning point in

the international protection of Human rights. This Declaration was a genuinely universal document that endeavoured to cover the whole field of Human rights. Thus, it also formulated a definition of what was meant by Human rights. While not legally binding, the Universal declaration urged member nations to promote a number of human, civil, economic and social rights, asserting these rights as a part of the foundation of freedom, justice and peace in the world¹¹. It limits the

⁸ Heinze in Hastrup *Human rights on common grounds* (2001) 39.

⁹ Kuhnhardt in Hastrup (2001) 39.

¹⁰ Crawshaw *Police and Human rights* (1999) 36.

¹¹ Thus later the two Covenants, the International Covenant on Civil and Political Rights (opened for signature 1966, entered into force March 23, 1976) and the International Covenant on Economic, Social and Cultural Rights (opened for signature 1966, entered into force January 3, 1976), were created which bind those States that ratify them to protect the rights listed in the respective Covenants. Together, these three documents constitute International Bill of Rights; and there have been a number of other Conventions regarding particular rights, including: the Optional Protocol to the International Covenant on Civil and Political rights (UN, 1966), The second Optional Protocol to the International Convention on Civil and Political rights (UN, 1989); Convention on the prevention and punishment of the crime of Genocide (entry into force 1951); Convention on the Elimination of all forms of racial discrimination

behaviour of the State, which now has duties to the citizen (rights-duty duality). In fact, the ultimate goal is to protect and promote the basic Human rights of every person, every where.

II. ANALYSIS OF THE SCOPE OF THE CONCEPT OF HUMAN RIGHTS

In their contemporary manifestation, Human rights are a set of individual and collective rights that have been formally promoted and protected through international and domestic law since the 1948 Universal Declaration of Human rights. Arguments, theories, protections, and violations of such rights, however, have been in existence for much longer; but since the evolution of their express legal protection has grown rapidly. Today, the numerous international treaties on Human rights promulgated since the Universal declaration to which an increasingly large number of nation states are a party define the core content of Human rights that ought to be protected across categories of civil, political, economic, social, and solidarity.

II.1. Categories of Human rights

The collection of Human rights protected by International law resorts to tradition of rights from philosophy, history and normative political theory and now includes three sets, or categories of rights that have become useful shortcuts for talking about Human rights among scholars and practitioners in the field. These categories are: civil

(entry into force 1969); Convention on the Elimination of all forms of discrimination against Women (entry into force 1981); Convention on the rights of the child (UN, 1989); and the Rome Statute of the International Criminal Court (UN, 2002).

and political rights; economic, social, cultural rights; and solidarity rights.

II.1.1. Civil and political rights (Rights of the first generation)

Civil and political rights uphold the sanctity of the individual before the law and guarantee his/her ability to participate freely in civil, economic and political society¹². Civil rights include such rights as the right to life, liberty and personal security; the right to equality before the law; the right of protection of arbitrary arrest; the right to the due process of law; the right to a fair trial; and the right to religious freedom and worship. When protected, civil rights guarantee one's personhood and freedom from state-sanctioned interference or violence¹³.

Political rights include such rights as the right to speech and expression; the rights to assembly and association; and the right to vote and political participation. Political rights thus guarantee individual rights to involvement in public affairs and the affairs of the state¹⁴. In many ways, both historically and theoretically, civil and political rights have been considered fundamental rights for which all nation states have a duty and responsibility to uphold. They have also been seen as so-called negative rights since they merely require the absence of their violation in order to be upheld. These rights denote actions that a government should not take¹⁵. Their content is viewed in

¹² Symonides *Human Rights: concept and standards* (2002) 69.

¹³ Universal Declaration of Human rights: Articles 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 18.

¹⁴ *Id.*, Articles 14, 15, 19, 20 and 21.

¹⁵ Article 2 of the International Covenant on Civil and Political Rights obliges all States Parties to respect all the Covenant's rights and to ensure them for all individuals without discrimination. The

the lines below. II.1.1.1. Right to life¹⁶ The notion of life means the principle of animation and has to be understood as an anti-thesis of lifeless. The individual cannot attain the highest in him unless he is in possession of certain rights which leave him as it were to breathe and expand. The right to life does not then merely mean the sanctity of life; it means the fullest opportunity to develop one's personality and potentiality to the highest level possible in the existing stage of our civilization¹⁷. It follows inevitably that the right to life is the right to live decently as a member of a civilized society and have all the freedoms and advantages that would go to make life agreeable, and living assured in a reasonable standard of comfort and decency¹⁸. The right to life also includes the right to live with human dignity.

Article 3 of the Universal Declaration of Human rights comprises the different rights, namely the right to life in a biological sense and in a wider human sense the right to liberty and the right to personal security.

II.1.1.2. The right to liberty

Liberty includes freedom to do as one pleases, the unrestrained employment of natural rights, power of free chance, privileges, exemption, relaxation of restraint, the bounds within which certain privileges are enjoyed, freedom of speech and action beyond ordinary civility. In other words, the right to personal freedom is a liberty to such personal freedom as is not taken away by law. It

obligation "to respect" indicates the traditional duty of states to refrain from restricting the exercise of civil and political rights.

¹⁶ UDHR, article 3.

¹⁷ Sumil & Kiran *Fundamental Human rights: the right to life and personal liberty* (2004) 4.

¹⁸ Id.

asserts the principle of legality, that every thing is legal that is not illegal; or asserts that a man may not be deprived of his freedom for doing any act unless in so doing he violates the law¹⁹.

II.1.1.3. The right to personal security

It consists in the right to be protected against certain interferences from the state or from non-state actors, including private individuals (integrity rights). The right to security of the person is manifested in the injunctions against torture, cruel, inhuman or degrading treatment or punishment, and subjecting some **one** to medical experimentation without his or her free **consent**²⁰.

II.1.1.4. The right to equality before the law and fair trial²¹

The word equality before the law is the standardised way of expressing the idea of equal protection by or under the law without discrimination. The right to a fair trial relates to the rights of an accused person to the elements or conditions of a partial and just trial required by International Human rights law: the right to information; to defence which includes also the right to be heard; to legal representation; to speed trial and in a reasonable time; to presumption of innocence; etc.

II.1.1.5. The right to religious freedom and worship²²

This is a right to freedom of conscience, to profess, practice and propagate any religion; and the right to

¹⁹ Sunil (2004) 11.

²⁰ See Duplessis and Corder (1994) 153.

²¹ ICCPR, article 14.

²² ICCPR, article 18.

change one's religious allegiance. Religious freedom by its nature entails all rights relating to a person's involvement with a religious community²³.

II.1.1.6. The right to speech and expression²⁴

This is the right including freedom of the press and other media and the freedom of artistic creativity and scientific research.

II.1.1.7. The right to vote and political participation²⁵

It includes the right to make political choices, to form and participate in the activities of and to recruit members of a political party, to campaign for a political party and the secrecy of the vote. In other way, this is the right of people to participate in politics by expressing themselves, protesting, voting and serving in public office.

II.1.1.8. The right to assembly and association²⁶

It includes the right to freely form and belong to peaceful assembly and association.

II.1.2. Social, economic and cultural rights (Rights of the second generation)

Articles 22 to 27 of the Declaration deal with economic, social and cultural rights. Sometimes these rights are referred to as the second generation of human rights in order to separate them from the civil liberties included in national constitutions since the end of the 18th Century.

²³ Duplessis and Corder (1994) 156.

²⁴ ICCPR, article 19.

²⁵ ICCPR, article 25.

²⁶ ICCPR, articles 21 & 22.

These were the "first generation" of human rights. The central characteristic of economic, social and cultural rights is that these rights will not be actualised if the state simply refrains from interfering with individual freedom. Cultural rights for instance, are meant to maintain and promote sub-national cultural affiliations and collective identities, and protect minority communities against the incursions of national assimilationist and nation building-projects. These rights are about the conditions for the actual well-being of people that require the society to use its resources; protections against severe poverty and starvation. The Articles mentioned above list as economic, social and cultural rights, among others, the right to social security (Article 22), the right to work (Article 23) and certain minimum conditions in work (Article 24), the right to an adequate standard of living, including medical care, food and housing (Article 25), the right to education (Article 26), and the right to freely participate in the cultural life of the community (Article 27). When protected, these rights help promote individual flourishing, social and economic development, and self-esteem²⁷. Economic, social, cultural rights denote rights that the State is obliged to protect and provide²⁸. The second generation rights are seen as an aspirational and programmatic set of rights that national governments ought to strive to achieve through progressive implementation; and their realization depends heavily on the fiscal capacity of states.

²⁷ McChesney *Promoting and defending Economic, Social and Cultural Rights: a handbook* (2000) 17-18; see also Universal Declaration: Articles 16, 17, 20, 22, 23, 24, 25, 26, and 27.

²⁸ McChesney (2000) 36.

II.1.3. Solidarity rights (Rights of the third generation)

Article 28 of the Universal Declaration of Human Rights refers to the role of each individual in realising the so-called third generation human rights or the rights that belong to peoples. "Everyone is entitled to social and international order in which the rights and freedoms set forth in this Declaration can be fully realised." The formulation of the Article is related to the self-determination of peoples that has since been recorded into human rights conventions, and to the question of the right to development which has been a large part of recent human rights discussion. In November 1977, Karel Vasek called for the recognition of a third generation of Human rights, namely solidarity rights²⁹.

Solidarity rights which include rights to public goods such as development and the environment, seek to guarantee that all individuals and groups have the right to share in the benefits of the earth's natural resources, as well as those goods and products that are made through processes and economic growth, expansion, and innovation³⁰. Many of these rights are trans-national in that they make claims against wealth nations to redistribute wealth to poor nations, cancel or reduce international debt obligations, pay compensation for past imperial and colonial adventures, reduce environmental degradation, and help promote policies for sustainable development. This third generation is still met with resistance and scepticism: it was on one hand objected that by their very nature, solidarity rights cannot be invoked by individuals, and apply only to collectivities; and an individual's right to peace would for instance be

²⁹ See Donders *Towards a right to cultural identity* (2002) 4.

³⁰ Nel & Bezuidenhout *Policing and Human rights* (1997) 91.

difficult to contemplate³¹. However, on the other hand it is argued by proponents of third generation rights that in many countries, Africa in particular, governments struggle to combat famine, illness and ignorance. They tend to overlook the classic liberties of the Western world but they find themselves in a fight against underdevelopment. In this fight, they are in a state of emergency which permits derogations to be made; they recognise then the importance of the realisation of social and economic developments and the securing of the classic rights and liberties. The right to development is then considered as a necessary corollary of the other fundamental rights³². In other way, the term solidarity or collective rights refers to the rights of peoples to be protected from attacks on their group identity and group interests. The following is the third generation content analysis.

II.1.3.1. The right to self-determination³³

It is said to be the most important of such collective rights³⁴. This is a theoretical principle that a people ought to be able to determine their own governmental forms and structures. It is a political right of the majority to the exercise of power within boundaries of a generally accepted political unit, area, or territory.

³¹ Id.

³² Ibid.

³³ ICCPR, article 1; ICESCR, article 1; African Charter on Human and Peoples' Rights, article 20.

³⁴ See Steiner and Alston *International Human rights in context: law, politics, morals* (1996) 972.

II.1.3.2. The right to economic and social development³⁵

Economic development is the development of economic wealth of countries or regions for the well-being of their inhabitants. Public policy generally aims at continuous and sustained economic growth and expansion of national economies so that developing countries become developed countries. The economic development process supposes that legal and institutional adjustments are made to give incentives for innovation and for investments so as to develop an efficient production and distribution system for goods and services. In terms of article 1 (1) of UN Declaration on the Right to Development, the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

II.1.3.3. The right to natural resources³⁶

³⁵ UDHR, article 25; see also Steiner & Alston (1996) 1112; Wallace *International Human rights: texts and materials* (2001) 1.

³⁶ Article 1 (2) of International Covenant on Economic, Social and Cultural rights says: "all peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence". Similarly, article 21 (1) of the African Charter on Human and Peoples' Rights provides: "all peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it". See also Nmehiell *The African Human rights system: its laws, practice, and institutions* (2001)146.

Natural resources are naturally substances that are considered valuable in their relatively unmodified natural form. Natural resources are often classified into renewable and non-renewable resources. Renewable resources are generally living resources (fish, coffee, and forests for example), which can restock (or renew) themselves at approximately the rate at which they are extracted, if they are not overharvested. Non-living renewable natural resources include soil, as well as water, wind, tides and solar radiation.

II.1.3.4. The right to communicate³⁷

This is the right including the right to the process of exchanging information, usually via a common protocol. Examples of human communication are the sharing of knowledge and experiences, the giving or receiving of orders and cooperation. Common forms of human communication include sign language, speaking, writing, gestures and broadcasting.

II.1.3.5. The right to participation in cultural heritage³⁸

Cultural heritage consists of nation's historic buildings, collections, monuments, etc. that are considered worthy or preservation for the future. Much of such heritage that consists of smaller objects such as artworks and other masterpieces is stored in museums and art galleries. Typically, by its nature, such heritage is unique and irreplaceable. It can often form an important component

³⁷ UDHR, article 19.

³⁸ UDHR, article 27.

in a country's tourist industry attracting many visitors from abroad as well as locally.

II.2. Partial conclusion

It goes without saying finally that while the right to self-determination and eventually the right to humanitarian assistance, for example, find expression on the legal as well as the moral plane, the majority of these solidarity rights tend to be more aspirational than justiciable in character, enjoying as yet an ambiguous jural status as international human rights norms.

After this scope analysis of Human rights, it is worth noting that, Human rights are about the freedom from something and the right to something. Different rights and freedoms may stress these two sides differently, but both dimensions belong to the concept of Human rights and the obligations of a state that are based on binding international treaties. In sum, different conceptions of rights, particularly emerging conceptions, contain the potential for challenging the legitimacy and supremacy not only of one another but, more importantly, of the political-social systems with which they are most intimately associated.

As a consequence there is sharp disagreement about the legitimate scope of Human rights and about the priorities that are claimed among them. In short, while we are talking about the scope of Human rights, we can say that the legitimacy of different Human rights and priorities claimed among them are function of context. Because people in different parts of the world both assert and honour different Human rights demands according to many different procedures and practices, and these issues ultimately depend on time, place, setting, level of crisis, and other circumstances. The content of Human rights

has been broadly defined, not with any expectation that the rights associated with one generation would or should become outdated upon the ascendancy of another, but expansively or supplementally. Reflecting evolving perceptions of which values, at different times, stand most in need of encouragement and protection, the history of the content of Human rights also reflects humankind's recurring demands for continuity and stability.

III. ANALYSIS OF THE NATURE OF THE CONCEPT OF HUMAN RIGHTS

III.1. The characteristics of Human rights

The very term "Human rights" appears to define one essential element of their nature. That is, their necessary attachment to human beings. Surely, therefore, Human rights are contingent upon the rights-holder being human³⁹. If Human rights are contingent on one's humanity and an essential ingredient of humanity is the dignity that every human being possesses; an important challenge that faces Human rights is the basis upon which human dignity is measured and expressed.

Human rights are characterised as universal, inalienable, and fundamental, non-derogable, interrelated, indivisible, and interdependent.

III.1.1. The concept of universality

The universality of Human rights has two meanings: on the one hand, the universality of Human rights prohibits discrimination on the ground of sex, colour, social status

³⁹ See in this regard Article 1 of the Universal Declaration above-mentioned.

or other similar characteristic. This why the prohibition of discrimination is included in the Universal declaration of Human rights⁴⁰ and in almost other International Human rights conventions. On the other hand, the universality of Human rights refers to the global applicability of Human rights. Human rights are common to all people on all continents irrespective of cultural or economic differences; and people have and should enjoy them⁴¹. In the following, as states Hastrup, the universality of Hum rights will be discussed in legal terms as referring to the existence of a special set of international legal norms regarding Human rights which are legally binding upon all states legal universality, therefore, refers to the legal obligation under International law of all states to respect certain basic standards on the treatment of human beings⁴². In addition, the concept of universality of Human rights can be broadly seen under two aspects⁴³: the first relates to its roots in diverse humanitarian, philosophical and religious traditions and there is where the universality of Human rights is most apparent. This aspect also clearly demonstrates that the concept of Human rights is not the monopoly of any one civilization or system.

The second aspect relating to the contemporary political and legal nature of this concept can be traced back to historical and intellectual developments in Europe. This aspect is most clearly enunciated in the Universal declaration of Human rights and finds unprecedented

⁴⁰ See Articles 2 and 7.

⁴¹ See for instance Hastrup (2001) 39.

⁴² Hastrup (2001) 40.

⁴³

http://www.indianembassy.org/policy/humanrights/vdpa_india.html
(accessed on 10th April 2006).

support and acceptance today in all parts of the world. In fact, it finds that moral actions are generally tied to the act itself, not regardless of the cultural context, but in respect of the basic ethical standards that exist in all cultures.

Nevertheless, even if it is so, the universality of Human rights can not remove cultural and societal differences between peoples. What is to be emphasised here is the status of Human rights as humankind's common cultural heritage, the historical background of which lies not only in western liberalism but also in the common characteristics of the cultures of different eras and continents. Here, variation is also an asset. Human rights are also associated with tolerance. Freedom of speech, freedom of religion and privacy, for example, are all Human rights that also presume the protection of dissimilarities. Especially majorities and their members should be tolerant of minorities and their customs. When these points are combined, we reach then the following solution to the problem of different cultures and common (or universal) Human rights: Human rights protect dissimilarity and culture-specific features, assuming that these features are not a means of violating the Human rights of an individual or an attempt to deny some people their Human rights.

III.1.2. The concept of inalienability

The term "inalienable rights (or unalienable rights)" refers to a set of Human rights that are said to be absolute, not awarded by human power, not transferable to another power, and incapable of repudiation. The inalienability of Human rights reflects the idea of natural individual rights that precede the State's authority. Each

individual has human rights on the basis of his/her humanity. Therefore, these rights can no more be taken away from him/her by a decision of the authorities than by his/her own consent. The inalienability of Human rights also means that a person cannot legally give over his/her human rights by selling himself or herself as a slave; in other words if a right is inalienable, that means that it cannot be bestowed, granted, bartered, renounced, lost, forfeited or sold away⁴⁴.

III.1.3. The concept of fundamentality

The fact that Human rights are considered as fundamental means that only the most important rights should be called Human rights. Articles 1 to 28 of the Universal declaration of Human rights contain a list of the rights and freedoms that were considered important enough in 1948. In addition, Human rights are fundamental in the sense that they should be protected by the law even if those in power, or a majority of the population or other significant interests, wish them to be removed generally or from individuals or groups. In other words they should be protected even against strong arguments that the common good, the collective interest, would be benefited were they removed⁴⁵. Human rights, therefore, embody entitlements and values inherent in a kind of superior law, a law which conditions and must be taken into account by the processes of making and putting the ordinary, positive, law into effect⁴⁶.

Human rights are also inherent rights of every individual because every human being has them by the virtue of his or her humanity; and equal which means that they are to

⁴⁴ Donnelly (1993) 19.

⁴⁵ Davis *Human rights and Civil liberties* (2003)10.

⁴⁶ Id.

be held without distinction⁴⁷. In addition, they are regarded as indivisible and interdependent. In other words, the protection of one category of rights is dependent upon the protection of the other⁴⁸.

As provided for in Article 5 of 1993 Vienna Declaration, Rights may also be interrelated and non-derogable, namely not limited in times of war or national emergency.

III.2. Philosophical basis of Human rights

Numerous theoretical approaches have been advanced to explain how human rights become part of social expectation.

Natural theories base Human rights on the natural moral order based on religious precepts, the assumed common understandings of justice, or the belief that moral behaviour is a set of objectively valid prescriptions⁴⁹. In legend, literature, religion and political thought, justice (and eventually the concept of Human rights) became socially constructed overtime into complex webs of social interaction striving toward a social order in which human beings are treated fairly. Religious societies tend to try to justify human rights through religious arguments⁵⁰. The basis of the doctrine of natural law is the belief in the existence of a natural moral code based upon the identification of certain fundamental and objectively verifiable human goods⁵¹. Our enjoyment of these basic goods is to be secured by our possession of equally fundamental and objectively verifiable natural rights. Natural law was deemed to pre-exist actual social

⁴⁷ Crawshaw (1999) 37.

⁴⁸ Id.

⁴⁹ See Ishay (2004) 19.

⁵⁰ Ishay (2004) 20-21.

⁵¹ Ibid.

and political systems⁵². Natural rights were thereby similarly presented as rights individuals possessed independently of society or polity. Natural rights were thereby presented as ultimately valid irrespective of whether they had achieved the recognition of any given political ruler or assembly. The quintessential exponent of this position was the 17th century philosopher John Locke; at the centre of Locke's argument, is the claim that **individuals** possess natural rights, **independently** of the **political recognition** granted to them by the State⁵³.

III.3. Moral relativism

Philosophical supporters of human rights are necessarily committed to a form of moral universalism. As moral principles and as a moral doctrine, human rights are considered to be universally valid. However, moral universalism has long been subject to criticism by so-called moral relativists. Moral relativists argue that universally valid moral truths do not exist. For moral relativists, there is simply no such thing as a universally valid moral doctrine. Relativists view morality as a social and historical phenomenon⁵⁴. Moral beliefs and principles are therefore thought of as socially and historically contingent, valid only for those cultures and societies in which they originate and within which they are widely approved. Relativists point to the vast array of diverse moral beliefs and practices apparent in the world today as empirical support for their position. Moral relativism, the belief that moral values (and thus conceptions of Human rights) are determined by history, culture, economics, or some other independent social

⁵² See Symonides (2002) 36.

⁵³ Symonides (2002) 37-38.

⁵⁴ Donnelly (1993) 34.

force, is best seen as a matter of degree. At one extreme is a radical relativism that sees culture (or history, or economics) as the source of all values⁵⁵. Jack Donnelly proceeded to argue that such a position in effect denies the very idea of Human rights, for it holds that there are no rights that every one is entitled to equally, simply as a human being. Donnelly went so far to argue that radical relativism can be ignored once we have decided, as we have above, that there are Human rights, rights that all human beings have, independent of society and irrespective of their particular history or culture⁵⁶. Moreover, the relativist position can then be understood simply to assert as an empirical matter that the world contains an impressive diversity in views about right and wrong that is linked to the diverse underlying cultures⁵⁷. Moral relativism does not however equate to moral pluralism, or value pluralism (which acknowledges the co-existence of opposing ideas and practices, but does not require that they be equally valid). Moral relativism, in contrast, contends that opposing moral positions have no truth-value, and that no preferred standard of reference exists to judge them. Relativists would regard the notion that no preferred standard of truth exists as a straw man argument. Not that any belief is equally as valid as any other.

CONCLUSION.

As it has been stated in the development of this paper, Human rights relate to the idea of certain freedoms, understood as entitlements, which are to be enjoyed by

⁵⁵ Donnelly (1993) 36.

⁵⁶ Ibid.

⁵⁷ Steiner & Alston *International Human Rights in context: law, politics, morals* (2000) 367; Donnelly *Universal Human rights in theory and practice* (2003) 90.

all persons on a basis of equality for the sufficient reason that they are persons (or human beings). This paper demonstrated the nature and the scope of the concept of Human rights in its whole scientific understanding. It briefly showed that the background of the concept of Human rights has been systematized by the International legal and Human rights community such that there is now a known core content of Human rights susceptible to social scientific operationalization using a variety of indicators across their different categories including the positive and negative dimensions of civil, political, economic, social, cultural and solidarity rights.

BIBLIOGRAPHY

A. Human Rights Instruments

- Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations, resolution 217 (III) of 10 December 1948;
- International Convention on Civil and Political rights, adopted and opened for signature, ratification and accession by the General Assembly of the United Nations, resolution 2200 (XXI) of 16 December 1966; entry into force: 23 May 1976;
- International Covenant on Economic, Social and Cultural rights, adopted and opened for signature, ratification and accession by the General Assembly of the United Nations, resolution 2200 (XXI) of 16 December 1966; entry into force: 3 January 1976;
- Declaration on the Right to Development, adopted by the General Assembly of the United Nations, resolution 41/128 of 4 December 1986;

- African Charter on Human and Peoples' Rights, adopted by the Organization of African Unity at the 18th Conference of Heads of State and Government on 27 June 1981, Nairobi, Kenya; entry into force: 21 October 1986.

B. Textbooks

- Crawshaw R (1999) *Police and Human rights* Cambridge: Kluwer law international;
- Davis H. (2003) *Human rights and Civil liberties* London: Willan publishing;
- Donders Y M. (2002) *Towards a right to cultural identity* New York: Intersentia;
- Donnelly J. (1993) *International Human rights* Oxford: Westview press;
- Donnelly J. (2003) *Universal Human rights in theory and practice* London: Cornell University press, 2nd edition;
- Hastrup K. (2001) *Human rights on common grounds* London: Kluwer law international;
- Ishay R.M. (2004) *The history of Human rights: from ancient times to globalization era* London: University of California press;
- McChesney A. (2005) *Promoting and defending economic, social and cultural rights* Washington, DC: American association for the advancement of science;
- Nel F. & Bezuidenhout J. (1997) *Policing and Human rights* Cape Town: Juta and Co, Ltd;
- Nmehielle V. O (2001) *The African Human rights system: its laws, practice, and institutions* The Hague: Martinus Nijhoff;
- Smith KM.R. (2003) *Textbook on International Human rights* Oxford: Oxford universality press;

- Steiner H.J. & Alston P. (2000) *International Human rights in context; law, politics, morals* Oxford: Oxford universality press, 2nd edition;
- Sumil D. & Kiran D. (2004) *Fundamental Human rights: the right to life and personal liberty* New Delhi: Deep & Deep publications (p) LTD;
- Symonides J. (2002) *Human rights: concepts and standards* London: UNESCO publishing;
- Van Der Heijden B. & Tahzib-Lie B. (1998) *Reflections on the Universal Declaration of Human rights* London: Martinus Nijhoff publishers.

C. Internet source

- http://www.indianembassy.org/policy/humanrights/vdpa_india.html (accessed on 10th April 2006).

L'INTELLECTUEL FACE A L'IDEOLOGIE D'EXCLUSION ETHNIQUE DANS LA REGION DES GRANDS LACS

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« La Région des Grands Lacs Africains est devenue, depuis quelques années, l'un des foyers de tension les plus ardents du globe. L'instabilité quasi permanente générée par les guerres civiles, les génocides, les violences ethniques et les mouvements massifs de population place constamment cette région du monde sous les feux de l'actualité » (RUTAZIBWA, 1999 : 9). L'une des causes réelles qui sont à la base de toutes ces crises de la Région des Grands Lacs Africains est l'idéologie ethniste. Celle-ci est à l'œuvre au Rwanda, au Burundi et même en République Démocratique du Congo depuis au moins la fin des années 1920 et semble avoir été renforcée par les régimes politiques dictatoriaux post-coloniaux. Pour certains intellectuels universitaires, l'ethnisme est devenu une question transversale pour tous les domaines qu'ils étudient. Nous allons voir comment l'ethnisme investit en République Démocratique tous les domaines, y compris celui du savoir et les milieux universitaires, avant de formuler les suggestions pour que l'intellectuel universitaire se dédouane par sa production scientifique véritable dont le Région des Grands Lacs post génocide et post-conflits a profondément besoin.

I. L'INVESTISSEMENT DES DIFFERENTS DOMAINES DE LA VIE PAR L'ETHNISME DANS LA REGION DES GRANS LACS

L'enracinement de l'ethnisation des groupes sociaux initiée, forgée et imposée à l'époque coloniale est très surprenante aujourd'hui. Elle est accompagnée ou oubliée par l'intolérance, le refus, le rejet et les exclusions ethniques, voire l'anéantissement de l'ethnie rivale ou potentiellement rivale politiquement, économiquement, intellectuellement et démographiquement.

En République Démocratique du Congo comme au Rwanda le schéma semble être implacablement le même : déni de nationalité ou d'autochtonie ; déformation de l'histoire et négation des réalités sociales qui sont pourtant implacables ; refus, intolérance et exclusion de l'autre ; globalisation ; diabolisation (recherche des boucs émissaires), déshumanisation (les membres de l'ethnie à anéantir complètement deviennent alors des vermines ou des microbes, des insectes ou bilulu au Congo ; cafards, serpent dont il faut écraser la tête comme dit la Bible, etc) ; élimination physique à travers les guerres ethniques à répétition ou le génocide. L'élimination physique est presque toujours précédée et facilitée par la diabolisation et la déshumanisation. Au début de la chasse aux Luba Kasafens et leur expulsion aussi sauvage que meurtrière de la Province du Katanga au début des années 1990, Nguz Karl i Bond, alors Premier Ministre du Régime Mobutu, les qualifiaient de « bilulu », mot swahili qui veut dire insectes. Yerodia Ndombasi, alors ministre sous le Régime de Kabila Laurent Désiré, qualifiait les Congolais rwandophones ou tout Tutsi de microbes ou de vermines pendant qu'on les brûlait vifs à Kinshasa à la fin des années 1990 et au

début des années 2000. Au Rwanda, après avoir collé l'étiquette de serpent aux Tutsi, on a recouru aux versets bibliques pour montrer aux gens que même Dieu a abandonné et condamné les Tutsi à mort. La diabolisation et la déshumanisation sont des facteurs psychologiques qui facilitent l'extermination.

L'idéologie génocidaire fait du feu de tout bois comme nous venons de le voir à propos de l'invocation de la Bible pour exterminer les Tutsi. Dans la Région des Grands Lacs africains tous les problèmes et même le savoir sont lus à travers le prisme ou les lunettes de l'ethnisme. Celui-ci n'épargne donc aucun domaine, à l'instar de l'emprise de la religion sur le savoir, le politique, le culturel et l'économique au Moyen Age européen (NZABANDORA, 2006 : 58). L'un des aspects les plus importants de la modernité de l'Europe fut sans conteste la laïcisation de l'enseignement, du politique et du savoir (NZABANDORA, 2006 : 36 ; BOUDON et BOURRICAUD, 2000 : 397-404).

Dans la Région des Grands Lacs africains, non seulement au Rwanda et au Burundi, mais aussi en République Démocratique du Congo, l'idéologie ethnociste semble avoir pris la place que la religion occupait en Europe du Moyen Age aux Temps modernes. Qu'on se souvienne par exemple de l'injuste condamnation de célèbres savants comme COPERNIC et GALILEE par l'Eglise pour avoir montré que la terre n'est pas le centre de l'univers et qu'elle tourne autour du soleil ! C'est seulement en 1992 que le Pape Jean Paul II a présenté ses excuses au nom de l'Eglise catholique et demandé pardon à la communauté scientifique internationale. Dans la Région des Grands lacs, tout ou presque est perçu, étudié, envisagé presque invariablement en termes ethnistes, à travers le prisme de l'idéologie ethniste,

tellement celle-ci s'est profondément enracinée dans les mentalités. Presque tous les malheurs de la Région des Grands Lacs viennent de là.

Nous pensons que la modernité, durable de la Région des Grands Lacs africains est difficilement concevable tant que celle-ci ne sera pas libérée de l'emprise omniprésente de l'ethnisme. Dans le cas contraire tous les efforts de développement et des millions des vies humaines sont condamnés à être périodiquement emportés par l'ouragan ethnique comme le montre l'histoire du Rwanda, du Burundi et de la République Démocratique du Congo.

Comme nous l'avons montré tout récemment, le développement et le capital humains de la Région des Grands Lacs sont minés par les pièges ethniques (NZABANDORA, 2006 (52 et 57-58). Prenons quelques exemples. Obsédés par le classement et la division des groupes sociaux pour mieux les dominer en opposant les uns contre les autres, les colonisateurs belges ont dynamité et désintégré les socles identitaires traditionnels pour forger et cristalliser au Rwanda, au Burundi et au Nord-Kivu en République Démocratique du Congo trois groupes ethniques qui défient d'ailleurs la définition scientifique de l'ethnie et même les croyances et pratiques sociales opératoires au quotidien sur le terrain. Jean-Pierre CHRETIEN (2000 : 72) a fait au sujet de ces socles identitaires des observations qui restent encore aujourd'hui d'actualité dans les milieux paysans de la Région des Grands Lacs. Voici ce qu'il écrit à ce sujet : « Quand on demandait à un paysan, que ce soit au Burundi, au Rwanda ou au Tanganyika, dans les années 1930 ou dans les années 1960 : « Tu es quoi ? ». la réponse immédiate était la mention du clan ». Au Rwanda et au Burundi les clans comprennent aussi bien les Hutu, les Tutsi que les Twa (CHRETIEN, 2000 : 74).

Le nom du clan est en fait celui de l'ancêtre mythique mais éponyme dont les membres descendraient en voie patrilinéaire. Les membres du clan ont aussi au moins un animal totémique emblématique qui leur sert de symbole psychologiquement et socialement chargé. Mais le colonisateur belge a ignoré au Rwanda et au Burundi la façon dont les gens se voient, se définissent et s'identifient pour en faire des groupes ethniques artificiels en vue de les opposer pour mieux les dominer et les exploiter. Il a bien réussi son coup.

Au centre de la République Démocratique du Congo les Lulua ont massacré en 1959 leurs frères congolais Luba et les ont chassés de la ville de Luluabourg. D'abord en 1963-1964, puis en 1993-1996, le Nord-Kivu fut embrasé par des guerres ethniques particulièrement meurtrières entre les Congolais d'expression Kinyarwanda qualifiés d'étrangers et les Congolais qui se disent autochtones authentiques du Nord-Kivu. Au début des années 1990 les Luba Kasaiens furent cruellement et massivement chassés de la Province du Katanga par leurs frères Luba du Katanga et leurs biens meubles et immeubles livrés systématiquement au pillage. Les guerres ethniques de l'Ituri dans la Province Orientale en République Démocratique du Congo sont devenues implacables. On peut aussi citer l'expulsion des Banyamulenge du Sud-Kivu en 2004 après des rudes combats militaires très sanglants et des dégâts matériels inestimables. Les Banyamulenge ont été poursuivis jusqu'à Katumba au Burundi où ils ont été massacrés dans la nuit du 13 au 14 août 2004. L'idéologie génocidaire est donc vivace en République Démocratique du Congo et son coût humain et matériel est tout aussi intolérable qu'inacceptable.

Au Katanga dans le Sud-Est de la République Démocratique du Congo où les Luba Kasaiens formaient

les cadres moyens et supérieurs des sociétés minières dont dépendait à plus de 80 % l'économie congolaise, les oppositions et les exclusions ethniques ont anéanti tous les investissements réalisés pendant les périodes coloniale et post-coloniale. Au Nord-Kivu les guerres ethniques à répétition ont anéanti l'élevage bovin moderne particulièrement prospère et emporté des dizaines des milliers des vies humaines (NZABANDORA, 2006 : 52). Quant au Rwanda et au Burundi, ils sont devenus les pays de génocide et des guerres ethniques par excellence.

Dans la Région des Grands Lacs Africains le gâchis humain et matériel inestimable s'explique en partie par les pièges ethniques tendus par le colonisateur et déclenchés périodiquement par les politiciens à bout de souffle, se trouvant dans l'impasse totale et n'ayant plus d'autres arguments à faire prévaloir pour conquérir ou conserver le pouvoir (NZABANDORA, 2006 : 3). Bien plus, l'incapacité à promouvoir le bien-être social de la population pousse le pouvoir en place à jouer la carte ethnique pour chercher les boucs émissaires. C'est à cette occasion que certains groupes sociaux sont diabolisés avant d'être déshumanisés. Pour faciliter l'extermination des gens, il faut d'abord leur dénier la qualité humaine pour que les bourreaux ne voient pas leur image dans leurs victimes.

L'ethnisme ne se limite pas à l'instrumentalisation des problèmes sociaux pour trouver des boucs émissaires. Il investit aussi le domaine économique dans la Région des Grands Lacs africains. C'est ainsi que par exemple on a assisté à l'Est de la République Démocratique du Congo à une véritable ethnisation des espaces économiques. Quelques exemples peuvent illustrer cette observation. Les commerçants Nande du Nord-Kivu, qui avaient le

monopole exclusif du commerce de gros et de demi gros dans la ville de Bukavu au Sud-Kivu depuis les années 1960, y ont été complètement éliminés à la fin des années 1980. Ils ont été remplacés par les commerçants Shi qui sont les autochtones du Sud-Kivu. Ces derniers ont poursuivi les commerçants Nande et les menacent aujourd'hui dans la ville de Goma au Nord-Kivu. Auparavant les commerçants Shi avaient constaté avec indignation que depuis toujours un commerçant qui n'est pas Nande ne peut, en aucun cas, prospérer dans le territoire traditionnel nande, notamment dans les territoires monoethniques de Beni et Lubero. Les populations nande n'achètent jamais des produits à un commerçant qui n'est pas de leur ethnie. Les Shi leur ont alors rendu la pièce de leur monnaie, en éliminant complètement les commerçants nande du Sud-Kivu. Depuis quelques années les commerçants nande sont en outre mal vus et même jugés ouvertement indésirables et encombrants pour les mêmes raisons dans la Province Orientale, notamment à Kisangani et à Bunia dominée par le commerce hema (NZABADORA, 2006 :53).

Nous pouvons aussi citer l'ethnisation des groupes sociaux qui date des années 1920 dans biens des cas. Cela est observable non seulement au Rwanda et au Burundi mais aussi en République Démocratique du Congo. L'ethnisation des groupes sociaux, des espaces et des subdivisions politico-administratives fait partie des mœurs politico-administratives dans les anciennes possessions coloniales belges en Afrique. C'est entre les années 1920 et 1930 que les concepts hutu, tutsi et twa ont remplacé dans les livrets d'identité les noms de clans auxquels les Rwandais s'identifiaient individuellement et socialement. Au Burundi, c'est à partir des années 1930 que l'administration coloniale exigea qu'on marque dans

les livrets d'identité l'appartenance ethnique (GAHAMA, 2001 : 286).

En République Démocratique du Congo, c'est dans les années 1920 que les dénominations ethniques ont été collées aux chefferies et territoires en tant que subdivisions des districts eux-mêmes regroupés en provinces. C'est ainsi qu'on trouvait au Kivu par exemple entre les années 1920 et 1930 les territoires aux appellations ethniques. L'ordonnance n° 91/AIMO du Gouverneur Général TILENS du 29 Septembre 1933 a attribué à tous les territoires du Congo belge des dénominations ethniques. Les territoires ont abandonné les dénominations ethniques en 1935, mais leurs subdivisions administratives, notamment les chefferies coutumières les ont gardées jusqu'aujourd'hui. Ces dénominations ethniques servent aujourd'hui d'arguments au refus, au rejet et aux exclusions ethniques dans toute la partie orientale de la République Démocratique du Congo.

L'impérialisme ethniciste ne se limite pas aux seuls domaines politique, économique, social et politico-administratif. Il a aussi conquis et dominé le savoir, les Universités et les intellectuels universitaires de la Région des Grands Lacs africains. Nous en arrivons ainsi à l'objet principal de notre communication. Nos propos sont surtout basés sur les expériences et observations personnelles dans les milieux universitaires congolais et même européens où nous avons évolué : Kinshasa, Lubumbashi, Bukavu en République Démocratique du Congo, Paris et Bruxelles en Europe. Nous avons aussi exploité des témoignages d'autres observateurs privilégiés. Ces aspects ont fait l'objet des débats animés au Colloque international consacré aux universitaires et universités dans la Région des Grands Lacs africains :

fonctions et attributions nouvelles des universitaires » et organisé à Pau en France par l'Université de Pau et le Centre de Recherche et d'Etude sur les Pays de l'Afrique Orientale du 7 au 8 septembre 2006. Nous avons eu l'honneur d'y participer et notre communication a porté justement sur l'emprise de l'ethnisme sur les intellectuels universitaires congolais. Dans cet article nous allons d'abord insister sur quelques aspects de l'emprise ethnique quasi implacable sur les milieux universitaires congolais avant de proposer quelques pistes de solutions à ce fléau pour compléter ce qui avait été discuté à l'université de Pau.

II. LA FASCINATION PAR L'ECRIT ET LA CARRIERE POLITIQUE DANS LA REGION DES GRANDS LACS

C'est suite et à l'instigation des politiciens, ou encore mieux des politicards (politiciens dépourvus de scrupule et d'envergure politique, caractérisés par une politique intrigante et intéressée) que l'impérialisme ethniciste a conquis les milieux des intellectuels universitaires congolais et s'est imposé à eux. Les obligations ethniques politiques dans les milieux intellectuels congolais peuvent s'expliquer entre autres par les vicissitudes de la vie socio-politique et socio-économique du Congo sous la colonisation et le régime dictatorial de Mobutu après l'indépendance.

La production intellectuelle et l'écrit constituent un enjeu de taille pour les politiciens et même pour l'ensemble des citoyens. Tout part de la puissance et de l'autorité de l'écrit aux yeux des politiciens et de la population en général. D'après les opinions populaires, écrire sur une ethnie par exemple, c'est marquer, confirmer et valider son existence. Les masses populaires font beaucoup

confiance aux écrits produits par les intellectuels universitaires dont elles voudraient se servir comme repères, références et lanternes. Elles les considèrent comme une parole d'évangile. Les intellectuelles universitaires sont par conséquent de grands leaders d'opinion dans la Région des Grands Lacs.

C'est la raison pour laquelle les politiciens congolais par exemple cherchent à tout prix à s'assurer les obligeances (loyauté, fidélité, obéissance et dévouement) des intellectuels universitaires. Ces derniers finissent d'ailleurs par entraîner les autres couches sociales, à commencer par les enseignants et les fonctionnaires comme c'est le cas au Nord-Kivu en particulier. Les intellectuels des milieux universitaires ne croient pas toujours à ce que les politiciens leur demandent de faire ou d'écrire. Ils le font pour des intérêts réels ou supposés, et en tout cas très convoités, qu'ils peuvent en tirer. Les intellectuels universitaires congolais par exemple n'attendent plus rien de leur carrière scientifique et académique en dehors de la carrière politique. Dans une certaine mesure on peut soutenir que l'attrait fascinant que les politiciens et la politique exercent sur les milieux intellectuels découle, en ce qui concerne la République Démocratique du Congo tout au moins, de la mauvaise gestion du pays. Les fonctionnaires et les enseignants des Instituts Supérieurs et des Universités par exemple sont clocharisés et croupissent dans la misère noire pendant que les carrières politiques donnent droit à tout, surtout au pillage illimité des deniers publics pour se remplir les poches à volonté. Ne parlons pas de la corruption qui bat son plein dans les milieux politiques congolais ! On a même vu au cours de ces dix dernières années tous les membres de la société se ruer massivement sur la politique alors qu'ils devaient constituer les groupes d'un certain contrôle dont l'une des fonctions est d'exercer

une pression sur le pouvoir sans l'exercer pour le triomphe des groupes sociaux, des idées et des intérêts qu'ils représentent. Mais au Congo, la société civile trouve sa finalité dans la carrière politique. C'est un tremplin pour la politique. C'est dire que les milieux des intellectuels universitaires ne sont pas les seuls à être irrésistiblement séduits par la politique.

Militer dans la société civile, c'est préparer, par tous les moyens possibles, sa carrière de parlementaire, de sénateur, de ministre, de membre des cabinets ministériels ou de Président Directeur Général d'une grande société paraétatique, etc. De nombreux intellectuels universitaires sont aussi prêts à tout pour la politique qui donne accès à tout. C'est la raison pour laquelle ils sont à la remorque des politicards de tout bord.

III. LES INTELLECTUELS UNIVERSITAIRES FACE A LA PUISSANCE ETONNANTE DES MUTUELLES TRIBALES

Les politicards dont il est question se sont par ailleurs assurés le contrôle des mutuelles tribales, les seules organisations sociales qui étaient tolérées au Congo-Kinshasa sous la colonisation et sous la dictature du régime Mubutu. Ces mutuelles tribales ont des ramifications non seulement à l'intérieur du pays, mais aussi dans les grandes villes et centres universitaires du pays et du monde où les ethnies concernées sont représentées. C'est ainsi que toutes les mutuelles tribales des Congolais ont des sections partout dans les capitales et grandes villes occidentales par exemple.

Les mutuelles tribales semblent avoir remplacé les communautés ethniques d'antan. Leur autorité et leurs

sanctions sont redoutables et redoutées par tous, y compris les intellectuels universitaires, et leur appui est sollicité partout pour toute entreprise. Ils constituent en outre des socles identitaires des individus et sont dotées d'une grande capacité mobilisatrice. Cet attrait fascinant et cette puissance sociale étonnante des mutuelles s'expliquent entre autres par la tradition multiséculaire dont découle aussi la solidarité mécanique, solidarité automatique et obligatoire avec les membres de son groupe social.

Comme nous l'avons montré dans notre thèse de doctorat (NZABANDORA, 2003 : 522-524), autrefois au Nord-Kivu, le bannissement d'un individu par les unités sociales traditionnelles comme la famille étendue, le lignage ou le clan était considéré comme le pire des malheurs qui puisse arriver au commun des mortels. Aussitôt la sentence prononcée par le Chef spirituel d'une unité sociale traditionnelle contre un homme marié par exemple, sa femme et ses enfants s'empressaient à fuir en catastrophe le banni, l'abandonnant seul dans sa maison et avec ses biens pour ne pas devenir tabous comme lui. Désormais personne ne pouvait ni le toucher ou l'approcher, lui adresser une parole, même pas un simple bonjour, ni lui donner de l'eau, de la nourriture, du feu, ni le secourir d'une façon ou d'une autre. On croyait profondément que le banni était porteur d'une charge de malédiction tellement puissante qu'en aucun cas elle ne laisserait vivant celui qui entrait en contact avec lui, de quelque manière que ce soit, y compris le simple fait de lui dire bonjour.

Bien souvent le banni était poursuivi jusque dans ses derniers retranchements et tué parce qu'il constituait, croyait-on, un grand danger pour tout le monde. Nous pensons que c'est cette image épouvantable du banni qui

explique en partie les obligeances étonnantes des intellectuels universitaires aux mutuelles tribales. Bien plus tous ceux qui sont exclus des mutuelles tribales perdent leur identification et leur repère social. Ils sont exclus de toutes les manifestations de joie et de peine. Les politiciens connaissent parfaitement bien la force des mutuelles tribales au Congo. C'est la raison pour laquelle ils font tout pour exercer leur emprise sur elles.

Les intellectuels universitaires Congolais sont donc soumis à deux puissantes forces sociales. D'une part les politiciens qui promettent monts et merveilles auxquels ces intellectuels ne résistent pas pour des raisons déjà évoquées. D'autre part les mutuelles tribales qui sont bien souvent à la solde des politiciens. Dans leur entendement, les intellectuels universitaires ont tout à gagner en servant à la fois les politiciens pour les avantages que la politique fait miroiter et les mutuelles tribales presque toujours manipulées et instrumentalisées par les politiciens. Ils relèguent alors la science au second plan, alors que l'ascendant qu'ils ont sur les masses populaires est pourtant bâti sur le savoir scientifique qu'ils sont censés incarner mais dont ils abusent en se profanant dans la politique et les mutuelles tribales. Bon nombre d'intellectuels universitaires de la Région des Grands Lacs africains sont donc prisonniers des politicards et des mutuelles ethniques qui ont conduit cette sous-région à la ruine presque dans tous les domaines et l'ont mise à genoux. Que peut-on réellement attendre de ces intellectuels dans la reconstruction des pays dévastés par les guerres ethniques, le génocide, les guerres civiles et les exclusions ethniques ? Il nous reste maintenant à montrer comment l'ethnisme et la propagande ethniciste ont investi les milieux universitaires congolais.

IV. INVESTISSEMENT DES MILIEUX UNIVERSITAIRES PAR LA PROPAGANDE, L'AGITATION ET LES OPPOSITIONS ETHNIQUES A CAUSE DE L'INSTRUMENTALISATION DES POLITICIENS

Dans bien des cas, certaines mutuelles tribales naissent loin du terroir traditionnel des membres, dans les centres urbains et universitaires. C'est le cas par exemple de la MAGRIVI (Mutuelle des Agriculteurs des Virunga) que Privât RUTAZIBWA qualifie de mouvement extrémiste hutu au Nord-Kivu et dont il situe la naissance en 1975 (RUTAZIBWA, 1999 : 18). C'est aussi le cas des mutuelles tribales qui ont proliféré à l'Université de Lumbumbashi dans le Sud-Est de la République Démocratique du Congo à la fin des années 1980. La prolifération des mutuelles ethniques des étudiants était une réaction aux pratiques politiques du régime MUBUTU de l'époque. Connaissant l'enjeu des milieux universitaires congolais et de leur résistance à sa dictature, les services de sécurité ont exercé la mainmise sur les étudiants dans les universités et instituts d'enseignement supérieur du Congo. Tous les comités estudiantins de la JMPR (Jeunesse du Mouvement Populaire de la Révolution) étaient contrôlés par les agents de sécurité et des militaires surentraînés camouflés en étudiants réguliers mais qui entraient rarement dans les auditoriums. Les étudiants se sont alors organisés à base de mutuelles tribales. Les mutuelles tribales de chaque province formaient une fédération. Les différentes fédérations constituaient des holdings, pour prendre l'image de la GECAMINES (Générale des Carrières et des Mines) HOLDING qui regroupaient Gécamines Développement, Gécamines Exploitation et Gécamines Commercialisation. On parlait ainsi de Kivu holding, de Bandundu holding, du Shaba holding, etc pour désigner

la fédération des mutuelles tribales d'une même province. Une information donnée au président du holding atteignait tous les membres des mutuelles fédérées en un laps de temps.

Ces mutuelles constituèrent finalement une force et une organisation parallèles au comité étudiantin de la jeunesse du Parti, mais plus puissantes et plus crédibles que ce dernier par la rapidité de la circulation des informations, la fréquence des contacts et la capacité de mobilisation. Les oppositions entre ces deux organisations parallèles et antagonistes ont culminé dans les massacres de l'université de Lubumbashi à la fin des années 1980. Les mutuelles tribales ethniques universitaires ont cependant survécu à ces massacres. Elles ont continué à être manipulées et utilisées par les politiciens comme ce fut le cas en 1991 lorsque les autochtones du Katanga ont atrocement chassé les Luba Kasaiens que Ngunz Karl i Bond, originaire du Katanga et Premier ministre de l'époque qualifiait de « bilulu » (insectes). Beaucoup de professeurs et d'étudiants de l'Université de Lubumbashi militaient fanatiquement dans le parti politique de Ngunz (UFERI: Union Fédéraliste des Républicains Indépendants). Ces mutuelles tribales étudiantines ont donc continué à jouer un rôle important.

On peut encore citer d'autres exemples qui tendent à prouver que les établissements d'enseignement universitaire et supérieur congolais sont devenus des véritables centres de propagande et d'agitations ethnicistes. C'est notamment le cas de l'Institut Supérieur Pédagogique de Bukavu et du Centre de Recherches Universitaires du Kuvu qui ont délibérément exclu en 1982 d'un colloque scientifique les Banyamurenge du Sud-Kivu et d'autres congolais d'expression

Kinyarwanda, sous prétexte qu'ils n'avaient pas d'aires culturelles pré-coloniales en République Démocratique du Congo du fait qu'ils étaient des étrangers. Par la suite on a eu à déplorer des affrontements ethniques dans cet Institut et ce Centre de recherches universitaires. Les professeurs comme les étudiants « Banyarwanda » ont eu la vie sauve en se réfugiant dans les installations du Corps de la Paix Américain à Bukavu.

On note encore aujourd'hui dans les différents instituts d'enseignement supérieur et dans les universités de Bukavu, des étudiants qui se regroupent de façon officielle en « grandes familles » et en « petites familles ». Les grandes familles sont formées par les groupes ethniques majoritaires dits autochtones et les petites familles sont des groupes ethniques minoritaires constitués presque généralement des étudiants venus d'ailleurs, d'autres régions du Congo, en dehors du terroir de Bukavu et de ses environs immédiats. Ces deux groupes de familles s'affrontent partout et dans tous les domaines. Ils sont souvent manipulés par certains responsables desdits instituts et universités ainsi que par les politiciens. Bien souvent les affrontements violents qui éclatent entre eux, occasionnent le quadrillage militaire et l'évacuation des campus pendant des semaines, voire des mois !

Un autre exemple nous est présenté par Privât RUTAZIBWA (1999 : 177). Il concerne spécialement l'université de Kinshasa dans la capitale de la République Démocratique du Congo. Dans les universités et instituts d'enseignement supérieur, écrit-il, la campagne anti-tutsi trouve un terrain favorable. A l'institut Supérieur Pédagogique (ISP) de Bukavu et au Campus de Kinshasa, de violentes chasses aux Tutsi sont organisées en décembre 1981. Au préalable des tracts racistes sont

distribués pour mobiliser les étudiants contre leurs collègues Tutsi. Il s'agit essentiellement du fameux « plan de colonisation du Kivu » attribué aux Tutsi et auquel tous les autres tracts font référence. Dans un de ces documents intitulé : « Vive la nation zaïroise ! A mort les usurpateurs de notre nationalité ! », les auteurs, qui s'adressent aux étudiants de l'université de Kinshasa, appellent à « frapper ensemble et partout ces serpents qui veulent nous mordre ». Nom de code de cette chasse aux Tutsi : « opération Herbe ». Le document comporte des passages significatifs qu'il convient de mentionner : « Voici bientôt 22 ans (1962, année à partir de laquelle circule le règlement d'ordre intérieur du peuple tutsi immigré au Zaïre) qu'un groupe de réfugiés, entreprend des manœuvres fallacieuses et honteuses cherchant dans un premier temps de s'accaparer de force ou par ruse de la nationalité zaïroise et partant bénéficier de tout avantage dont jouit un Zaïrois réel, authentique, fils de ce pays. Dans un deuxième temps, ce qui est très grave et pouvant donner lieu à des conséquences on ne peut plus fâcheuses, c'est que ce groupe d'imposteurs et d'usurpateurs de nationalité réclame même l'autonomie sur le territoire national, de certaines entités du sol zaïrois ».

Cette propagande ethniciste a été déclenchée par les politiciens du Kivu, ceux de Rutshuru en tête, qui estimaient que les Congolais d'expression Kinyarwanda avaient été nommés membres du Comité Central du Mouvement Populaire de la Révolution (MPR), le Parti Etat, à leurs dépens. Ils ont alors remué ciel et terre pour protester en mobilisant les étudiants et même les professeurs intéressés par ces nominations. Les étudiants et les intellectuels universitaires du Kivu, toutes les tribus confondues, estimaient par ailleurs intolérable, inacceptable et révoltant même, que leurs collègues



d'expression rwandaise raflent, de par leurs capacités et mérites, les quotas du Kivu dans les universités, la fonction publique et les sociétés para-étatiques. D'un côté les Hutu et les Tutsi du Nord-Kivu étaient qualifiés allochtones par les Nande et les Hunde qui se considèrent comme les vrais autochtones de cette province. De l'autre côté les Hutu de Rutshuru dénonçaient les Tutsi comme étant des allochtones. C'était donc une affaire de jalousie. Le cas de l'Université de Kinshasa montre une fois de plus que les établissements d'enseignement supérieur et universitaire sont des cibles privilégiés par les campagnes ethniques virulentes.

A en croire Privât RUTAZIBWA, ces milieux universitaires congolais furent même utilisés par les pays voisins et même occidentaux aux fins de la propagande ethniste. Voici en effet le témoignage qu'il en donne : « ... l'idée de la création d'un empire Hima-Tutsi n'est pas nouvelle. Elle hantait les esprits déjà du temps de l'offensive du FPR au Rwanda en 1990. La thèse était à l'époque un élément essentiel de la propagande du régime Habyarimana qui cherchait à susciter une solidarité « bantoue » contre le FPR dans une tentative de régionalisation du conflit. Encore étudiant à Kinshasa, je me rappelle des dépliants racistes du ministère rwandais des Affaires étrangères de l'époque, diffusés via les ambassades. Dans nos Facultés la distribution se faisait discrètement et méthodiquement par un groupe d'étudiants originaires du Kivu (Nande, Havu, Shi, etc.), sous coordination d'un étudiant Hutu venu du Rwanda et qui était en rapport étroit avec le premier secrétaire de son ambassade. La sensibilisation visait d'abord les « bantous », mais aussi tous les étrangers auxquels on expliquait la perfidie des Tutsi et le péril d'un empire Hima-Tutsi, dont les contours étaient décrits à l'aide d'une carte géographique de la région, et dont le symbole

serait la croix gammée de Hitler ! Des années après, je me rappelle encore avec étonnement de la conviction et du courroux avec lesquels un étudiant du Kivu m'avait fait la démonstration de l'existence d'un « plan de domination Hima-Tutsi », un plan attribué alors au FPR mais dont ce dernier ignore curieusement l'existence encore aujourd'hui. Ainsi, dans les universités et instituts supérieurs du Zaïre et même d'ailleurs, comme au Sénégal où se faisait intensément le même travail de propagande, des tensions et même des persécutions anti-tutsi ont été signalées à maintes reprises » (RUTAZIBWA, 1999 : 53-54).

Même beaucoup de règlements de comptes ethniques entre ceux qui se disent les vrais autochtones du Kivu et ceux appelés à tort « allochtones » s'effectuent entre autres dans les universités. Le Nord-Kivu nous en offre un exemple datant du début des années 1980. N'ayant toléré ni digéré que les immigrants nande des territoires mono-ethniques de Beni et Lubero au Nord-Kivu s'enrichissent sur les terres ancestrales des Hunde, alors que ces derniers sont économiquement marginalisés, le chef coutumier hunde de la chefferie coutumière de Bwito, le Mwami BUUNDA Birere Raphaël, s'est octroyé de force le monopole exclusif d'achat de vivres et de café aux dépens des Nande qu'il qualifiait systématiquement d'étrangers sur son territoire. En fait il était jaloux de leur percée économique bien méritée à plus d'un égard. Il a ainsi touché la corde particulièrement sensible des Nande qui ont le commerce dans leur âme et dans leur sang. Bien plus, les Nande et les Congolais rwandophones étaient soumis à des lourds tributs et corvées coutumiers exorbitants au profit des chefs coutumiers hunde placés à différents niveaux de l'administration de la chefferie hunde.

Toutes les sections de la mutuelle nande Kyaghandanda à travers le monde furent alertées. Mais la révolte nande contre l'autorité coutumière hunde fut orchestrée à l'Université de Kinshasa. Cette révolte sanglante des Nande a abouti en 1983 à l'expulsion définitive par les assaillants du Mwami BUUNDA et de tous ses notables de leur chefferie coutumière, au pillage et à l'incendie de leurs 80 résidences officielles. Les livraisons du journal JUA, hebdomadaire du Kivu, de mars à juillet 1983, ont largement couvert ces événements au quotidien et dans leurs moindres détails. Finalement le MWAMI BUUNDA fut condamné à mort par les tribunaux de Kinshasa sous la pression des étudiants et des hommes d'affaires et politiciens nande. Quelques heures après le verdict du tribunal, le MWAMI BUUNDA, qui était aussi membre du Comité Central du Parti Etat et du Conseil Législatif (député) à la fois, fut gracié par le Chef de l'Etat par ordonnance présidentielle. Mais l'hostilité nande fut enracinée et intensifiée sur le terrain grâce aux étudiants révolutionnaires venus de Kinshasa. Les assaillants ont finalement installé le Chef coutumier de leur choix et le Mwami BUUNDA n'a plus foulé le sol de sa chefferie. Dix ans plus tard, les Congolais rwandophones de MASISI au Nord Kivu ont voulu rééditer l'exploit des Nande dans la chefferie de Bwito. Ce fut la guerre ethnique de MASISI de 1993 qui s'est pratiquement prolongée jusqu'en 1996. Certains intellectuels universitaires tribalistes ne se limitent pas à la propagande et à l'agitation ethniques. Ils vont jusqu'à chercher à contrôler et à censurer la production du savoir ou encore à fausser carrément les résultats des recherches.

V. CONTRAINTE TYRANNIQUE DES MUTUELLES TRIBALES : CONTROLE ET CENSURE DE LA PRODUCTION DU SAVOIR

Certains intellectuels universitaires tribalistes, heureusement que ce n'est pas tous, manipulés par les politicards et gagnés aux mutuelles tribales, qui sont sous l'emprise de ces derniers, s'arrogent même le droit de contrôler et de censurer la production du savoir, voire des droits sur tous les membres de l'ethnie. A Bruxelles, à Paris, à Kinshasa et dans des rencontres scientifiques régionales au Congo, combien de fois a-t-on vu les membres des mutuelles tribales sommer les intellectuels universitaires appartenant à leur ethnie, de venir présenter les projets, plans et résultats de leurs recherches avant de les porter à la connaissance de la communauté scientifique internationale ! Cela se fait parfois même pour les travaux académiques, comme si les mutuelles tribales étaient habilitées à diriger des mémoires ou des thèses de doctorat. Ces mutuelles se mettent ainsi à la place des directeurs de ces travaux !

Une telle situation est intolérable et inacceptable pour les intellectuels universitaires qui persistent contre vents et marées à ne jurer que par l'idéal et la vérité scientifiques ! C'est particulièrement frustrant, révoltant et traumatisant d'après ceux qui ont déjà vécu cette situation et qui se sont confiés à nous tout en gardant l'anonymat pour ne pas s'attirer encore les foudres de leurs mutuelles. Au Kivu, certaines mutuelles peuvent refuser en dernière minute l'autorisation à leurs membres universitaires de participer à des colloques scientifiques régionaux. On voit à quel point les mutuelles tribales véhiculant l'idéologie ethniciste (en commence par le refus et l'exclusion de l'autre) exercent une contrainte tyrannique sur les intellectuelles.

Combien de fois a-t-on vu des étudiants passer aux aveux sur l'influence ou la pression de leurs groupes ethniques qui les ont forcés à dire certaines choses et à taire

d'autres. Parfois on sacrifie la science pour éviter les représailles de son propre groupe ethnique ou du groupe ethnique adverse. « Si nous taisions ceci et si nous disions cela, c'est notre maison qui serait brûlée au village », entend-on souvent sous les lèvres des étudiants lors des soutenances publiques de leurs travaux scientifiques dans certaines universités ! Parfois ces étudiants exagèrent un peu. Des cas concrets ont cités au Colloque international de Pau de septembre 2006 que nous avons déjà mentionné et qui a inspiré la rédaction de cet article.

Nous pourrions encore allonger la liste des cas qui profanent le statut de certains intellectuels universitaires et les couvrent à notre avis de honte ! Mais nous pensons que les quelques exemples cités suffisent pour alimenter les réflexions visant à redorer le blason des intellectuels universitaires et des universités et à honorer la science par la recherche de la vérité qui réparerait les torts causés aux masses populaires naïves et dont les intellectuels universitaires sont coupables.

VI. QUELQUES PISTES DES SOLUTIONS POUR LE DEPASSEMENT DE L'IDEOLOGIE D'EXCLUSION ETHNIQUE DANS LES MILIEUX UNIVERSITAIRES

Nous ne pouvons pas prétendre proposer des solutions toutes faites à un fléau socio-culturel aussi profondément enraciné dans les esprits, les mœurs politiques et les pratiques intellectuelles. Nous ne pouvons que nous contenter de quelques hypothèses ou, tout au plus, des pistes de solutions. Nous avons vu dès le début que les carrières politiques exercent un attrait fascinant sur les intellectuels qui ont abandonné tout espoir de se réaliser dans d'autres carrières à cause de la mauvaise gestion du

pays et de ses ressources, la carrière politique donnant accès à tout dont surtout le pillage éhonté et impuni des derniers publics. Nous avons aussi vu que les intellectuels universitaires sont des véritables leaders d'opinions. Ceux parmi eux qui se sont faits des caisses de résonance des ressentiments ethniques, le font sciemment, en connaissance de cause. Ils n'ignorent pas les réalités, la vérité. Ils servent leurs intérêts machiavéliques. Leurs positions ne sont ni plus ni moins une fausse conscience comme dirait Karl Marx.

Leur comportement devrait être placé dans le contexte macrosocial et macropolitique qui prendrait en considération la dictature et la mauvaise gouvernance se traduisant par la déliquescence de l'Etat, la précarisation extrême et généralisée des conditions de vie, le clientélisme développé par la dictature post-coloniale et enfin la matrice socio-culturelle et historique, notamment les mentalités corporatistes, communautaristes, liées aussi à la fameuse déliquescence de l'Etat, ceci ayant des répercussions sur les comportements individuels et collectifs dans les stratégies de survie. C'est dire que le mal est très profond. Les intellectuelles universitaires stigmatisés ici ne peuvent donc pas être rééduqués et changés par un coup de baguette magique. Comment alors les affranchir de l'inféodation et de la contrainte tyrannique des mutuelles tribales ainsi que de l'attrait fascinant des carrières politiques ? Sans une bonne gestion du pays valorisant les carrières scientifiques et académiques ou luttant contre les détournements et corruptions impunis auxquels la carrière politique donne les pleins droits au Congo, il est difficile d'inverser les tendances. Mais il faut toujours rêver car les grandes œuvres commencent parfois par un rêve ! Ce rêve est d'ailleurs en train d'être transformé en réalité à travers l'expérience tout aussi originale que fructueuse de

l'Institut de Recherche et de Dialogue pour la Paix au Rwanda. Nous y reviendrons dans les pages qui suivent.

Nous savons aussi que les mutuelles tribales manipulées dans la plupart du temps par les politiciens exercent une dictature tyrannique sur les intellectuels universitaires et sur leurs productions scientifiques. Heureusement que tous les intellectuels universitaires de la Région des Grands Lacs ne sont pas tombés dans les pièges ethniques et politiques. Il y a encore parmi eux ceux qui veulent faire briller haut l'étoile du savoir scientifique, quel qu'en soit le prix ! Il ne faut pas qu'ils se rendent coupables de la complicité du silence. Ceux-là pourraient contribuer à la reconstruction des pays des Grands Lacs africains post-conflits et post-génocide. Mais cela ne va de soi sans conditions préalables.

Nous ne disposons pas d'une force coercitive pour ramener à la raison les brebis qui peuvent s'égarer. Mais on peut prêcher par l'exemple pédagogique si les intellectuels qualifiés d'entrepreneurs sur le plan scientifique pouvaient disposer des structures de recherche et des moyens conséquents pour produire des publications scientifiques de valeur. Ils devraient par exemple disposer des centres de recherche viables, des revues scientifiques et même d'une Académie scientifique de la Région des Grands Lacs pour valoriser et sanctionner les recherches sérieuses qui viendraient concurrencer les caisses des résonances politiques et ethnicistes. L'Afrique des Grands Lacs post conflits a besoin de recherches de qualité, car la vérité scientifique a été trop sacrifiée pour des raisons politiques et ethniques. Comme on dit la bonne monnaie chasse toujours la mauvaise. Cette piste de solution n'est exploitable qu'en cas de collaboration entre les

universités et les centres de recherche du Nord avec ceux du Sud.

On pourrait ainsi rétablir certaines vérités qui ont été tuées ou faussées pour des raisons politiciennes ou ethniques. Certains intellectuels universitaires ont beaucoup contribué à attiser les haines et les affrontements ethniques sanglants. Il faut que d'autres universitaires les dédouanent en réparant les torts qu'ils ont causés, en participant à la reconstruction des pays des Grands Lacs sérieusement dévastés sur tous les plans, notamment en raccommodant le tissu social qui a été soumis à des rudes épreuves depuis au moins plus d'un demi siècle. Comme on dit la vérité répare les cœurs brisés et les peuples meurtris et meurtriers. Nous allons montrer à travers quelques exemples comment les intellectuels universitaires peuvent s'y prendre concrètement à travers leurs activités académiques, la recherche et l'enseignement.

6.1. S'affranchir des obligations tribales

La science moderne s'est développée à la faveur de la laïcisation du savoir. En tant que l'un des critères et facteurs de la modernité occidentale originelle, celle-ci est la séparation instituée entre l'Eglise et l'Etat d'une part et les institutions de recherche et d'enseignement d'autre part. Le savoir positif (scientifique) se distingue de la connaissance vulgaire ou spontanée et des enseignements de la théologie. Le processus de laïcisation a fini par placer le savoir en dehors de la juridiction de l'Eglise (BOUDON R. et BOURRICAUD F., 2000 : 397-304 ; NZABANDORA J., 2006).

Dans le Région des Grands Lacs en général et en République Démocratique du Congo en particulier, le

savoir et la recherche de la vérité, qui est l'idéal et le but ultime de la science, doivent être libérés de l'emprise et de la contrainte tyranniques des ethnies et des mutuelles tribales. Il s'agit là d'une des conditions sine qua none pour que la science se démarque de l'idéologie génocidaire qui exclut l'autre, qui vise l'anéantissement total de l'autre.

Au Moyen Age et aux Temps Modernes européens, l'Eglise, à l'instar des mutuelles tribales au Congo aujourd'hui, constituait ce que les épistémologues des Sciences Sociales appellent les autorités spécifiques et qu'ils opposent à l'autorité générale. Comme en témoigne François DEPELTEAU (2000 : 34-36), à l'origine de la science moderne et de la recherche de la vérité, on retrouve d'abord une contestation par les scientifiques des autorités spécifiques qui, très souvent, s'opposent à la diffusion des connaissances scientifiques. Il s'agit par exemple du pouvoir, de l'oppression, de la censure, des textes sacrés, des dogmes édictés par le Vatican, des discours officiels, des directives d'un parti politique, des ordres des dirigeants et, pour le cas du Congo Kinshasa, des mutuelles tribales. La science moderne est à la base la négation des autorités spécifiques et des arguments d'autorité. Faire preuve d'un esprit scientifique interdit d'accepter une vérité simplement parce qu'elle émane d'une autorité puissante comme le Vatican, un curé, un pasteur, un gourou, un maître ou toute autorité spécifique. Au contraire, la science moderne des Bacon, Copernic, Galilée, Newton et autres, qui perdure jusqu'à nos jours, se fonde sur ce que Michael POLANYI (1964) nomme une autorité générale. Une autorité générale est en fait une communauté de chercheurs rationnels et égaux. Les vérités qui découlent de cette autorité sont celles qui

émergent des discussions entre des savants libres, égaux et rationnels.

« En tant que scientifique, si je veux que les autres croient aux vérités que je pense avoir découvertes, je dois les convaincre grâce à des arguments rationnels ou à des faits. La vérité découle de la rationalité et de preuves scientifiques (...). La science moderne est donc, au départ et à sa face même, un combat perpétuel contre le dogmatisme et toute forme d'autorité spécifique qui entend contrôler le savoir. La science moderne est allergique au pouvoir d'une minorité, à la malhonnêteté et à la censure (...). La science moderne ressemble à un forum ou une agora démocratique se basant sur la libre discussion, la rationalité et l'égalité des participants. C'est un espace public où se rencontrent des savants à la recherche de la vérité » (DEPELTEAU, F., 2000 : 34-36). Il faudra absolument créer dans la Région des Grands Lacs des « espaces publics » des chercheurs pour donner la parole à ceux qui veulent barrer la route à l'influence des thèses ethnistes sur le savoir et empêcher d'une façon ou d'une autre la diffusion hégémonique et monopolistique des idéologies d'exclusion ethnique.

6.2. Eviter la diffusion hégémonique et exclusive des idéologies d'exclusion ethnique

L'intellectuel universitaire ne doit pas se résigner et assister impuissant à la mort de la science. Il doit réagir à la diffusion hégémonique et quasi-monopolistique des idéologies d'exclusion ethnique. Les débats, forums, séminaires et colloques scientifiques fréquents et périodiques peuvent matérialiser l'espace public des chercheurs dont il est question ci-dessus. Ces manifestations scientifiques devraient créer un courant d'opinion et déboucher sur des publications scientifiques.

Ainsi les idéologies d'exclusion ethnique ne seront plus les seules sur le terrain ou du moins les seuls maîtres du terrain. Leur diffusion et leur audience seront ainsi limitées, surtout dans les centres de recherches et les établissements d'enseignement supérieur et universitaire sous l'œil inquisiteur des étudiants et des chercheurs objectifs. Leurs propagateurs risquent ainsi de se discréditer s'ils continuent dans la même voie. En tout cas ils n'auront plus une conscience tranquille. La complicité du silence est coupable. Qui ne dit mot consent, dit-on.

6.3. Respect et affirmation de l'identité culturelle de l'intellectuel universitaire

Certains intellectuels universitaires, nous en connaissons beaucoup de niveau de 3^{ème} cycle universitaire, s'engagent bien souvent dans une fuite en avant qui, paradoxalement, renforce et enracine l'idéologie d'exclusion ethnique. Nous avons constaté que, face à la stigmatisation, à la discrimination et à la persécution ethniques, certains intellectuels congolais d'expression rwandaise abrègent leurs noms de façon à leur donner une consonance des noms d'autres ethnies congolaises non contestées. C'est ce qu'on observe dans les grands centres universitaires tant au Congo qu'en Belgique et en France. Celui qui évoque consciemment ou inconsciemment leurs vrais noms, qui figurent du reste sur les pièces d'identité et académiques, est ouvertement déclaré ennemi irréductible et s'attire implacablement leurs foudres car ils le poursuivront jusque dans son dernier retranchement. C'est comme si naître rwandophone était un péché mortel qu'on cherche à cacher. Nier son identité, sa culture et son peuple et son histoire, avoir honte de son identité culturelle dans le concert des autres identités congolaises, est une affaire

particulièrement grave pour un intellectuel universitaire. C'est aussi un indice probant de l'idéologie tribaliste qui sévit impitoyablement dans les milieux universitaires et centres urbains congolais. Ceux qui transforment leurs noms ne font pas de gâité de cœur. C'est une façon de se protéger. C'est une stratégie de survie qui malheureusement n'est pas la meilleure comme nous allons le voir.

La logique de ces intellectuels universitaires a été aussi observé au niveau des populations entières. Jusqu'à la fin des années 1960, voire au début des années 1970, les Congolais d'expression Kinyarwanda des Plateaux d'Itombwe et de la Plaine de la Ruzizi au Sud-Kivu (Est de la République Démocratique du Congo) n'avaient pas d'ennuis politiques et ont conservé leur identité. Leur refus, leur exclusion et la contestation de leur nationalité congolaise ont commencé avec leur percée dans les domaines académique (succès à l'université, obtention des bourses d'études à l'étranger), politique (au niveau local et au Parlement), économique et militaire dont les ethnies voisines étaient très jalouses. Ils ont alors forgé l'ethnonyme « Banyamulenge » pour se mettre à l'abri des pogroms (agressions oppressives et meurtrières tolérées ou soutenues par le pouvoir d'une communauté ethnique ou religieuse) et de la persécution « anti-rwandaise ». Ils sont devenus des Banyamulenge, c'est-à-dire des autochtones de la colline Mulenge dans les Plateaux d'Itombwe (DE MARET, NZABANDORA et WEIS, 2000). Comme nous l'avons déjà montré dans ce texte, en 1982 le Directeur du Centre de Recherches Universitaires du Kivu, appuyé par d'autres chercheurs de ce centre et quelques professeurs de l'Institut Supérieur de Bukavu, a refusé aux Congolais rwandophones des Plateaux d'Itombwe et de la Plaine de la Ruzizi le droit de participer à un colloque scientifique

international sous le prétexte qu'ils n'avaient aucune aire culturelle au Congo. Les Congolais rwandophones de la Plaine de la Ruzizi et des Plateaux d'Itombwe furent accusés à cette occasion de vouloir malhonnêtement utiliser les manifestations scientifiques pour cautionner l'existence d'une aire culturelle qu'ils n'ont jamais eue au Congo. Nous avons été témoins de ces tristes événements.

Les intellectuels universitaires et les peuples qui changent des noms pour échapper à la stigmatisation et à la persécution ethnique ne choisissent pas la meilleure voie. On ne peut pas changer les noms qu'on a toujours portés durant l'enfance, les études primaires, secondaires ou universitaires, voire durant une partie de sa carrière universitaire. Ce n'est pas en changeant d'ethnonyme qu'un peuple sera vu autrement qu'on l'a toujours vu auparavant. En changeant leurs noms, les intellectuels universitaires d'expression rwandaise fournissent inconsciemment à leurs détracteurs des preuves péremptoires qu'on peut pas être d'expression Kinyarwanda et être congolais à la fois. De tels faits alimentent l'idéologie d'exclusion ethnique fortement enracinée au Kivu dans l'est de la République Démocratique du Congo.

Pire encore, le changement des noms des personnes et d'un peuple constitue une opération d'ethnocide. L'ethnocide est le meurtre d'une culture ou d'une société. Il y a deux moyens d'anéantir un groupe humain : la liquidation physique (génocide) et la liquidation culturelle (ethnocide). Certaines politiques, qui visent à rendre impossible le mode de vie de minorités (voire même de majorités), reposent sur des véritables stratégies de l'ethnocide (COLLEUYN, 1988 : 196). En changeant des noms de personnes et des populations entières, les

intellectuels universitaires contribuent puissamment à faire croire partout où ils sont qu'il n'y a pas groupe de ethnique rwandophone en République Démocratique du Congo ; alors qu'ils devraient en être les têtes d'affiches et les ambassadeurs partout dans les milieux où ils évoluent à l'étranger comme à l'intérieur de leur pays. Ils s'excluent eux-mêmes du concert des autres peuples autochtones du Congo à la très grande satisfaction de leurs ennemis. De telles victoires ne peuvent qu'encourager ces derniers à persévérer dans leurs idéologies et luttes pour les exclusions ethniques. La lutte contre l'idéologie d'exclusion ethnique dans la Région des Grands Lacs africains, plus particulièrement en République Démocratique du Congo, passe entre autres par le changement d'attitudes et de comportements des intellectuels universitaires que nous venons de stigmatiser avec raison.

6.4. Exploiter les opportunités de l'activité académique

Dans la lutte contre le tribalisme poussé à outrance dans la Région des Grands Lacs africains l'intellectuel universitaire devrait exploiter tous les atouts dont il peut bénéficier à travers sa carrière académique. Que ce soit au Rwanda, au Burundi ou en République Démocratique du Congo, les actes constitutifs ou de création des établissements d'enseignement supérieur et universitaire leur assigne une triple mission : enseignement, recherche et rayonnement dans le milieu environnant. Bien plus le personnel scientifique et académique est tenu de publier pour se maintenir au service et pour la promotion d'un grade à l'autre. Tous les statuts du personnel des établissements d'enseignement supérieur et universitaire tant privés que publics mettent un accent particulier sur cet aspect. Signalons qu'au cours de ces quinze dernières années nous avons assisté dans la Région des Grands

Lacs à une véritable prolifération des universités et établissements d'enseignement supérieur tant privés que publics. Leur personnel a besoin de publier. C'est un atout qu'il faut exploiter en le mobilisant dans la recherche à travers par exemple l'organisation des colloques et séminaires scientifiques devant déboucher sur des publications collectives.

Nous avons enfin les étudiants qui effectuent des recherches dans le cadre de leurs travaux de fin d'études ou dans le cadre des travaux pratiques. Les défenses publiques des mémoires sont devenues un phénomène social de grande envergure. Elles constituent des événements de joie ou des occasions de témoignage de la solidarité, de la sympathie et de l'attachement des uns aux autres. Elles se sont déjà intégrées dans la vie sociale de la cité et dans les grands événements de la vie comme la naissance, le baptême, le mariage et la mort. Nous sommes tous les jours témoin des foules immenses que les défenses des mémoires drainent vers les bâtiments académiques. Toutes ces foules suivent attentivement les défenses et y participent même en posant des questions. Les discussions sur les sujets traités dans les mémoires se poursuivent lors de longues réceptions organisées à la cité par les lauréats, leurs amis ou membres de famille. A l'Université Libre de Kigali, il existe des milliers de mémoires qui offrent des données empiriques (données brutes de terrains) relatifs aux défis actuels et à venir du Rwanda. Toutes ces données ne sont pas exploitées et partagées avec un public plus large à travers les colloques et les publications scientifiques. Les travaux pratiques et dirigés peuvent aussi être discutés dans les auditoriums.

Des sujets controversés ou sensibles ainsi que des problèmes de brûlante actualité ou d'importance capitale pour l'instauration de la paix durable dans la Région des

Grands Lacs devraient faire l'objet des programmes de recherche à travers les colloques scientifiques, les ouvrages collectifs avec des auteurs fort diversifiés pour ne dire de toutes les tendances et sensibilités sociales, les articles de revues scientifiques, les travaux de fin d'études des étudiants, voire des travaux pratiques dans certains cours. On peut ainsi arriver à créer un véritable courant d'opinion dont nous avons parlé et qui se répandrait parallèlement ou concurremment avec les idéologies génocidaires tout en leur damant des pions et en leur sciant les côtes.

6.5. La recherche participative aussi inclusive que possible de toutes les sensibilités et catégories sociales

La recherche participative aussi inclusive que possible de toutes les couches sociales est aussi de nature à instaurer une paix durable dans la Région des Grands Lacs comme tend à le prouver l'Institut de Recherche et de Dialogue pour la Paix (IRDP) au Rwanda (IRDP, 2006 ; INTERPEACE, 2006). Selon cet institut, la paix durable est celle qui donne à tout individu, à tout foyer et à tout groupement humain et, de façon générale, à toute la société la sécurité, la quiétude et l'épanouissement total (IRDP, 2006 : 11). C'est pour contribuer à cet idéal très noble à tous points de vue que les nombreux chercheurs de l'Institut de Recherche et de Dialogue pour la Paix (IRDP) ont engagé depuis 2001 des consultations avec toutes les couches de la population rwandaise. Cela se fait à travers l'organisation des débats contradictoires filmés au niveau des provinces et bientôt, à partir de juillet 2007, au niveau des districts (Madame KAYIRANGWA Bernadette, membre du Secrétariat général de l'IRDP, chargée de la logistique et responsable du groupe de recherche travaillant sur l'idéologie génocidaire : communication personnelle). La

plus grande diversité possible des participants à ces débats contradictoires est la règle d'or de l'approche de l'Institut de Recherche et de Dialogue pour la Paix.

Les débats contradictoires et forums rassemblent à la fois les intellectuels et les analphabètes, les chômeurs et les travailleurs, les paysans et les fonctionnaires, les adeptes de toutes les religions pratiquées au Rwanda, les hommes d'affaires et les hommes politiques, les jeunes et les vieux, les ruraux et les citadins, les femmes, les bourreaux et leurs victimes lors du génocide, les membres des associations et des ONG opérationnelles sur le terrain au Rwanda, les prisonniers et les hommes libres, etc. Toutes les sensibilités sociales (Tutsi, Hutu, Twa) du Rwanda sont chaque fois représentées.

Cette recherche participative est pertinente pour le Rwanda post-génocide pour des raisons qu'il faut rappeler :

A travers l'instrumentalisation des politiciens, la population a mis à rude épreuve les fondements de la paix. Cette même population doit être amenée à prendre les devants pour remettre en place les bases fondamentales d'une véritable harmonie entre les citoyens (IRDP, 2006 :11-12). C'est aussi l'approche du Projet Mémoires de Lubumbashi au Katanga mise en œuvre sous la direction du Prof. D. DIBWE (2006). Depuis Le projet « Mémoires de Lubumbashi » est appuyé conjointement par l'Université de Lubumbushi. Il est soutenu par l'Agence Universitaire de la Francophonie (AUF), la Chaire de Recherche du Canada en histoire comparée de la mémoire, la Coopération universitaire pour le développement (Communauté française de Belgique), le Conseil de recherche en sciences humaines du Canada (CRSHC), le South-South Exchange Programme for Research on the History of

Development (SEPHIS) des Pays-Bas, le Musée Royal de l'Afrique Centrale de Tervuren en Belgique, l'Observatoire du changement urbain de Lubumbashi et le Département des sciences historiques de l'Université de Lubumbashi.

Le fait que la population se prononce sur les divers programmes en cours, en dégagant leurs forces et leurs faiblesses (les débats contradictoires visent l'expression de la diversité d'opinions), permet à cette population de s'approprier à la longue les initiatives mises en place à son intention.

L'implication de toutes les couches de la population dans les débats où sont exprimées des divergences et des contradictions permet à la population et aux décideurs d'accéder à une meilleure compréhension des problèmes qui se posent avec acuité.

L'approche participative et aussi inclusive que possible de toutes les couches de la population rwandaise peut offrir un cadre qui, à la longue, permettra de créer des conditions pour l'édification d'une nation où règnent l'entente, la concorde, la tolérance et la cohabitation pacifique.

Les résultats de la recherche participative alimentent le débat national sur les questions cruciales en matière de reconstruction de la paix. Les décideurs engagés dans la reconstruction du pays auront ainsi à leurs disposition des informations riches et crédibles (car les débats filmés constituent des preuves) qui puissent aider à mener à bonne fin les réformes politiques et institutionnelles entreprises et à entreprendre.

Les questions cruciales qui émergent des débats contradictoires font l'objet des programmes de recherches menées par des équipes de chercheurs universitaires (disposant des moyens logistiques garantis par l'IRDP) avant d'être formulées sous forme de recommandations. Celles-ci sont ensuite mises en œuvre

grâce aux plaidoyers au niveau du gouvernement, du parlement, des ONG, des Eglises, des partis politiques, des ambassades, des agences des Nations Unies, etc.

Les débats contradictoires organisés au niveau des provinces (par groupes d'une trentaine de personnes chacun) ont permis d'inventorier et de cibler les questions cruciales et très controversées grâce à l'expression libre des divergences. Les débats filmés sont complétés par des entretiens filmés également avec les personnes ressources. Celles-ci peuvent être des professeurs d'université spécialisés dans tel ou tel autre domaine, des hommes politiques, des dirigeants des instances de base, des hommes d'Eglise, des responsables ou animateurs des associations et ONG, ou toute autre personne, un paysan par exemple, ayant témoigné lors des débats contradictoires de la bonne maîtrise des problèmes rwandais. Par la suite les questions cruciales sont approfondies par des chercheurs universitaires. Le rôle de l'IRDP est de faciliter les débats contradictoires, de canaliser les idées maîtresses qui s'en dégagent, de les approfondir par les chercheurs universitaires pour les publier sous forme de rapports de recherche. L'IRDP est à présent à son cinquième rapport de recherche (KAYIRANWA Benadette, communication personnelle).

Dans un premier temps les débats contradictoires organisés au niveau des provinces par les chercheurs de l'Institut de Recherche et de Dialogue pour la Paix ont fait ressortir quatorze obstacles à la paix durable au Rwanda. Ces obstacles ont fait l'objet d'un premier rapport de recherche publié sous le titre de Reconstruire une paix durable au Rwanda : la parole au peuple. Ces quatorze obstacles ont été soumis à l'examen des chercheurs universitaires, aux décideurs politiques, aux représentants des femmes, des Eglises, de la jeunesse et

des entités locales. Ce fut la deuxième phase qui n'a retenu que thèmes prioritaires : 1) histoire et conflit ; 2) Génocide ; 3) Démocratie ; 4) état de droit et justice ; 5) Efforts de lutte contre la pauvreté car celle-ci a aussi contribué au génocide. Ces cinq thèmes ont été approfondies par des chercheurs et publiés également sous formes de rapports de recherche sur le site internet www.irdp.rw. en attendant leur impression en cours sous forme de livres.

La troisième phase de la recherche a été consacrée à trois volets :

la recherche approfondie sur les questions en suspens : partage du pouvoir et l'arbitraire, changement des politiques de 1950 à 1962 , financement de l'économie (démographie et développement économique, politique de l'emploi) ;

poursuite des débats contradictoires au niveau national, provincial, du district et des écoles. Les débats dans trente écoles par province on porté sur la culture démocratique, la tolérance et la coexistence pacifique. Les débats au niveau national qui regroupent 200 personnes valident les résultats des recherches. Ces personnes comprennent les décideurs politiques, les académiciens (chercheurs et professeurs d'université), les ONG, les représentants de la jeunesse et des femmes, les représentants des Eglises, bref elles sont très diversifiées ;

la mise en œuvre des recommandations est le volet le plus important de la troisième phase. Cette tâche a été confiée à un comité de pilotage. Celui-ci comprend des personnalités très influentes capables de faire des plaidoyers de façon efficace. Les membres de ce comité chargé de mettre en œuvre les recommandations issues des phases de recherche antérieures sont recrutés parmi les décideurs politiques (Présidence de la République,

Primature, Sénat, Gouvernement), haute magistrature (pouvoir judiciaire), les membres du bureau du Président, les hautes autorités académiques, les professeurs d'université, les représentants des confessions religieuses, des institutions publiques, des ONG solidement implantées dans le pays, des entités locales, les hommes d'affaires, les partis politiques, les agences des Nations Unies, etc. Comme il est de rigueur à l'Institut de Recherche et de Dialogue pour la Paix, il s'agit d'un groupe aussi diversifié et représentatif de toutes les couches et sensibilités sociales de la population rwandaise. Les membres du comité de pilotage analysent de façon approfondie les recommandations, se les approprient et, au besoin, les complètent par des recherches financées de nouveau par l'Institut avant de passer au plaidoyer proprement dit.

L'Institut de Recherche et de Dialogue pour la Paix contribue à la production des connaissances scientifiques irremplaçables dans le domaine de l'histoire immédiate et jette en même temps des bases solides pour l'instauration de la paix durable au Rwanda. C'est une expérience particulièrement passionnante et pertinente dans un pays post-génocide et qui peut inspirer des stratégies de recherche novatrices dans d'autres régions ou pays post-conflit.

Toutes les recommandations formulées ci-dessus ne sont évidemment valables que s'il peut être mis sur pied une sorte d'Académie de la Région des Grands Lacs. Celle-ci fonctionnerait comme un institut de recherche appliquée, particulièrement pragmatique, œuvrant à la fois pour le triomphe de l'idéal scientifique (la recherche de la vérité) et pour l'instauration de la paix durable dans la Région des Grands Lacs africains. Elle pourrait ainsi collaborer fructueusement avec d'autres instituts ou centres de

recherche, projets ou initiatives ayant des préoccupations analogues dans la Région : Institut de Recherche et de Dialogue pour la Paix au Rwanda, le Groupe de Recherche en Histoire Immédiate (Université de Toulouse), le CREPAO de l'Université de Pau, le Projet Mémoires de Lubumbashi au Katanga (Prof. DIWE et Prof. Bogumil JEWSIEWICKI K.) qui œuvre pour la réconciliation et la coexistence pacifique des Kantangais et des Kasafens, l'Institut Français de Recherche en Afrique (IFRA) dont l'aire géographique semble cependant exclure le Rwanda, le Burundi et la République Démocratique du Congo, les Agences des Nations Unies, les Centres de Recherche et revues scientifiques des Universités de la Région des Grands Lacs, etc. Cette Académie fonctionnerait aussi comme une ONG dotée d'une grande autonomie et collaborant avec les grandes ONG internationales impliquées dans la reconstruction de la paix dans les points les plus chauds du globe ou dans les pays post-conflit.

BIBLIOGRAPHIE

BOUDON, R. et BOURRICAUD, F., Dictionnaire critique de la sociologie, Presses Universitaires de France, Paris, 2000.

CHRETIEN, J.-P., L'Afrique des Grands Lacs. Deux mille ans d'histoire, Aubier, Paris, 2000.

COLLEYN, J.-P., Eléments d'anthropologie sociale et culturelle, 5e édition revue et corrigée, Editions de l'Université de Bruxelles, Bruxelles, 1988.

DE MARET, P., NZABANDORA, J. et WEIS, G., « Kivu : Parcs Nationaux et Populations avoisinantes – Contraintes et atouts culturels », in BAHUCHET, S. et

DE MARET, P. (éd.), Les Peuples des Forêts Tropicales Aujourd'hui, Vol. III : Région Afrique Centrale, Programme APFT (Avenir des Peuples des Forêts Tropicales de l'Union Européenne) – ULB, Bruxelles, 2000, pp. 428-454.

DEPELTEAU, F., La démarche d'une recherche en Sciences Humaines. De la question de départ à la communication des Résultats, De Boeck Université – Presses de l'Université de Laval, Bruxelles, 2000.

DIBWE, D.D.M., « Du projet « mémoire collective à l'Observatoire de la ville de Lubumbashi au Katanga », Communication au Colloque International sur les « Universitaires et Universités dans la Région des Grands Lacs Africains : Fonctions et attributions nouvelles des universitaires », Université de Pau, 7 et 8 septembre 2006.

GAHAMA, J., Le Burundi sous l'administration belge, Karthala, Paris, 2001.

IRDP, Reconstruire une paix durable au Rwanda : la parole au peuple, WSP international (WSP : From War to Shared Solutions for Lasting Peace), Kigali, novembre 2006.

INTERPEACE, Investing in Peace. Annual Report 2005, Genève, août 2006.

NZABANDORA, N.M., Histoire de conserver : Evolution des relations socio-économiques et ethnoécologiques entre les parcs nationaux du Kivu et les populations avoisinantes (RD Congo), Thèse de doctorat en Sciences Sociales, Université Libre de Bruxelles, Mars 2003.

NZABANDORA, N. M., J., « Modernité manquée et pièces ethniques dans la Région des Grands Lacs : de quelle modernité et de quels pièges ethniques s'agit-il ? », in *Revue Scientifique de l'Université Libre de Kigali*, n° 6, Février 2006.

NZABANDORA J., « L'emprise de l'ethnisme sur les intellectuels universitaires congolais », Communication au Colloque International sur les « Universitaires et Universités dans la Région des Grands Lacs Africains : fonctions et attributions nouvelles des Universitaires », Université de Pau, 7 et 8 septembre 2006.

POLANYI, M., *Science, Faiths and Society. A searching examination of meaning and nature of scientific inquiry*, The Chicago University Press, Chicago – London, 1964.

RUTAZIBWA, P. (éd.), *Les crises des Grands Lacs et la question tutsi. Réflexion sur l'idéologie du génocide dans la sous- Région*, Editions du C.R.I.D., Kigali, 1999.

L'IMAGE DES PARTIS POLITIQUES AU RWANDA

Dr KARAMBIZI Vénuste

INTRODUCTION

Le greffage brutal des partis politiques au tissu socio-politique rwandais a eu pour effet l'existence d'un système partisan rwandais avorté. La conséquence en est une perception négative des partis politiques par les Rwandais. Il se pose donc un problème de réhabilitation de cette image. Mais il faut préalablement comprendre le processus de détérioration de l'image en question. Par ailleurs la réhabilitation de l'image des partis politiques au Rwanda implique un redressement préalable de l'organisation et du fonctionnement des partis eux-mêmes. C'est ce que nous nous proposons d'expliquer le présent article.

Réfléchir sur la détérioration et les possibilités de réhabilitation de l'image des partis dans le mental du Rwandais est d'un intérêt fondamental.

En effet, en ce début du troisième millénaire marqué par la mondialisation en toutes choses y compris et surtout en matière de démocratisation, les partis politiques s'avèrent des acteurs incontournables de la vie socio-politique au Rwanda. Il importe donc d'examiner les voies et moyens de nature à leur permettre de se rénover afin de pouvoir jouer efficacement leur rôle dans l'organisation, la gestion et le développement de la société rwandaise.

Le corps du présent article comporte trois composantes à savoir :

- Un aperçu général sur les partis dans le monde et au Rwanda
- Un examen du processus de détérioration de l'image des partis au Rwanda
- Une réflexion sur les possibilités de la réhabilitation de l'image des partis politiques au Rwanda.

I. APERCU GENERAL SUR LES PARTIS POLITIQUES DANS LE MONDE ET AU RWANDA

1.1 LES PARTIS DANS LE MONDE

Les partis politiques prennent naissance à la fin du 18^e et s'imposent définitivement sous leur forme moderne au 19^e siècle en Europe. C'est à partir de ce continent qu'ils se diffusent progressivement à travers le reste du monde.

Considérés sous leur aspect idéologique, les partis politiques se répartissent aujourd'hui en six familles majeures à savoir :

- La famille libérale
- La famille conservatrice
- La famille socialiste
- La famille démocrate – chrétienne
- La famille territorialiste
- La famille américaine.

Du point de vue de leur institutionnalisation, les partis politiques passent par deux voies d'enracinement : la voie sociologique et la voie juridique.

Quant à leur organisation, les partis s'insèrent dans une typologie à trois éléments à savoir :

- les partis de cadres
- les partis de masses
- les partis indirects

Le paysage partisan mondial se compose aujourd'hui de deux systèmes majeurs :

- le bipartisme
- le multipartisme.

Enfin, du point de vue de leur rôle dans les sociétés, les partis remplissent cinq fonctions, à savoir :

- la mobilisation politique
- l'intégration politique
- la formation des politiques
- la recrutement du personnel politique
- et la structuration du vote.

1.2. LES PARTIS POLITIQUES AU RWANDA

Au Rwanda comme dans la plupart des pays anciennement colonisés, les partis politiques sont une greffe d'origine occidentale. Ici comme dans le reste des anciennes colonies, la greffe des partis politique au tissu socio-politique est une opération échouée.

Deux raisons expliquent cet échec :

- la précipitation intéressée de l'ancien colonisateur à instaurer les partis politiques dans les anciennes colonies ;
- l'adoption aveugle de ces institutions par les anciennes colonies.

Pour ce qui concerne le Rwanda, on peut dire que les partis politiques ont eu pour prélude les cercles et les associations nés dans les années 1950 sous l'instigation de l'Eglise Catholique et de l'administration belge.

Ces cercles et associations avaient pour objet l'encadrement moral et intellectuel des évolués.

Les partis politiques voient le jour au Rwanda en 1959, en vertu de l'ordonnance n° 11/234 du 08 mai rendue exécutoire par l'O.R.U. n° 111/105 du 15 juin de la même année. Dans cette foulée, l'UNAR, créée en mai 1959 est officialisée le 03 septembre de la même année.

L'APROSOMA, fondée en novembre 1957 en tant qu'association, devient un parti politique le 15 février 1959.

Le PARMEHUTU devient officiellement un parti politique le 18 octobre 1959.

Le RADER est fondé en novembre 1959.

De 1963 à 1991, le Rwanda est sous le joug de partis uniques : tout d'abord, le MDR s'impose comme parti unique de fait de 1963 à 1973, ensuite, après une période d'absence de partis (1973-1975), le MRND s'impose comme parti unique de droit de 1975 à 1991.

Sous diverses pressions, les tenants du pouvoir acceptent la renaissance du multipartisme par la constitution de 10 juin 1991.

Ainsi, de 1991 à 1994, le MRND cohabite avec les partis reconnus légalement tels que le MDR (ressuscité), le PSD, le PL, le PSR, l'UDPR, le PDI, le PDC et le CDR.



Après, le paysage partisan rwandais se modifie : le MRND disparaît et le FPR entre sur la scène politique rwandaise interne comme parti dominant.

Aujourd'hui, le FPR cohabite et partage le pouvoir avec huit autres partis à savoir : le PSD, le PL, le PDC, le PSR, l'UDPR le PDI, le PPC et le PSP. Il est important de souligner que pour raison de divisionnisme, et de perpétration du génocide des Tutsi de 1994, le MDR, le MRND et la CDR sont légalement interdits au Rwanda.

Le paysage partisan rwandais actuel est dominé par deux principes :

- le consensus
- le partage du pouvoir

Ces deux principes ont été institutionnalisés par la constitution du 26 mai 2003 principalement en ses articles 56, 58 et 116.

Les programmes des neufs partis légalement reconnus au Rwanda aujourd'hui partagent deux éléments communs :

- La condamnation du génocide et de l'idéologie génocidaire
- La défense de l'Unité Nationale

De façon générale, les programmes des différents partis se ressemblent à tel point que la différence entre leurs visions politiques est très mince.

C'est ainsi que l'on retrouve dans l'ossature idéologique de chacun desdits partis les huit éléments suivants :

- la lutte contre le génocide et sa prévention,
- l'égalité de tous devant la loi
- la promotion des droits humains
- l'implantation de la culture démocratique

- l'Unité et la réconciliation
- la promotion du genre
- la protection de l'environnement
- la promotion de l' «Information Communication Technology » (ICT)

II. LA DETERIORATION DE L'IMAGE DES PARTIS POLITIQUES AU RWANDA

L'analyse du processus de détérioration de l'image des partis politiques au Rwanda peut s'articuler sur trois axes :

- les facteurs de la détérioration
- les indicateurs de la détérioration
- l'impact de la détérioration.

2.1 Les facteurs de la détérioration de l'image des partis politiques au Rwanda

Sans prétendre à l'exhaustivité de l'inventaire, nous pouvons dire que les facteurs suivants sont à l'origine de la détérioration de l'image des partis politiques au Rwanda :

- Leur greffe précipitée au tissu socio-politique rwandais
- Leur non adoption, occultée par une adoption feinte, par la société rwandaise
- L'absence de conviction idéologique de leurs leaders et de leurs adeptes
- L'absence de programmes axés sur les besoins d'intérêt général
- L'exploitation et la culture de particularismes divisionnistes
- L'absence de vision stratégique
- Le manque de patriotisme
- Le manque de courage politique

- Le clientélisme vis-à-vis des forces dominantes nationales et étrangères
- La paresse intellectuelle, cause de non créativité
- L'incompétence technique et politique
- Le mimétisme
- Le défaut de conviction politique
- Le manque d'idéal politique
- Le manque d'idéologies précises, fermes, originales et englobantes, autrement dit, le manque de projets de société ;
- Un opportunisme cynique
- Le manque de dynamisme.

Parmi les facteurs ci-haut mentionnés, l'insertion soudaine et brutale des partis politiques dans le tissu socio-politique s'impose comme un facteur majeur.

En effet, les partis politiques étant un élément de la culture occidentale, ils ne pouvaient pas s'intégrer automatiquement et harmonieusement dans la société rwandaise qui est une composante de la « société africaine », laquelle est différente à maints égards de la « société occidentale ». La précipitation par le « colonisateur » de l'instauration des partis politiques au Rwanda ne pouvait que les condamner au rejet par la société rwandaise et donc à l'échec.

Pour des raisons liées à l'infériorité de la partie rwandaise dans le rapport des forces, le rejet des partis politiques demeure implicite, mais il n'en est pas moins réel. Ce phénomène se traduit par une non adoption, occultée par une adoption simulée, des partis politiques par la société rwandaise.

La non adoption des partis politiques se situe à deux niveaux essentiels :

- le niveau des protagonistes des partis (leaders et adeptes)
- le niveau de la population en général

Au niveau des protagonistes, la non adoption des partis se traduit notamment par l'absence de conviction idéologique qui se manifeste elle-même par le mimétisme politique, ainsi que l'excès d'opportunisme politique.

Au niveau de la population, la non adoption des partis s'exprime par la marginalisation du phénomène partisan par rapport aux préoccupations de la vie quotidienne.

Dans la foulée des facteurs exprimés plus haut se situe une série d'autres facteurs au premier rang desquels trône le manque du patriotisme des tenants des partis. Ce dernier facteur se manifeste par la non élaboration de la part des partis politiques de programmes axés sur l'intérêt général de la population, par la manipulation de particularismes à des fins divisionnistes, en vertu du principe du « divide ut imperes ».

L'absence de conviction idéologique, elle-même due au défaut de conviction politique de l'agent partisane induit des facteurs adjuvants tels que le manque de vision stratégique et de courage politique.

Autrement dit les partis politiques brillent par leur incapacité de se doter de projets de société à long terme et par leur refus de prendre des positions politiques gênantes, même lorsque ces positions s'avèrent être d'intérêt capital pour la Nation.

Le clientélisme des partis politiques rwandais est un autre facteur de détérioration de leur image. Ce clientélisme prend racine dans le manque de confiance en soi, ce qui pousse à rechercher à tous prix la protection par autrui,

même lorsque cela n'est pas nécessaire. Cet autrui peut être national ou international.

L'incompétence technique et politique constitue un autre facteur de détérioration de l'image des partis politiques rwandais. En effet, il est absurde que des institutions supposées devoir piloter la gestion politique de la société ne puissent pas s'imposer comme des modèles de la gestion technique et politique. Il se pose ici le problème de la construction de la capacité des partis.

Le mimétisme et le défaut de conviction politique sont également des facteurs de détérioration de l'image. Ils se traduisent par l'instabilité du paysage partisan des partis au Rwanda, de même que par l'instabilité des réseaux idéologiques au sein dudit paysage.

Ces instabilités se trouvent aggravées par autre facteur : le manque d'idéal politique. Ce facteur se manifeste essentiellement par l'absence d'idéologies précises, fermes, originales solides et englobantes par rapport aux réalités de la société.

Le cynisme et le manque de dynamisme viennent enfin clôturer notre liste des facteurs de détérioration de l'image des partis au Rwanda. Le cynisme s'exprime par des comportements violant les principes moraux qui régissent la société. Quant au manque de dynamisme, il se traduit par la stagnation de l'action des partis face à l'environnement sans cesse changeant de la société. L'environnement est ici envisagé aussi bien sous son aspect interne que sous son aspect externe.

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2.2 Les indicateurs de la détérioration de l'image des partis politique au Rwanda

Un certain nombre d'indicateurs témoignent de la détérioration de l'image des partis politiques au Rwanda. Il s'agit principalement de :

- La non préoccupation du citoyen rwandais par des partis politiques
- La position des partis comme des entités effacées par rapport à la dynamique quotidienne des éléments de la société rwandaise
- La faiblesse du poids matériel et financier des partis par rapport aux autres éléments importants du paysage institutionnel rwandais
- L'ignorance de larges couches de la population rwandaise à propos des partis politiques
- La non respect des normes juridiques régissant les partis politiques par certains éléments de la Nation Rwandaise
- L'indifférence d'une bonne tranche de la population vis-à-vis des partis politiques
- L'instrumentalisation des partis politiques par leurs leaders et leurs adeptes
- Le manque de fierté des membres vis-à-vis de leurs partis politiques
- L'effacement des partis politiques, par rapport à l'espace médiatique et au monde des débats et des publications
- Le refus traumatique d'une bonne tranche de la population d'adhérer aux partis politiques.

La non préoccupation des rwandais vis-à-vis des partis est un indicateur important de la détérioration de leur image auprès de la population.

Cet indicateur montre que pour le Rwandais du commun, les partis politiques n'ont pas d'importance. Cette perception détonne relativement au rôle de pilotes de la société que les partis sont censés jouer. L'impression d'effacement des partis politiques par rapport à la dynamique quotidienne des éléments de la société, constitue également un indicateur de la détérioration de l'image desdits partis. En effet, les partis ne sont pas visibles dans le fonctionnement compétitif des composantes de la société. Aussi, les partis sont-ils perçus par le commun des Rwandais comme des institutions sans vivacité.

L'indicateur ci haut évoqué est corroboré par un indicateur voisin : la perception des partis par une tranche de la société rwandaise, comme des entités à faible poids matériel et financier, c'est à dire comme des entités à percevoir les partis, c'est à dire à faible puissance matérielle et financière par rapport aux autres institutions.

L'ignorance des partis et de leur action par de larges couches de la population rwandaise est également un indicateur non négligeable de la détérioration de l'image desdits partis.

Cet indicateur tire sa valeur l'ancienneté relative du phénomène partisan au Rwanda (à peu près un demi-siècle d'existence) qui contraste avec leur faiblesse manifeste par rapport aux autres institutions rwandaises.

Le non respect par les Rwandais du régime juridique des partis est aussi un indicateur très significatif de la détérioration de l'image des partis. La valeur d'un tel indicateur réside dans le fait que la création illégale de partis est un indice du non respect de l'institution partisane par les Rwandais. Autrement dit, les Rwandais

ne prennent pas au sérieux le phénomène partisan, ils violent à tort et à travers, les normes régissant le phénomène en question.

2.3 L'impact de la détérioration de l'image des partis politiques au Rwanda

Les conséquences de la détérioration de l'image des partis politiques au Rwanda sont nombreuses et graves. Elles s'exercent sur le système social rwandais en général, et de manière particulièrement cruciale sur la composante politique de ce système social. En effet, à l'heure où le pluralisme s'impose à tous les pays du monde comme voie incontournable de gestion et de développement politiques, le multipartisme s'impose également comme la pièce maîtresse du pluralisme. Autrement dit, l'option démocratique d'organisation, de gestion et de développement des sociétés s'avère aujourd'hui être la plus efficace, et son élément fondamental est le multipartisme. Toutefois, il ne peut y avoir de démocratie saine que celle qui repose sur un multipartisme sain tant dans sa dimension verticale que dans sa dimension horizontale. Le multipartisme rwandais est loin d'être sain. La détérioration de son image est à la mesure de la détérioration de son être même. De là, l'on comprend aisément qu'un tel multipartisme a des conséquences fâcheuses sur le système socio - politique dans lequel il s'insère.

Pour illustrer ces conséquences, nous pourrions recourir à une formule lapidaire, elle-même concrétiser par un schéma :

A système partisan détérioré, système socio politique détérioré et vice-versa :

Système partisan détérioré - Système politique détérioré

Les conséquences de la détérioration de l'image des partis politiques au Rwanda, se font sentir sur plusieurs plans à savoir :

- les partis politiques eux-mêmes
- le gouvernance de l'Etat
- le partage du pouvoir politique
- la cohésion du tissu social
- la sécurité physique, mentale, économique, publique aussi bien sous son aspect collectif qu'individuel
- le développement économique, social, politique et culturel de la population.

L'impact de la détérioration de l'image des partis politiques au Rwanda sur l'être des partis peut se résumer aux traits suivants :

- les partis souffrent de la non institutionnalisation sociologique, c'est à dire de la non légitimation par la population. Même lorsque ces partis jouissent de la légalité, ils demeurent sans enracinement dans la société parce que coupés de la légitimité sociale.
- les partis restent ainsi des institutions de façade, ce qui explique leur instabilité organisationnelle et idéologique, ainsi que leur manque de cohésion interne.
- les partis accusent souvent un manque de détermination et de ténacité ce qui les rend incapables d'avoir la patience stratégique nécessaire et ainsi de soutenir un effort de longue

haleine dans la compétition pour la conquête et l'exercice du pouvoir. Certains partis veulent tout, tout de suite, et lorsqu'ils n'y arrivent pas, ils baissent les bras !

- l'amour des raccourcis pousse souvent les partis à l'usage d'une violence machiavélique, ils s'éloignent ainsi de l'idéal démocratique.
- la perte de la crédibilité des partis auprès de la population fait que le phénomène partirant devient démotivant vis à vis de la même population.

Cette démotivation se traduit par l'inaptitude du phénomène partisan à susciter dans les cœurs des citoyens la passion de créer des partis ou d'adhérer avec enthousiasme à ceux qui existent déjà.

L'impact de la détérioration de l'image des partis est également ressenti sur le plan de la gouvernance de l'Etat.

Ici, il importe de rappeler qu'un multipartisme bien organisé, bien conduit et bien articulé par rapport aux réalités de la société est un facteur de bonne gouvernance de l'Etat. En effet, la bonne gouvernance suppose entre autres éléments fondamentaux la démocratisation de l'organisation des institutions et la participation populaire, éléments qui ont le multipartisme sain comme l'une des bases indispensables. Or, dans le contexte d'un multipartisme détérioré, les partis ne peuvent pas jouer un rôle positif vis à vis la gouvernance de l'Etat. C'est la cas pour le Rwanda.

Ce constat touche également le partage du pouvoir politique. Il est évident qu'un multipartisme sain constitue un des piliers fondamentaux du pluralisme, qui

a son tour constitue une garantie certaine d'un partage équitable du pouvoir politique. En revanche le multipartisme de façade fausse le jeu du partage du pouvoir, avec tout le cortège de dangers que cela comporte.

La détérioration de l'image des partis, fille de la détérioration de la détérioration du paysage partisan a aussi un impact négatif sur la cohésion du tissu social. En effet, vu l'influence incontournable sur le leadership politique de la société, les anomalies inoculées par les partis à ce leadership nuisent automatiquement à l'harmonie sociale, produisent des divisions de toutes sortes au sein de la société. La société rwandaise n'a cessé de souffrir de cette tare des partis depuis l'aube de son histoire post-coloniale jusqu'à l'heure actuelle. Rappelons que le phénomène partisan est envisagé dans la globalité de la Nation Rwanda, c'est à dire au delà de l'Etat Rwandais.

L'impact négatif de la détérioration de l'univers partisan rwandais et de son image n'épargne pas la société rwandaise sous les autres points névralgiques telles que la sécurité et le développement.

Dans ce sens, il est certain que les dysfonctionnements qui induisent une image des partis corrélativement négative des partis se répercutent sur la sécurité de la population, notamment sous ses aspects physiques, mental et économiques ainsi qu'à son double niveau individuel et collectif.

Enfin, l'impact négatif de la détérioration des partis et de leur image empirique le développement de la société sous ses diverses facettes, touchant notamment ses dimensions économique, sociale, politique et culturelle. Ce constat

repose également sur l'observation des turbulences de la société rwandaise depuis l'avènement des partis au Rwanda.

II. LA REHABILITATION DE L'IMAGE DES PARTIS POLITIQUES AU RWANDA

La réhabilitation de l'image desdits partis implique une action positive préalable sur les facteurs de détérioration de cette image. Nous énumérerons les éléments essentiels d'une telle action avant d'en faire un commentaire succinct.

La réhabilitation de l'image des partis présuppose la réhabilitation de l'image de ces partis eux-mêmes, puisque la détérioration des partis est fonction de la détérioration des partis eux-mêmes.

Autrement dit, pour améliorer l'image des partis auprès de la population, il importe de réformer préalablement les partis eux-mêmes. L'amélioration de leur image suivra conséquemment.

Dans ce sens, l'amélioration de l'action des partis implique essentiellement de leur part, les actions qui suivent :

- mettre en place des projets de société adéquats par rapport aux besoins et aux aspirations de la population
- définir des idéologies exemptes de sectarisme
- renforcer la capacité, notamment sur les plans institutionnel, technique et politique
- opérer la démocratisation interne, c'est à dire la démocratisation des partis eux-mêmes
- cultiver le sens de la patience et de la dignité politiques

- réserver une place de choix au patriotisme et au nationalisme
- faire preuve de courage politique
- agir avec dynamisme
- privilégier l'esprit d'initiative
- promouvoir la créativité
- s'ouvrir sur le monde et élargir les horizons
- entretenir des ambitions politiques saines
- rester à l'écoute de la population
- avoir un idéal politique
- faire preuve de constance politique
- suivre et évaluer régulièrement et méthodologiquement la gouvernance de l'Etat
- respecter les normes juridiques
- se départir du fictivisme politique.

La promenade du regard sur le phénomène partisan rwandais dans ses dimensions verticale et horizontale nous a permis de mettre à nu ses anomalies et d'y proposer des solutions. Pour que ces solutions soient efficaces, elles doivent être envisagées dans une vision englobante, c'est à dire, embrassant aussi bien le cadre interne que le cadre externe des partis, de même que l'univers politique rwandais interne et externe.

Lorsqu'on scrute sans complaisance les partis politiques rwandais du passé et du présent on se rend compte qu'ils souffrent en général du manque de véritables projets de société. A ce sujet, les documents qui tiennent lieu de tels projets sont soit trop sommaires et non adéquats par rapport aux réalités, soit compilés à la hâte à partir de projets de société de partis étrangers.

Il importe donc que les partis politiques rwandais se dotent de projets de société réalistes, englobants, détaillés et bien entendu flexibles vis-à-vis de l'environnement interne et externe.

Cependant la mise en place de projets de société ne peut induire l'amélioration de l'image des partis au Rwanda que si elle est accompagnée des mesures que nous avons énumérées plus haut. L'une des plus importantes parmi ces mesures est l'émancipation du paysage partisan rwandais vis à vis du borbier sectariste. Celui-ci affiche des visages divers, allant de l'éthnisme au religionnisme, en passant par le régionalisme, le népotisme, le sexualisme.. pour ne citer que ces quelques aberrations.

Pour que les partis rwandais puissent réaliser correctement leur mission de pilotes de la société, il faudra qu'ils se débarrassent à tout jamais du carcan sectariste.

Dans la même ligne, les partis rwandais doivent renforcer leurs capacités notamment sur les plans institutionnel, technique et politique.

En effet, les partis ne peuvent pas induire le renforcement des capacités de la société rwandaise s'ils ne commencent pas par renforcer leurs propres capacités. Ce renforcement une fois réalisé, les partis seront en même d'assurer correctement leur rôle de protagonistes du renforcement des capacités de la société.

La démocratisation interne est un autre impératif qui interpelle les partis politiques rwandais. Cet impératif est d'autant plus vital que les partis ont le devoir de conduire la société à la démocratie. Ils doivent donc prêcher par l'exemple, c'est à dire se démocratiser eux mêmes d'abord.

La mise en œuvre des mesures évoquées plus haut sera facilitée si les partis inculquent à leurs leaders et à leurs adeptes des vertus cardinales telles que la patience politique, le patriotisme, le nationalisme, le courage politique, l'esprit d'initiative, le sens de créativité et la communion avec l'environnement social.

CONCLUSION

Une réflexion sur les facteurs, les indicateurs et l'impact de la détérioration de l'image des partis politiques au Rwanda, permet l'esquisse de solution pouvant conduire à l'amélioration de l'image en question. C'est ce que nous avons tenté de faire dans le présent article. Toutefois, comme la détérioration de l'image des partis n'est qu'une conséquence de la détérioration des partis eux-mêmes, la réhabilitation de cette image présuppose la réhabilitation des partis eux mêmes. Certes le diagnostic des anomalies des partis politiques rwandais et l'identification d'une thérapie y relative sont des tâches qui requièrent une investigation de longue haleine. Nous pensons toutefois que la présente réflexion jette tout au moins quelques jalons de ce long processus.

Le paysage partisan rwandais d'aujourd'hui comme celui d'hier, souffre de plusieurs maux articulés autour du fictivisme politique.

Aussi, la société rwandaise est -elle interpellée par l'impérieux devoir d'éradiquer cette tare qui constitue un obstacle extrêmement dangereux à ses efforts de décollage dans la perspective de sa vision 2020.

BIBLIOGRAPHIE

1. P. AVRIL, Essai sur les Partis, Paris, LFDJ, 1986
2. J. CHARLOT, les partis politiques, Paris, A. Colin, 1971

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Dans la même ligne, les partis rwandais doivent renforcer leurs capacités notamment sur les plans institutionnel, technique et politique.

En effet, les partis ne peuvent pas induire le renforcement des capacités de la société rwandaise s'ils ne commencent pas par renforcer leurs propres capacités. Ce renforcement une fois réalisé, les partis seront en même d'assurer correctement leur rôle de protagonistes du renforcement des capacités de la société.

La démocratisation interne est un autre impératif qui interpelle les partis politiques rwandais. Cet impératif est d'autant plus vital que les partis ont le devoir de conduire la société à la démocratie. Ils doivent donc prêcher par l'exemple, c'est à dire se démocratiser eux mêmes d'abord.

La mise en œuvre des mesures évoquées plus haut sera facilitée si les partis inculquent à leurs leaders et à leurs adeptes des vertus cardinales telles que la patience politique, le patriotisme, le nationalisme, le courage politique, l'esprit d'initiative, le sens de créativité et la communion avec l'environnement social.

CONCLUSION

Une réflexion sur les facteurs, les indicateurs et l'impact de la détérioration de l'image des partis politiques au Rwanda, permet l'esquisse de solution pouvant conduire à l'amélioration de l'image en question. C'est ce que nous avons tenté de faire dans le présent article. Toutefois, comme la détérioration de l'image des partis n'est qu'une conséquence de la détérioration des partis eux-mêmes, la réhabilitation de cette image présuppose la réhabilitation des partis eux mêmes. Certes le diagnostic des anomalies des partis politiques rwandais et l'identification d'une thérapie y relative sont des tâches qui requièrent une investigation de longue haleine. Nous pensons toutefois que la présente réflexion jette tout au moins quelques jalons de ce long processus.

Le paysage partisan rwandais d'aujourd'hui comme celui d'hier, souffre de plusieurs maux articulés autour du fictivisme politique.

Aussi, la société rwandaise est —elle interpellée par l'impérieux devoir d'éradiquer cette tare qui constitue un obstacle extrêmement dangereux à ses efforts de décollage dans la perspective de sa vision 2020.

BIBLIOGRAPHIE

1. P. AVRIL, Essai sur les Partis, Paris, LFDJ, 1986
2. J. CHARLOT, les partis politiques, Paris, A. Colin, 1971

20. R. SALLES, « Le parti communiste de Grade – Bretagne et les élections », RFSP 27(3), juin 1977.
21. G. BAGGET – BOZZO, « La crise de la démocratie chrétienne », Pouvoirs (18), 1981.
22. V. BOGDANOR, Liberal party Politics, Oxford, the Clarendon Press, 1983.
23. R. A. RUTLAND, the Democrats from Tafferson to Carter, Baton Rouge, Louisiana State University Press, 1979.
24. R. BLAKE, the conservative Party from Peel to Thatcher, London, Foutana, 1985.
25. F. CAPRA et C. SPRETNAK, Green Politics, London, Hutchinson, 1984.
26. F.P. BELLONI et D. L. BELLER (eds), Factional Politics : Political Parties and Factionalism in Comparative Perspective, Santa Barhara, Clio Press, 1978.
27. V.O.KEY Jur ; Politics, Parties and Pressure Groups, New York, Th. Crowel & Co., 1964.
28. S.H. BEER, Modern British Politics: a study of Parties and Pressure Groups, 3e éd. London, Faber and Faber, 1982.
29. G. SARTORI : parties and Party System : a framework for analysis, Cambridge University Press, 1976.

30. G. SMITH, Democracy in Western Germany Parties and Policies in the Federal Republic, 2e éd., London, Heinmann, 1986.
31. J.L. SUNDQUEST, Dynamics of the party system, Washington DC, Brookings Institution, 1983.

ANNEEXE

LESTE DES SIGLES ET ABREVIATIONS

- O.R.U : Ordonnance du Rwanda – Urundi
 UNAR : Union Nationale Rwandaise
 APPROSOMA : Association pour la Promotion Sociale de la Masse
 PARMEHUTU : Parti du Mouvement de l'Emancipation Hutu
 RADER : Rassemblement Démocratique Rwandais
 MDR : Mouvement Démocratique République
 MRND : Mouvement Révolutionnaire National pour le Développement
 PSD : Parti Social – Démocrate
 PL : Parti Libéral
 PSR : Parti Socialiste Rwandais
 UDPR : Union Démocratique du Peuple Rwandais
 PDI : Parti Démocrate Idéal
 PDC : Parti Démocratique Centriste
 FPR : Front Patriotique Rwandais
 PPC : Parti du Progrès et de la Concorde
 PSP : Parti pour la Solidarité et le Progrès
 CDR : Coalition pour la Défense de la République

**Women and the Right to Adequate housing
under**

section 26 of the South African Constitution

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Introduction

Everyone shares the right to a decent standard of living. Essential to the achievement of this standard and therefore to the fulfilment of human life beyond simple survival is access to adequate housing. Housing forms an indispensable part of ensuring human dignity. "Adequate housing" encompasses more than just the four walls of a room and a roof over one's head⁵⁸.

Housing is essential for normal healthy living. It fulfils deep-seated psychological needs for privacy and personal space; physical needs for security and protection from inclement weather; and social needs for basic gathering points where important relationships are forged and nurtured.

In most developing cultures and societies, the home is the only sphere in which many women exist. Women are primary users of household facilities and they have housing needs and contributions to make that are

⁵⁸ *General Comment* No. 4 (1991) to article 11 of the International Covenant on Economic, Social and Cultural Rights, para. 7.

different from those of men⁵⁹. Most literature in the low-income housing field acknowledges that inadequate housing tends to have a more adverse impact on women, who spend more time in the home and its immediate environment. Therefore, it is natural to assume that women are most affected by housing and inadequacies in their housing situation.⁶⁰

Women's access to adequate housing in South Africa is informed by the historical, social and economic context within which women seek to access housing. Discriminatory laws and practices have limited women's access to housing and other socio-economic rights. They have disproportionately affected black women.

In general women are also responsible for providing basic facilities and household services to their families. As a result, a lack of housing, water, sanitation and electricity places an enormous burden on women⁶¹. In addition, the quality of services has a direct impact on the extent of household labour and health of the family, and thus women's responsibility in this regard.

According to Sadie and Loots,⁶² poor housing conditions and lack of services can place an intolerable burden on especially women who have to work outside the house. Although men were traditionally regarded as the main

⁵⁹ Republic of South Africa, *South Africa's national Policy Framework for Women's Empowerment and Gender Equality* (2000) 1.

⁶⁰ Chant, S., *Female Household Headship and the Feminisation of Poverty: Facts, Fictions and Forward Strategies* (2003a) 9.

⁶¹ Benschop, M., *Women's Right to Land and Property* (2004) 25.

⁶² Sadie, Y and Loots, E. *RDP Projects in South Africa - A Gender Perspective Analysis* (1998) 10, Available at <http://www.iss.co.za/Pubs/Monographs/No27/rdp.html>. Accessed on 23/03/ 2006.

economical provider, situations have changed dramatically over the past few decades. Particularly in developing countries women's importance in respect of economical provision of their families cannot be underestimated⁶³.

The topic of women's right to adequate housing is obviously a broad and complicated one, it cannot all be analysed in this work. But this should not discourage one from discussing the matter further. After all, women's right to adequate housing is central to the enjoyment of almost other rights enshrined in the Bill of Rights.

For being exhaustive, this paper will be focussed in this question: Has the state failed to create and to execute a comprehensive and coordinated plan to provide housing for women?

To answer this question, it will be necessary to:

- a. Determine the ambit of the right in question: FC s 26.
- b. Whether the state has a specific obligation to provide housing for women in terms of FC s 26.
- c. If it does, the National Housing Policy for Women meets the criteria articulated in *Grootboom*.
- d. If the current National policy does not meet FC s 26 criteria, then what remedies, if any, are appropriate?

The leading jurisprudence South African case on the right is: *Government of the Republic of South Africa and others v Grootboom and others*⁶⁴ (hereafter *Grootboom*). In *Grootboom*, Mrs Irene Grootboom and the other 899 respondents were homeless because they were evicted

⁶³ Organisation for Economic Co-operation and Development (OECD). *Women in the City, Housing, Services and the Urban Environment*. 1995.

⁶⁴ 2000 (11) BCLR 1169 (CC).

from their informal homes, which had been erected on private land earmarked for formal low-cost housing. Many had applied for subsidised low-cost housing from the municipality but had been on the waiting list for as long as seven years. The respondents were mainly, but not exclusively, *women* and children. The respondents were evicted, as the Constitutional Court described it “prematurely and inhumanely”, their homes bulldozed and burnt and their possessions destroyed.⁶⁵

I will refer to the case in more detail to analyse the implications of Grootboom for women and housing policy. Before discussing in detail these points let’s make an overview on the scope of Women’s right to adequate housing.

II. The Scope of the Right to Adequate Housing

As started above adequate housing encompasses more than just the four walls of a room and a roof over one’s head. The right to adequate housing “applies to everyone” and this right must be understood in a wide sense. In the *Grootboom case*⁶⁶ the Constitutional Court held that “*housing entails more than bricks and mortar. It requires available land, appropriate services such as the provision of water and the removal of sewage and the financing of all of these, including the building of the house itself. (...).*”

In the same vein, the *Special Rapporteur* on adequate housing expressed that the right to housing should not be interpreted in a narrow or restrictive sense, but should be seen as the right to live somewhere in security, peace and

⁶⁵ *Grootboom* para 10.

⁶⁶ *Grootboom* para 35.

dignity. It should be ensured to all persons irrespective of income or access to economic resources⁶⁷.

He added that the concept of housing must go beyond the private home to include different forms of accommodation used by women on temporary and permanent bases, including shelters, detention centres, refugee camps, and factory dormitories. Within all these forms of housing, all the elements of the right to adequate housing must equally apply, including ensuring security from harassment and violence⁶⁸.

III. The ambit of housing rights in section 26 of the Constitution

Section 26 protects housing rights. This section protects people's homes and places obligations on States to ensure access to housing. In other words, the Constitution creates, in section 26, an entitlement for everyone, over a period of time, to have access to adequate housing.

The constitution also endorses the right to equality. Non racialism and non-sexism are among the foundational values of the Constitution (s 1(b)). Section 9(1) of the Constitution recognises that everyone is equal before the law and has the right to equal protection and benefit of the law. Section 9(2) expressly recognises that equality includes the full and equal enjoyment of all rights and freedoms.

In addition to section 9(3) prohibiting unfair discrimination on a host of grounds which include sex and gender, section 9(2) specifically recognises that

⁶⁷ Miloon K., *Report submitted on Sixty-first session 25/02/2205 (E/CN.4/2005/43)* available at <http://www.Cohre.org/hrbody> consulted on 31/03/2006.

⁶⁸ Ibidem.

special measures may be adopted to promote the achievement of equality amongst previously disadvantaged groups. When we read section 9 with section 26, it is clear that the State has an obligation to prohibit unfair discrimination in respect of housing rights, and that it can adopt special measures to promote equality for **women** in the housing sector.

In the *Grootboom*⁶⁹ case, the Constitutional Court sought to give effect to housing rights as provided for in section 26. In doing so, it pronounced on key principles. These principles specifically relate to people “who have no access to land, no roof over their heads, for people who are living in intolerable conditions and for people who are in crisis because of natural disasters such as floods and fires, or because their homes are under threat of demolition”.⁷⁰ Because women are more likely than men to be living in intolerable conditions, the case provides a useful framework for an analysis of women’s housing rights.

III.1 Who has the duty to realise housing rights?

The Court in *Grootboom* noted that section 26 (1) gives everyone the right of “access” to adequate housing. This means that the State must create conditions through laws, budgets and other measures that enable individuals and groups to gain access to housing. Further, both the State and private actors such as banks and landlords must not prevent access to housing rights. The CESCR⁷¹ recognises the particular vulnerability of women in

⁶⁹ *Republic of South Africa and Others v Grootboom and Others* 2000 (11) BCLR 1169 (CC)

⁷⁰ At para 52.

⁷¹ CESCR means, Committee on Economic, Social and Cultural Rights.

forced evictions because of lesser property rights and vulnerability to violence.

III. The constitutional Right of access to adequate housing

Section 26 of the South African Constitution provides as follows:

- *Everyone has the right to have access to adequate housing.*
- *The State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.*
- *No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.*

The Constitution does not specify the exact mechanisms and strategies for the effective realisation of housing rights. However, the Constitutional Court in *Grootboom* pronounced on the interpretation of key elements of section 26. International law, particularly the International Covenant on Economic, Social and Cultural Rights (ICESCR), also assists in interpreting s 26.

Section 7(2) of the Constitution mandates the State to respect, protect, promote and fulfil the rights in the Bill of Rights, including housing rights. Other parts of the Constitution make it clear that national, provincial and local spheres of government all bear some of this responsibility in respect of housing.

This was also made clear by the Constitutional Court in *Grootboom* where it noted:

*In the case of housing, it is a function shared by both national and provincial government. Local governments have an important obligation to ensure that services are provided in a sustainable manner to the communities they govern.*⁷²

It is accordingly clear that all three spheres of government bear certain obligations in realising housing rights in general and for specifically complying with the Constitutional Court's framework as set out in *Grootboom*.

IV.1 The context within which section 26 should be interpreted

The Court noted that an interpretation of section 26 requires a consideration in both its textual and social and historical contexts. The textual context requires a recognition of the close relationship between housing rights and other rights. The social and historical context requires that housing rights be seen against the legacy of deep social inequality.⁷³

The gender factors which impact on women's access to housing will be described in detail below. The context within which women seek to access housing must inform at least the following aspects of housing rights:

- Costs of housing, financing options and access to credit available for housing;
- the design and type of housing;
- the location of housing;

⁷² *Grootboom* para 39

⁷³ *Grootboom* para 22

- the different family forms within which women seek to access housing; and
- the provision of “emergency housing” where women are forced to leave their homes as a result of domestic violence.

Because women do not constitute a homogenous group, the particular context within which different groups of women claim access to housing rights must also be acknowledged. For example, housing for women with physical disabilities might require a particular design and form. The housing needs of women living with HIV include locating housing to ensure easy access to health care services, other amenities and broader support structures.

IV.2 Constituent elements of adequate housing

IV.2.1 The right of Access

In the word of the constitutional Court, the right of access to housing is implicitly a restriction on the State and others from preventing or impairing the right of access to adequate housing.⁷⁴ Furthermore, the Court said the Constitutional ‘access to adequate housing’ is a broader right than the right to ‘adequate housing’. For a person to have access to adequate housing all of these conditions need to be met: there must be land, there must be services, there must be a dwelling.⁷⁵ Hence, “Access to land for purpose of housing is included in the right of access to adequate housing”.⁷⁶

⁷⁴ Id. para 34.

⁷⁵ Id. para 35.

⁷⁶ Ibid.



IV.2.2 Adequate housing

The concept of adequacy implies “commensurate in fitness; sufficient, suitable”.⁷⁷

In the United Nations Committee on Economic Social and Cultural Rights’ opinion, “the concept of adequacy is particularly significant in relation to the right to housing since it serves to underline a number of factors which must be taken into account in determining whether particular forms of shelter can be considered to constitute ‘adequate housing’ for the purposes of the Covenant. While adequacy is determined in part by social, economic, cultural, climatic, ecological and other factors, the Committee believes that it is nevertheless possible to identify certain aspects of the right that must be taken into account for this purpose in any particular context.

The committee has identified seven core factors: “*legal security of tenure; availability of services, materials, facilities and infrastructures; affordability; habitability; accessibility; location; and cultural adequacy.*”⁷⁸

IV.2.3 Other factors related to the right to adequate housing

IV.2.3.1 Health

As the Committee on Economic, Social and Cultural Rights acknowledged, it is essential for a house, in order to be ‘adequate’, to contain ‘certain facilities essential for health, security, comfort and nutrition’.⁷⁹ It continued that ‘all beneficiaries of the right to adequate housing

⁷⁷ Short Oxford English Dictionary. Quoted by Geraldine B ‘Housing’ in Cheadle D., *South African Constitutional Law: the Bill of Rights* (2002) 479.

⁷⁸ *General comment No. 4: The right to adequate housing* (art. 11 (1) of the Covenant) para 8 (a) to (g).

⁷⁹ *Ibid.* para. 8(b).

should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means and food storage, refuse disposal, site drainage and emergency services.⁸⁰ It finally stated that adequate housing should be in a location which allows access, *inter alia*, health care service.

IV.3 The State's obligation to take reasonable legislative and others measures

The Court in *Grootboom* used reasonableness as a yardstick to measure policy, legislative and other measures adopted by the government in order to achieve the progressive realisation of the right of access to adequate housing. Reasonableness in a sense that the courts can require an explanation from the State of the measures chosen to fulfil the right pertaining of access to adequate housing and all other economic and social rights.

IV.3.1 Reasonable legislative measures

The judgment in *Grootboom* confirms that the right of access to housing creates both negative⁸¹ and positive⁸² obligation for the state. To take reasonable legislature is a positive obligation as stressed in section 26(2) of the South African Constitution. Political turmoil and policies of the pre-democratic era resulted in a housing market characterised by severe housing shortages. Therefore, The South African housing policy and programme was introduced in 1994 and several legislative documents

⁸⁰ Ibid. para. 8(b) and (f).

⁸¹ *Grootboom* para 20.

⁸² Para 38.

concerned with housing were developed. This point will be described below.

IV.3.2 Reasonable...other measures

The essence of the Constitutional Court's judgment in the *Grootboom* case is that where the State is required to realise a socio-economic right progressively, both government policy and other measures taken to implement that policy must be "reasonable." According to the words of Constitutional Court in the *Grootboom judgment*, the following is the standard of reasonableness for assessing compliance with the State's positive duties:

- The measures must be coherent, comprehensive, co-ordinated and directed towards the progressive realisation of the right and ensuring that public money is better spent. These must show proper co-operation between the different spheres of government.⁸³
- The measures "must be capable of facilitating the **realisation** of the right".⁸⁴
- Mere legislation is not enough, policies and programmes must be reasonable "both in their conception and their implementation".⁸⁵
- Considering housing problems in their social, economic and historical context, the programme must be "balanced and flexible and make appropriate provision for attention to housing crises and to short, medium and long term needs". A reasonable programme cannot exclude "a significant segment of society". Conditions do not

⁸³ Para. 68.

⁸⁴ Para. 41.

⁸⁵ Para. 42.

remain static and therefore the programme will require continuous review.⁸⁶

- The programme must include a component that responds to the urgent needs of those in desperate situations. Thus the State must “plan, budget and monitor the fulfilment of immediate needs and the management of crises ...This must ensure that a significant number of desperate people in need are afforded relief, though not all of them need to receive it immediately”.⁸⁷

The Court’s power of review under s 26(2) requires an assessment whether the means selected are reasonable in relation to the goal of achieving access by everyone to adequate housing. The State must be in a position to demonstrate that it has taken measures that are ‘deliberate, concrete and targeted as clearly as possible’ towards meeting its obligations.⁸⁸

In *Jaftha & Anor. v. Van Rooyen & Anor.*⁸⁹ the Court found that any measure which permits a person to be deprived of existing access to adequate housing limits the constitutional right to housing. The Court proceeded to consider whether such a measure is “reasonable and justifiable in an open and democratic society based on human dignity equality and freedom.”

⁸⁶ Para. 43.

⁸⁷ Para. 68.

⁸⁸ *General Comment* No 3 para 2.

⁸⁹ Case No. CCT74/03, 8 October 2004 available on <http://www.concourt.gov.za/files/7403/7403.pdf> consulted on 11/04/2004;

IV.4 Within its available resources

Section 26(2) explicitly allows the state to rely on the extent of its available resources in justifying the progress it has made in realising the right, and in **resisting** a demand for particular positive action. To **determine** whether the state's action or inaction is reasonable, one has to take into account the resources available to actually realise the right in question. There has to be a balance between goal and means. The measures have to be calculated to attain a goal expeditiously and effectively, but the availability of resources would always be an important factor in determining what was reasonable in a particular case. However, lack of resources can never be used to justify failure by the state to take steps towards the enjoyment of the right.⁹⁰ Even with extremely **limited** resources, the state has an obligation to delineate its core minimum obligations to take some measures towards the realisation of the right of access to adequate housing.

The Limburg Principles interpret the phrase, 'available resources' as used in article 2(1) of the Covenant to include both the resources within a state and those **available** from international **community** through **international co-operation and assistance**.⁹¹

The Court's role is to determine if government action or inaction is reasonable and consistent with the constitutional objectives of ensuring that the available resources have been expended for housing.

⁹⁰ *General Comment* 3 (1990) para 11.

⁹¹ The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights, Part I para 26.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) states that if a State is unable to meet even its minimum obligations due to lack of resources, it must at least be able to demonstrate that every effort has been made to use all resources to satisfy those minimum obligations.

IV.5 To achieve the progressive realisation of this right

This provision allows the State some latitude in the time it is allowed to achieve the full realisation of the right. It cannot be expected to ensure access to adequate housing to everyone overnight. In other words the right to adequate housing is not immediately realisable as it is limited by the provision of the 'progressive realisation' and within available resources. However, this latitude is not unlimited.

The UN Committee interprets the concept of 'progressive realisation' to impose an obligation on the State 'to move as expeditiously and effectively as possible towards that goal'.⁹² The development and legislation must reflect a serious and rational attempt to meet constitutional commitment as a matter of priority.⁹³

Section 26(1) is an 'access' right with an internal qualifier, which makes the State's obligations for the progressive realisation of the right dependent on available resources. The State is obliged to show that it is not only taking appropriate steps to implement housing rights, but that there is a continuous improvement of living conditions and that housing is made available to a

⁹² *General Comment No 3* para 9.

⁹³ *General Comment No 1* para 4.

wider range of people as time progresses.⁹⁴ In the words of the Court, the Constitution does not oblige the state to go beyond its available resources or to realise the socio-economic rights contained in the Constitution immediately. The State, however, must give effect to these rights and, in appropriate circumstances, the courts can and must enforce these obligations.⁹⁵

V. Does the State have a specific obligation to provide housing for women in terms of FC s26?

V.1 Housing rights as progressive legal obligations

The complex nature of housing and the growing prominence of human rights within international relations and law, has led certain commentators to equate a recognition of housing rights with the immediate duty of governments to substantively provide a house to anyone who requests it to do so. This inaccurate understanding of the meaning of housing rights, however, reflects neither general State practice nor the definitive interpretations given this right.

For instance, the final report of the *Special Rapporteur* of the Sub-Commission in 1995 provides guidance into how the right to adequate housing should be approached by firmly stating that this right should not be taken to imply:

- *That the State is required to build housing for the entire population;*
- *That housing is to be provided free of charge by the State to all who request it;*

⁹⁴ *Government of the Republic of South Africa v Grootboom and Others* 2000 (11) BCLR 1169 (CC) para 45.

⁹⁵ *Grootboom v Oostenberg Municipality et. al.* 2000 (3) BCLR 227 (C).

- *That the State must necessarily fulfil all aspects of this right immediately upon assuming duties to do so;*
- *That the State should exclusively entrust either itself or the unregulated market to ensuring this right to all; or*
- *That this right will manifest itself in precisely the same manner in all circumstances and locations.*⁹⁶

Conversely, in determining the legal implications of these rights, the *Rapporteur* notes that recognition of housing rights must be seen and interpreted, in the most general sense, to imply:

- *That once such obligations have been formally accepted, the State will endeavour by all appropriate means possible to ensure everyone has access to housing resources adequate for health, well-being and security, consistent with other human rights;*
- *That a claim or demand can be made upon society for the provision of or access to housing resources should a person be homeless, inadequately housed or generally incapable of acquiring the bundle of entitlements implicitly linked with housing rights; and*
- *That the State, directly upon assuming legal obligations, will undertake a series of measures which indicate policy and legislative recognition of each of the constituent aspects of the right in question*⁹⁷.

⁹⁶ UN Doc. E/CN.4/Sub.2/1995/12, paras 4-5. available at

⁹⁷ UN Doc. E/CN.4/Sub.2/1995/12, paras 12. 5 available at

V.2 Women and the right of access to adequate housing

Housing is not exclusively a 'women's issue'. However, housing policies, programmes and budgets - if they are to be reasonable and effective - must address the realities of women's lives.

As started above, South Africa has a constitution which entrenches non-sexism and non-racism in the Bill of Rights. It recognises primarily, that human rights are inalienable; they apply to all human beings. South Africans understand that the enjoyment of human rights is the most basic requirement and standard for the enjoyment of all human life. To this end South Africa has enacted legislation and ratified international and regional instruments aimed at the protection and promotion of women's rights as human rights.

V.2.1 Why women and housing?

We do not argue that housing is exclusively a "women's issue". But we do argue that the realities of women's lives must be addressed in housing policies, programmes and budgets. The full and equal enjoyment by women of their housing rights also requires that account be taken of women's historical, social and economic realities.

V.2.1.1 Historical context

Both colonial and apartheid laws and policies restricted black urbanisation, particularly African urbanisation. These laws disproportionately affected women's access to housing. In particular, influx control resulted in African men having easier access to urban areas as their labour was required on the mines and in industry. Women's labour in urban areas was meanwhile largely limited to domestic work.

Explicit laws and policies to control the mobility of African women were enacted from the 1930s. These laws made women dependent on their male partners or fathers for their right to remain in urban areas. In 1964 African women who were not employed or legally resident could only enter white urban areas with a visitor's permit. The application for a visitor's permit required the permission of male relatives.⁹⁸

In addition to the explicit legislation and policies, officials had vast discretionary powers, which they exercised in an arbitrary manner often with negative consequences for women. For example, the allocation of housing to families via male household heads was the norm. This historical legacy has resulted in significant numbers of women residing in informal settlements. The overall result has been that many women have been denied housing rights. Where they have been able to find housing, they have been relegated to the outskirts of economic centres, and have been disadvantaged by the poor quality of their housing.⁹⁹

V.2.1.2 Economic context

Women's economic realities have implications for their rights of access to housing. The 1996 census revealed that 26% of female heads of households had incomes of less than R500 per month compared to 13% of male heads of households. In 2001, two-fifths (40%) of all employed women worked in unskilled jobs.¹⁰⁰ Close on

⁹⁸ Pillay, *Rights, Roles and Resources: An Analysis of Women's Housing Rights – Implications of the Grootboom case* (2002) 8.

⁹⁹ *Ibid*

¹⁰⁰ Budlender D., *Women and men in South Africa: Five years on* (2002) 44.

one-fifth of employed women earned R200 or less per month, compared to only 9% of employed men.¹⁰¹

The situation is particularly bad for African women, who have a higher unemployment rate, and earn less when employed. Interrupted work patterns result from women's child care and other care-giving responsibilities. These responsibilities involve work, but the work is unpaid and generally unrecognised.

South Africa's first time use study revealed that women aged 10 years and above spend an average of 216 minutes per day on unpaid housework, care work, and **community work**, compared to an average of only 83 **minutes** for men.¹⁰² The need to undertake this work prevents many women from finding and taking up paid jobs. The interrupted work patterns also negatively impact on mobility and earnings in the workplace and ultimately on women's access to credit and ability to afford housing.

V.2.1.3 Social context

The social context within which women seek access to housing is informed by factors such as patriarchy, customary and religious laws and practices, domestic violence, and HIV/AIDS.

a) Patriarchy

In most societies, including South African society, patriarchal norms and values underpin gender relations. These norms can have serious consequences in the area

¹⁰¹ Id 46.

¹⁰² Budlender, Chobokoane & Mpetsheni, *A Survey of Time Use: How South African women and men spend their time* (2001) 36.

of housing. According to Karrisha Pillay¹⁰³, most male partners register homes in their own names. This forces women to forge and remain in relationships to meet their housing needs. Further, housing policy often favours couples. Single female-headed households are often excluded or discriminated against in housing practices, as they do not fit the traditional concept of a family.

b) Customary and religious laws and practices

Discriminatory customary and religious laws and practices often work to the detriment of women's housing rights. In particular, patrilineal succession under customary law has had serious implications for women's rights to land and housing. In addition, customary land tenure practices are based on communal tenure with rights vested in male traditional leaders. The allocation of land and housing by traditional authorities is to heads of households, who are almost always male. Women's right to land and housing is, as a result, dependant on their relationship to male heirs.¹⁰⁴

Historically, the minority legal status of women under customary law (regardless of age or marital status) has resulted in women not being able to own property except with the consent of a male relative.

Polygamy, whether formal or informal, also has an adverse impact on women and housing. A 1997 study by the Development Action Group revealed that male hostel dwellers were accessing subsidy schemes with women in urban areas and then bringing wives from rural areas to live with them. The consequence was that the urban

¹⁰³ Pillay, *Rights, Roles and Resources: An Analysis of Women's Housing Rights - Implications of the Grootboom case* (2002) 9.

¹⁰⁴ *Id* 10.

women were forced out of the common home and did not qualify for a further subsidy.¹⁰⁵

c) Domestic violence

Domestic violence has a profound effect on women's housing rights. It can result in:

- Women **staying** in abusive relationships as they have **nowhere** else to go;
- Child care and custody of children in such cases vesting in the **mother**, resulting in a heightened need for secure **housing**;
- Loss of housing as a result of separation or divorce.

The fact that housing is usually in the name of the man makes women's housing situation particularly tenuous in instances of domestic violence. Shelters for battered women are limited to some urban areas. In addition, most shelters only provide accommodation for a limited period of time. Hence, fleeing from an abusive situation brings with it the impossible choice between homelessness and staying in an abusive relationship.¹⁰⁶

d) HIV/AIDS

This further constrains women's access to housing. Disclosure of HIV status may bring about stigmatisation,

¹⁰⁵ South African Human Rights Commission 2000, *Second Economic and Social Rights Report, 1998-1999*, p260.

¹⁰⁶ The Centre on Housing Rights and Evictions, *Women's rights to adequate housing, land and property* available on <http://www.csvr.org.za/papers/papcharl.htm> consulted on 16/05/2006.

rejection, domestic violence, abuse and abandonment. Once the virus moves beyond the asymptomatic stage, it may place women in increasingly dependent positions, particularly in respect of their child care responsibilities.¹⁰⁷

Once women have AIDS symptoms, they are often precluded from formal work. This, in turn, adversely affects their financial position and ultimately their housing needs. Women's caring responsibility for those living with HIV/AIDS limits their employment prospects and renders access to housing increasingly unaffordable.

VI. Implications of the housing policy and programme for women

The Women and Housing policy relates to the requirements of the National Policy Framework on Gender Equality. Housing policy recommendations with regard to women beneficiaries are primarily based on a principle of affirmative action. The policy seeks to uplift the role of women in the housing delivery process towards equality with men.¹⁰⁸ These principles are analysed against the framework constructed above, in order to assess the extent to which they facilitate women's access to adequate housing. Since 1994, various legislative and policy developments have been introduced at a national level to provide an adequate framework for housing development. Some key contributions are summarised briefly below:

VI 1 The Housing Act.

¹⁰⁷ Ibid.

¹⁰⁸ Richards and Rust, 11.

The Housing Act¹⁰⁹ is a key piece of legislation in the housing sphere and sets out the principles that must underpin the realisation of housing rights. The Act shows sensitivity to vulnerable groups, by placing a specific obligation on all spheres of government to prioritise the needs of the poor in housing development and to promote the housing needs of marginalized women and other groups disadvantaged by unfair discrimination.

Section 1(vi) of the Housing Act commits government to: “the establishment and maintenance of habitable, stable and sustainable public and private residential environments to ensure viable households and communities in areas allowing convenient access to economic opportunities, and to health, educational and social amenities in which all citizens and permanent residents of the Republic will on a progressive basis, have access to –

- permanent residential structures with secure tenure, ensuring internal and external privacy and providing adequate protection against the elements; and
- potable water, adequate sanitary facilities and domestic energy supply.”

This approach to housing development has positive implications for women, echoing many of the key features of women’s housing rights discussed above. However, the impressive legislative framework is not always reflected in the actual quality of housing development.

VI.2. Women and the Housing Subsidy Scheme

¹⁰⁹ No. 107 of 1997

The housing subsidy scheme targets South African citizens most in need of shelter, earning less than R3 500 per month. In this regard the "government is committed to ensuring that the percentage of housing subsidies that are allocated to women is representative of the percentage of female-headed households in a particular province".¹¹⁰

The National Department has noted some success in reaching female-headed households as beneficiaries of the subsidy programme, with a total of 50.5% of subsidies approved going to female-headed households.¹¹¹ However according to Budlender,¹¹² it is very difficult to measure the gender impact of services and housing provided by the current housing subsidies. Housing departments therefore attempt to measure gender impacts through the percentage of female-headed households who are benefiting from the subsidy.

VI.3 The People's Housing Process

The People's Housing Process Trust supports home-building initiatives by individuals, families or communities. The programme is designed to assist multi-household groups to play an active role in their own

¹¹⁰ Mabandla, B *Key note address: Promoting Access for Women in Housing*. Speech by the Minister of Housing Ms Bridgitte Mabandla at the workshop: Promoting Access for Women in Housing, 8 August 2003, Woodmead, JHB. Available on <http://0-www.housing.gov.za.innopac.up.ac.za/> consulted on 04/04/2006.

¹¹¹ National Department of Housing *Women's Housing Summit Report (Summary)*. Report on the Minister's Consultative Workshop on Women and Housing (2003) available on <http://0-www.housing.gov.za.innopac.up.ac.za/> consulted on 04/04/2006.

¹¹² Budlender, D. 2001. "Gender, Development and Infrastructure" In Khosa, M (ed.) *Infrastructure Mandates for Change, (1994-1999)* 56. .

housing development. It facilitates access to housing subsidies, as well as technical, financial, logistical and administrative support. The development of this project was heavily influenced by the experience of the South African Homeless People's Federation. The Federation has over 70 000 very poor members, almost all of whom are women.¹¹³

VI.4 Alternative tenure forms: rental housing and hostel redevelopment

The Rental Housing Act¹¹⁴ recognises rental housing as a tenure option. It acknowledges that individual home ownership is not at all times appropriate for all persons in the country. The Act encourages all spheres of government to promote a rental housing market, and addresses tenant and landlord rights and responsibilities. Rental policy development has positive implications for women given that, due to their low economic status, the home ownership model is often not an option.¹¹⁵

The hostels redevelopment programme provides grant funding of R16000 per family or R4000 per individual living in a hostel owned by a municipality or provincial government. The grant is to be used for the upgrading or conversion of hostels to create suitable living conditions, which can be rented out or sold to single persons or families, or used as schools or community centres.

This programme goes some way in addressing the disadvantage suffered by single women. However, because men have historically inhabited hostels and

¹¹³ Pillay 17.

¹¹⁴ No. 50 of 1999.

¹¹⁵ Budlender D 43.

largely continue to do so, the impact for women in general is limited.¹¹⁶

VI.5 Land tenure and ownership

Housing delivery as envisaged in the Housing Act requires the availability of appropriate, well-located land for settlement development.

The Development Facilitation Act¹¹⁷ has as one of its central objectives the speeding up of land release, especially for the purposes of low-income housing, although it gives no particular priority to women in doing so. A number of other laws and policies contribute, in principle, to greater security of tenure and ownership for poor or vulnerable citizens.

The Recognition of Customary Marriages Act¹¹⁸ has to some extent ameliorated the position of women in respect of ownership of property.

A rural housing subsidy was also introduced to eliminate discrimination in accessing the subsidy on the basis of the type of land rights.

The Extension of Security of Tenure Act¹¹⁹ provides that tenure may only be terminated where it is just and equitable to do so, having regard to all relevant circumstances. However, no reference is made to the continued right of occupation of the spouse or dependants of the occupier.

The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act¹²⁰ offers further protection to

¹¹⁶ *Ibid.*

¹¹⁷ No. 67 of 1995

¹¹⁸ No. 120 of 1998.

¹¹⁹ No. 62 of 1997.

¹²⁰ No. 19 of 1998.

existing housing arrangements by stipulating the circumstances under which evictions by both private persons and the State may occur. It calls for specific consideration of the needs and rights of “the elderly, children, disabled persons and households headed by women”.¹²¹

VI.6 Housing norms and standards

The National Norms and Standards in respect of Permanent Residential Structures aims to promote affordable and quality housing. They include rules relating to services such as water, sanitation, roads and the size of a top structure. Further infrastructural policies and standards governed by other government departments are also applicable, for example, a minimum supply of water.

The norms and standards also protect housing subsidy beneficiaries against exploitation by developers who deliver unacceptably small and poorly constructed houses, as well as local authorities that disregard the principle of affordability and demand unreasonable standards and expensive engineering services.

Furthermore, the Housing Consumer Protection Measures Act¹²² provides protection for all new housing consumers. It ensures that builders comply with prescribed standards.

VI.7 Housing finance

The Community Reinvestment (Housing) Bill of 2002 aims to provide minimum targets for financial

¹²¹ Section 4(6) and 4(7).

¹²² No. 95 of 1999.

institutions' lending to low- and medium-income households for housing purposes. This Bill might assist some households, but it will not assist the poorest and the homeless. Similarly, the Home Loan and Mortgage Disclosure Bill aims to promote fair lending practices by financial institutions, thereby addressing one of the key constraints that women face in accessing housing, namely access to credit.

VI.8 Emergency relief

The Accelerated Managed Land Settlement Programme was initiated to facilitate the provision of land and progressive access to basic services for people in crisis situations. The NDoH¹²³ has also initiated the development of a National Housing Programme for Housing Development in Emergency Circumstances (Pillay 2001:21). While this programme will provide for much-needed dedicated funding and shortened development processes, it is of concern that the programme is still in the planning stages.

VI.9 Housing delivery and the housing backlog.

The NDoH noted that in the five years after the housing programme was introduced, a total of 745 717 units were either completed or under construction across the country. The government reached its target of 1 million houses in April 2000.¹²⁴ This progress must be measured against the housing backlog and absolute need. Thus the Human Rights Commission noted that there were still approximately 2.7 million households in need of

123 NDoH means The National Department of Housing.

124 South African Human Right Commission, *3rd Economic and Social Rights Report* (2001) 295

adequate shelter in South Africa, and about 5.9 million households qualifying to receive housing subsidies.¹²⁵ The allocated housing budget is thus clearly insufficient to cover the demand for subsidies across provinces.

VII. Does current policy and practice facilitate women's access to adequate housing?

The above legislative and other initiatives represent some positive steps. However, several hurdles remain. For example, it has been noted that title deeds are often still not registered in women's names.¹²⁶ Attention has also been drawn to the inadequate number of state-funded women's shelters.¹²⁷ The absence of any comprehensive policy that results in adequate state shelters for women who seek to escape situations of domestic violence points to a housing programme that is not sufficiently equipped to deal with one of the most pressing crises experienced by women. Because the housing subsidy scheme operates on a once-off basis, it has further been noted that many women are forced to stay in abusive relationships in order to retain their housing.¹²⁸ In addition, the quality of housing - coupled with severe limitations in access to credit - has particularly negative consequences for women. So despite the impressive array of legislative initiatives, there are still certain glaring gaps in facilitating women's access to housing.

VII.1 Implications of the housing budget for women

¹²⁵ Id 289.

¹²⁶ Surplus People Project and Centre for Rural Legal Studies (1998) 48 quoted by Pillay 19.

¹²⁷ Commission on Gender Equality (1998) 33.

¹²⁸ Surplus People Project (1997) 7.

Section 26(2) of the Constitution requires that the state take reasonable measures to realise housing rights 'within its available resources'. Budgets are not the only resources, but they are a key resource without which the desired housing access will not be possible. Unfortunately, analysing the housing budget from a gender perspective is very difficult. Recent reforms have stressed the need for measurable outputs to assess performance. In the housing sector, the proposed delivery indicators would include subsidies approved, serviced/unserviced sites allocated, housing units built, and so forth. However, both provincial and national departments have thus far concentrated mainly on developing targets and have been much less diligent in reporting on past delivery. Further, neither targets nor proposed delivery measures are gender-disaggregated in any way.

VII.2 Housing rights and non- discrimination

As stated above equality of treatment is also the basis upon which all women are accorded, among other rights, the right to housing.

The Housing Subsidy Scheme's general qualification criteria have been developed on the principles of, *inter alia*, the gender equality requirements. For example, the Developer Driven Housing Subsidy Programme and the expenditure priorities for female contractors and developers reflect the department's commitment to women not only as beneficiaries, but also as active participants and service providers in the delivery of housing.¹²⁹

¹²⁹ Human Right Commission *Report on Right to Adequate Housing* (Period: April 2000 - March 2002) p. 26.

The policy recognises the different categories of women involved in housing, such as women in construction, professionals and beneficiaries. The policy has ensured that 10 per cent of the capital budget for housing is set aside to address the needs of women in the housing sector and put together a roster that would ensure that women receive preferential treatment.¹³⁰ Furthermore as the Human Rights Commission reported, all the provincial departments of housing indicated that female-headed households were afforded preference on the waiting list in order to ensure that imbalances created in society with regard to women by the past oppressive policies, were addressed.¹³¹

Despite attempts to remove gender discrimination in housing, some practices continue to work against the interests of women (this point will be developed in detail in section of critique below). Suffice is to say that these practices include:

- The application age for a housing subsidy is based on the legal contractual age of 21 even though many women have children before the age of 21. This means that women under the age of 21 are often left homeless as they are not able to access the housing subsidy;¹³²
- In rural areas, women find it hard to obtain the necessary security of tenure that is a precondition for accessing housing subsidies;
- In marriages under customary law women are denied rights to own property independently, to

¹³⁰ Id. p. 27.

¹³¹ Human Rights Commission 3rd *Economic and Social Rights Report* (Period 1999-2000) p.258.

¹³² The Office on the Status of Women, *South Africa's National Policy Framework for Women's Empowerment and Gender Equality* (1999) 17.

enter into contracts, to sue or be sued and to obtain credit. Women in marriages under customary law may not inherit property or land held in individual tenure. Women may, however, apply to be exempted from "Black Law and Custom".¹³³

VII.3 Social Housing

The National Department has embarked on a social housing policy development programme that supports medium density rental housing. Social housing is aimed at improving quality of life and the integration of communities by providing affordable, high-standard, subsidised housing that will regenerate the area where the housing stock is located. This process is said to be managed by viable and sustainable, independent housing institutions that encourage the participation of residents in managing their own communities. Social housing policy's objective is to ensure viable and sustainable housing institutions to develop, administer and hold rental housing stock, aimed at low-to-middle income families with earnings of between R1 500 and R7 500 per month. Social housing has the advantage of creating different kinds of ownerships¹³⁴, including:

- **Housing co-operatives:** in co-operatives, residents have shared ownership.
- **Rental:** the institution owns the stock over a long period of time.

¹³³ Id. 15.

¹³⁴ *Social Housing Foundation: Guidelines for Making Social Housing Affordable* (2001)p7.

- **Instalment sale, sectional title, rent to buy:** sooner or later ownership shifts from institution to the resident-owner.¹³⁵

VII.4 Non-legal strategies

Legal strategies should be combined with other strategies to ensure the full realisation of the right to housing. Effective guarantees of housing rights require consultation, dialogue, negotiation and compromise rather than coercion, force, repression and exclusion. Activists must therefore acquire relevant skills for building consensus around issues relating to the right to housing. Support-based strategies that recognize the role of the informal sector in the creation of housing must be developed and implemented. In the final analysis, the full realization of the right to adequate housing would depend on the extent of awareness and action taken for ensuring its enjoyment.

It is not in national legislation where the women rights to housing are protected but also in international instruments. This does not fall directly within the scope of our topic, suffice is to indicate only some of these instruments.

VII.5 Women rights to housing in international instruments

¹³⁵ South African Human Rights Commission *5th Economic and Social Rights Report Series 2002/2003 Financial Year* p.9.

On the impact of international law on South African constitutional law: The South African Constitution provides in Section 39(1)(b) that, "when interpreting the Bill of Rights, a court, tribunal or forum ... must consider international law." According to the Court, "the relevant international law can be a guide to interpretation, but the weight to be attached to any particular principle or rule of international law will vary. However, where the relevant principle of international law binds South Africa, it may be directly applicable."¹³⁶ Several international legal instruments recognize women's legal rights to housing, property and land. Additional regional, national and local laws also exist to protect these rights.¹³⁷ Among these international instruments are:

- The International Covenant on Economic, Social and Cultural Rights (ICESCR): Articles 11(1), 2(2)¹³⁸;
- The International Covenant on Civil and Political Rights (ICCPR): Articles 3, 17, 26;
- The General comment No. 28: Article 3 (The equality of rights between men and women);¹³⁹
- The Convention on the Elimination of All Forms of Discrimination Against Women: Articles 14(h)(2), 15, 16(1) (c) and (h);¹⁴⁰

¹³⁶ *Government of the Republic of South Africa v Grootboom* 2001 (1) SA (CC) at para. 26.

¹³⁷ For example, The American Declaration on the Rights and Duties of Man, Art. 23, African Charter on Human and Peoples' Rights, Article 14.

¹³⁸ Article 11(1) protects the right to adequate housing; 2(2) provide for non-discrimination, (1966).

¹³⁹ Article 3 provides for equality of women and men; 17, protects against unlawful interference in the home (1966), General Comment 28 specifically interprets Article 3 to include inheritance rights for women (2000).

¹⁴⁰ Article 14(h)(2) provides for housing; 15, equality; 16 supra, equality in property during and after marriage (1980)

- The Convention on the Rights of the Child: Article 27;¹⁴¹
- The Beijing Declaration and Platform for Action: Paras. 8, 36, 26, 35 and 65(b);¹⁴²
- The Habitat II Agenda and Platform for Action: Paras. 25(a), 26, 27, 40 and 46;¹⁴³
- The Commission on Human Rights Resolution 2003/22 'Women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing';¹⁴⁴
- The Commission on the Status of Women Resolution 42/1, 'Human Rights and land rights discrimination';¹⁴⁵
- The UN HABITAT Governing Council Resolution of Women's Role and Rights in Human Settlement Development and Slum Upgrading';¹⁴⁶
- etc.

VIII. Women criticism with regard to the South African housing policy.

¹⁴¹ Article 27 recognizes the right of every child to adequate housing (1989)

¹⁴² Para. 8 and 36 provide for equality; 26 and 35 equal access to productive resources, Para. 65 provides for equal inheritance rights (2000).

¹⁴³ Para. 25(a) and 26 reaffirms the right to adequate housing, Para. 27 ensures equal access to housing, land and inheritance, Para. 40 provides legal security of tenure, and Para. 46 to integrating gender in human settlements (2001).

¹⁴⁴ Adopted by the Commission on Human Rights, 22 April 2003, E/CN.4/2003/22.

¹⁴⁵ Adopted by the Commission on the Status of Women, 1989, E/CN.6/1998/12.

¹⁴⁶ Adopted by the Governing Council of the UN Human Settlements Programme, 6 May 2003, HSP/GC/19/L.2/Rev.1.

Home ownership by women is a confirmation of the South African Government's attempt to address housing policy and practice at the grass roots level. However, although government's housing policies have a positive impact on women, they are not without problems. Since literature with regard to criticism on the South African Housing policy is abundant this section will only focus on criticism with women implications.

VIII.1. Eligibility criteria of dependants.

The inclusion of single women with dependants in the housing policy uplifts their status. Before the housing subsidies were put into place, discrimination was most severe against unmarried women with dependants. Single mothers had no access to housing, except in terms of their relation towards men¹⁴⁷. In addition, women with dependants do not have to stay in abusive or loveless relationships due to their need for housing.¹⁴⁸ On the other hand, criticism is also levelled at the subsidy providing only for those with dependants. Women desperately in need of housing might get pregnant only to qualify for the subsidy.

The exclusion of single people from subsidy benefits suggests that they are not recognised as deserving poor and this in particular has a negative impact on ageing single individuals. According to Ndinda¹⁴⁹, elderly women, although regarded as one of the most disadvantaged groups of people in South Africa, do not qualify for any form of housing subsidy benefits unless they have dependants. In addition to single elderly

¹⁴⁷ Ndinda 272.

¹⁴⁸ Ibid 373.

¹⁴⁹ Id. 87.

women, lesbian women without dependants are also excluded from benefiting from the subsidy.

VIII.2 Eligibility criteria of age.

An additional gender criticism of the current qualification criteria is that the application age for a housing subsidy is based on the legal contractual age of 21. Thus women younger than 21 with dependants are, excluded. The age restriction of 21 years limits young women's access to housing, and this is definitely a shortcoming if it is taken into account that half of the pregnancies in South Africa occur among women under the age of 21.¹⁵⁰

VIII.3. Eligibility criteria of first time home owners

The current housing policy does not successfully guard against women losing the house if the relationship breaks down. Without legal protection, women are at risk of becoming homeless, as has happened in the many cases of divorce. Khan and Thurman¹⁵¹, rightfully pose the question regarding the position of women when partnerships or marriages dissolve. In cases in which women had ownership and lost the house, they would not be allowed to receive a new subsidy.

VIII.4. Registration of title deed

Registration of the title deed in both partners' names is in line with principles of equality, affirmative action, empowerment and basic needs. According to

¹⁵⁰ Id 86.

¹⁵¹ Khan and Thurman *Setting the Stage: Current Housing Policy and Debate in South Africa* (2001) 17.

Budlender,¹⁵² a title deed is essential, since abused women with the title deed of the house in their name would not be forced to stay in the abused relationship for fear of losing the house. In addition, upon the death of the husband, the marital home is not necessarily inherited by his wife.

However, if the house had been registered jointly, it would not become part of the estate upon the death of any spouse, and instead the widow would remain the registered owner of the house. Nevertheless, although registration of the title deed in both partners' names seeks to prohibit unfair discrimination, it is indifferent to the reality of the South African situation.¹⁵³

Having equal legal rights does not necessarily reflect the real situation, and especially where community and tradition are concerned, constraints by cultural norms are common. The broader legal system of customary law usually favours male inheritance. . Furthermore, according to Richards and Rust¹⁵⁴ it is not evident how the Department of Housing will be able to enforce and monitor the registering of title deeds in the names of both the applicants. Title deed registration in the name of both partners will not necessarily address the problems experienced in the instance of divorce or separation, as it would rely on women being aware of their housing rights and being able to argue them in a court of law.

VIII.5. Customary law and legal law

Similar to international housing policy, women's equal rights to adequate housing are firmly recognised in South

¹⁵² Budlender, 57.

¹⁵³ Richard and Rust, 2002

¹⁵⁴ Ibid.

African law. However, the persistence of discriminatory patriarchal customs, traditions and attitudes are still blocking women from enjoying their equal rights to housing, not only in South Africa but also in the rest of the developing world.¹⁵⁵ As Benschop stated, among many women at the grass roots level there still is a lack of gender and human rights awareness. In addition, women do not always have confidence, experience and access to housing information or resources to obtain what they are legally entitled to.

VIII.6. Incremental nature of the housing policy

Khan and Thurman¹⁵⁶ identify gender insensitivity as one of the constraints of the current housing policy. They are supported by Ndinda¹⁵⁷ who argues that although the present policy represents an advance in gender terms, the specific needs of women are not sufficiently addressed and accommodated. The relevancy of the neo-liberal ideology with regard to the housing policy and gender equality can be questioned.

As reflected above, much gender inequality arises from differential access to economic opportunities. An analysis of the housing subsidy scheme shows that the underlying male bias with regard to the incremental nature of the housing policy remains unaddressed. For example, Ndinda argues, it is assumed that women can provide their own sweat equity without creating strain on their multiple roles in the home and community. This has an especially negative impact on single female-headed

¹⁵⁵ Benschop, 3-5.

¹⁵⁶ Khan and Thurman 34.

¹⁵⁷ Ndinda 91.

families with young children, or elderly female-headed families.

VIII.7. The lack of gender disaggregated data

Further gender criticism of the housing policy is the lack of gender-disaggregated data.¹⁵⁸ The availability of differentiated data with regard to gender would fundamentally assist housing policy and practice in South Africa to target the women most needed.

VIII.8. Implementation of the policy

From international experience, it is evident that even if laws and policies recognize women's equal rights to land and property, they are still very difficult to implement.¹⁵⁹ Similar in South Africa, according to Khan and Thurman, it is primarily in implementation that the biggest gap between the ideals of the housing policy and reality exists.

The implementation has been challenging, not only in terms of lack of resources but also in efficiency. Despite progress, a policy framework stressing gender equality does not necessarily result in gender equity. Sadie and Loots support Khan and Thurman's criticism, although the policy guidelines on development in South Africa suggest a gender-based approach, the challenge of a gender approach lies in its implementation.

¹⁵⁸ Ibid 108.

¹⁵⁹ Benschop 6

Conclusion and suggestions

Conclusion

It is clear from housing legislation that the Government is committed to bettering the lives of the women. Women's right to Housing rest upon the firm foundations of national and international human rights law, as well as the subsequent interpretative development of the standards, principles and norms embodied in that law. From international experience, it is evident that even if laws and policies recognize women's equal rights to housing, they are still very difficult to implement.

Similar in South Africa, it is primarily in implementation that the biggest gap between the ideals of the housing policy and reality exists. The implementation has been challenging, not only in terms of lack of resources but also in efficiency. Despite progress, a policy framework stressing gender equality does not necessarily result in gender equity. It is regrettable to note that this is so despite the landmark decision of the Constitutional Court in *Grootboom* as millions of people most of them women are still living in peril and the programme adopted is not comprehensive as it neglects significant members of the society.

Suggestions

A range of measures can be adopted to advance women's access to adequate housing. The following suggestions are limited to *immediate* measures that are likely to have a significant effect on women's housing rights:

- **Implementation of legal law and policies:** implementation of constitutional laws and

policies remains a huge challenge not only in South Africa, but also internationally and requires concerted efforts from all levels in order for women's rights to housing and property to become a reality. For that reason it is suggested that specialised methodologies and tools be incorporated to monitor and evaluate the implementation of policies. The inclusion of these would make planning processes operational and could lead to the sustainability of projects in the long run. In addition, although most current housing policies recognise the special circumstances of women, in developing countries there is still a predominance of male bias relating to customs and traditions. Laws and policies which stipulate equal rights, also need to undergo cultural transformation with regard to practices and traditions capable of reversing situations of subordination and inequity.

- **Revision the eligibility criteria of the housing policy:** a more specific focus is required on the eligibility criteria of women in the current housing subsidy. It is suggested that the eligibility criteria of age, number of dependants and first time home ownership be amended. Specific focus on young women is necessary to include them as beneficiaries. Since a large number of South African women younger than 21 years have dependants, it is suggested that the age eligibility criteria be revised. It is also suggested that the requirement of dependants be adjusted, especially with regard to elderly women without dependants. In addition, women who lose ownership of the house in cases of divorce should be eligible for a housing subsidy.

- **Shift from a gender-neutral to a gender-specific housing programme:** the current housing programme largely proceeds from the premise that men and women's housing needs are identical and that strategies to address them are accordingly identical. The first suggestion accordingly lies in a thorough gendered analysis of the current housing programme and the adoption of specific measures to address women's housing needs where necessary. It is further suggested that where the programme does make reference to women, these provisions be implemented so as to ensure the advancement and protection of women's housing rights.
- **Improvement of the socio-economic status of women:** addressing unemployment and education does not fall directly within the scope of housing. Programmes should be designed to support women with income generation. It is suggested that housing policies be implemented that consider the fact that women occupy a different position in society, mainly in informal sectors, poorer segments and sectors that are socially more vulnerable. These policies should especially be sensitive to women who are the sole providers for their families.
- **Disaggregated data:** A key strategy to meeting women's housing needs effectively is the collection of gender disaggregated data that also reflects variables such as urban/rural, race and geographical location.
- **Challenging the 'one size fits all' notion of housing:** it is recommended that housing policies be tailored to meet the housing needs of different groups of women in society. For example, special measures are required to meet the housing needs

of people infected and affected by HIV/AIDS and people with disabilities.

- **Monitoring women's access to housing:** critical to the effective realisation of women's housing rights is proper monitoring. Gender indicators should be developed in this regard.
- **Collaboration with civil society organisations:** civil society organisations are often at the coalface of housing delivery and accordingly well-placed to undertake assessments of the effectiveness of housing policies as well as their impact on women. Relevant organs of state should therefore collaborate meaningfully with such organisations.
- **Development of strategies to mobilise communities:** the SAHRC in its report for 1999/00 identified a lack of assistance from communities in mobilising resources and facilitating delivery as one of its problems. Provincial government strategies are therefore required to facilitate such mobilisation from communities and should examine the reasons for non-participation.
- **Addressing poor quality of houses and infrastructure:** Since low-income female-headed households are generally worse off economically than male-headed households, they have fewer resources to improve the quality of their houses themselves. The problems with regard to the poor quality of low-income houses can be prioritised.
- **Incremental nature of the policy:** low-income women, especially those in single-headed, female-headed household, do not have the same financial capability and ability as men to participate in the incremental housing process. It is therefore recommended that the incremental

nature of the policy be amended to be more equitable with regard to women.

- **Gender research with regard to housing satisfaction and low-income housing products received:** low-income housing policies should take into account the needs of both women and men. However, not enough research studies and other household surveys to generate gender-disaggregated data have been done to identify gender trends and differences in the low-income housing sector. Gender research is vital in assembling knowledge and experience in order to mainstream gender issues and translate these into urban policy and practice.

Bibliography

A. Statutes

1) South Africa:

1. Constitution of the Republic of South Africa Act 108 of 1996;
2. Extension of Security Tenure Act 62 of 1997;
3. Home Loan and Mortgage Disclosure Act 63 of 2000;
4. Housing Act 107 of 1999;
5. Housing Consumers Protection Measures Act 95 of 1998;
6. Interim Protection of Informal Land Rights Act.
7. Land Reform (Labour Tenants) Act 3 of 1996;
8. Prevention of Illegal Eviction From and Unlawful Occupation of Land Act 19 of 1998;
9. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
10. Rental Housing Act 50 of 1999;
11. Restitution of Land Rights Act 22 of 1994;
12. Skills development Act 97 of 1998;

2) International and regional:

1. African Charter on Human and Peoples' Rights;
2. American Declaration on the Rights and Duties of Man;
3. Beijing Declaration and Platform for Action;

4. Commission on Human Rights Resolution 2003/22 'Women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing'; adopted by the Commission on Human Rights, 22 April 2003, E/CN.4/2003/22;
5. Commission on the Status of Women Resolution 42/1, 'Human Rights and land rights discrimination'; Adopted by the Commission on the Status of Women, 1989, E/CN.6/1998/12;
6. Convention on the Elimination of All Forms of Discrimination Against Women;
7. Convention on the Rights of the Child;
8. General comment No. 28: Article 3 (The equality of rights between men and women);
9. General comment No.3: The nature of States parties' obligations (art. 2, para. 1, of the Covenant);
10. Habitat II Agenda and Platform for Action;
11. International Covenant on Civil and Political Rights (ICCPR);
12. International Covenant on Economic, Social and Cultural Rights (ICESCR);
13. The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights;
14. UN HABITAT Governing Council Resolution of Women's Role and Rights in Human Settlement Development and Slum Upgrading'; Adopted by the Governing Council of the UN Human Settlements Programme, 6 May 2003, HSP/GC/19/L.2/Rev.1;
15. Universal Declaration of Human Rights;

B. Cases:

1. *Bekker and Another v Jika* [2001] 4 All SA 573 (SEC);

2. *Daniels v. Campbell NO and Ors.* NO 2004 (5) SA 331 (CC).
3. *Government of the Republic of South Africa v Grootboom* 2001 (1) SA (CC);
4. *Grootboom v Oostenberg Municipality et. al.* 2000 (3) BCLR 227 (C);
5. *Jaftha & Anor. v. Van Rooyen & Anor;* Case No. CCT74/03, 8 October 2004 available on <http://www.concourt.gov.za/files/7403/7403.pdf> consulted on 11/04/2004;
6. *Minister of Health and others v Treatment Action Campaign and others,* 2002 (10)BCLR 1075 (CC);
7. *Ndlovu v Ngcobo* 2003 (1) 113 (SCA);
8. *Port Elizabeth Municipality v. Various Occupiers,* 2004 (12) BCLR 1268 (CC);
9. *President of the Republic of South Africa & Anor. v. Modderklip Boerdery & Ors* 2004 (6) SA 40 (SCA);
10. *S v. Letaoana* 1997 (110) BCLR 1581 (W);

C. Electronic references:

1. Charlton S., *An Overview of the Housing Policy and Debates, Particularly in Relation to Women (or Vulnerable Groupings)* (2004) available at <http://www.csvr.org.za/papers/papcharl.htm> consulted on 06/04/2007
2. *Delivery to the women A Document for the ANC Women's League April 1999* available at <http://www.anc.org.za/docs/delivery.html> consulted on 04/04/2007;
3. General Comment 14, the right to the highest attainable standard of health (art. 12) E/C.12/2000/4,E/C.12/2000/4, available on <http://www.unhchr.ch/html> consulted on 23/03/2007;



4. General Comment 7 'The Right to Adequate Housing (Art 11 (1)) of the Covenant): Forced evictions' Un Doc E/C 12/1997/4 (1997) available on <http://www.unhchr.ch/html> consulted on 23/03/2007;
5. General Comment No 1: Reporting by States parties available on <http://www.unhchr.ch/html> consulted on 23/03/2007;
6. General Comment No. 4 (1991) to article 11 of the International Covenant on Economic, Social and Cultural Rights; available on <http://www.unhchr.ch/html> consulted on 23/03/2007;
7. Habitat backgrounders, available on <http://o-www.un.org.innopac.up.ac.za/cyberschoolbus/habitat> consulted on 10/04/2007.
8. Human Right Commission *3rd Economic and Social Rights Report* (Period 1999-2000) Available on http://o-www.shrc.or.za.innopac.up.ac.za/esr_1999-2000.htm consulted on 11/04/2007
9. Human Right Commission Report on Right to Adequate Housing (Period: April2000-March2002) Available on http://o-www.shrc.or.za.innopac.up.ac.za/esr_2000-2002.htm consulted on 11/04/2007;
10. Mabandla, B., *Key note address: Promoting Access for Women in Housing*. Speech by the Minister of Housing Ms Bridgitte Mabandla at the workshop: Promoting Access for Women in Housing, 8 August 2003, Woodmead, JHB. Available on <http://o-www.housing.gov.za.innopac.up.ac.za/> consulted on 04/04/2007;
11. Miloon K., *Report submitted on Sixty-first session* 25/02/2205 (E/CN.4/2005/43) available at

<http://www.Cohre.org/hrbody> consulted on 31/03/2006. consulted on 11/04/2007

12. National Department of Housing *Women's Housing Summit Report (Summary)*. Report on the Minister's Consultative Workshop on Women and Housing (2003) available on <http://0-www.housing.gov.za.innopac.up.ac.za/> consulted on 04/04/2007;
13. Right to housing” Available at <http://0-www.un.org.innopac.up.ac.za/cyberschoolbus/habitat/background> consulted on 24/03/2007.
14. Sadie, Y and Loots, E. *RDP Projects in South Africa - A Gender Perspective Analysis* (1998)10, Available at <http://www.iss.co.za/Pubs/Monographs/No27/rdp.html>. Accessed on 23/03/ 2007.
15. Zack, T and Charlton, S *A Somewhat Better Life: Beneficiaries' Perceptions of Subsidised Housing*. (2003) 45, 50 available at <http://www.csvr.org.za/papers/papcharl.htm> consulted on 27/03/2007;

D. Textbooks:

1. Budlender G., “Justiciability of the Right to Housing – The South African Experience” in Leckie S., (2003) *National Perspectives on Housing Rights* Martinus Nijhoff Publishers: The Hague;
2. Geraldine Van Bueren, ‘Housing’ in Cheadle DH (2002) *South African Law: the Bill of Rights* Butterworths: Durban
3. Liebenberg S., ‘Housing’ in Cheadle et al (1997) *Fundamental Rights in the Constitution: Commentary and Cases* Juta &CO, Ltd.: Kenwyn;
4. Short Oxford English Dictionary;

D. Others:

1. Benschop, M., (2004) *Women's Rights to Land and Property*, UN-Habitat: Nairobi;
2. Berrisford, S, Kihato, M and Klug, N. 2003. *Element Two: International shifts in shelter and settlement policy and their implication for South African praxis*. Report prepared for USAID/South Africa's Strategic Objective No. 6: Increased Access to Shelter and Environmentally Sound Municipal Services. Mega-Tech, Inc: Pretoria.
3. Budlender, D. (2001), "Gender, Development and Infrastructure". In Khosa, M (ed.) *Infrastructure Mandates for Change, 1994-1999*. Human Science Research Council: Pretoria, pp. 49-61;
4. Chant, S., (2003a) *Female Household Headship and the Feminisation of Poverty: Facts, Fictions and Forward Strategies*. New Working Paper Series (Issue 9). School of Economics, Gender Institute: London;
5. Gauteng Department of Housing. 2001. *Women and Housing Policy*. Gauteng Department of Housing: Johannesburg.
6. Ndinda, C. (2002) *Women's participation in housing delivery in South Africa: the extent of empowerment with reference to case studies in KwaZulu-Natal*. Unpublished PhD Thesis, University of Natal: Durban;
7. Organisation for Economic Co-operation and Development (OECD). 1995. *Women in the City, Housing, Services and the Urban Environment*. OECD: Paris;
8. Public Service Commission; (2003) *Report on the Evaluation of the National Housing Subsidy Scheme*. Public Service Commission: Pretoria;
9. Republic of South Africa, (2000) *South Africa's National Policy Framework for Women's*

- Empowerment and Gender Equality*. Prepared by The Office on the Status of Women: Pretoria;
10. Republic of South Africa. (1994). *White Paper on Housing: A New Housing Policy and Strategy for South Africa*. Government Printer: Pretoria;
 11. Richards, K and Rust, K. (2002) *Evaluation: women and housing policy. Policy and Programme Review*. Department of Housing, Gauteng Provincial Government: Johannesburg;
 12. Statistics South Africa. 2003. Census, 2001. Community Profiles. Statistics South Africa: Pretoria;
 13. Venter A., (2005) *A Gender Analysis of the South African Housing Policy: The Case Study, Turflaagte (Mangaung Local Municipality)* Unpublished Master's mini-dissertation, University of the Free State: Bloemfontein;

MONETARY POLICY STRATEGY IN RWANDA

By
Serge Musana Mukunzi

ABSTRACT

The aim of this paper is to study how monetary policy is conducted in Rwanda. The task has been accomplished by designing and estimating a Taylor rule, monetary policy reaction function for the National Bank of Rwanda over the period 1997-2001.

Applying Ordinary Least Squared (OLS) on the time series data, we test whether the Central Bank in Rwanda reacts to changes in the inflation gap, the output gap and the exchange rate differential. The results of the study show that the Central Bank of Rwanda has had a monetary policy over the years with the monetary base (H) as the principal instrument. The results also show that the Central Bank of Rwanda reacted by giving importance to the exchange rate differential, the output gap and inflation is out of control of the Central Bank.

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1 INTRODUCTION

In recent years, Central Banks appear to have conducted prudent monetary policies in several countries. In such a context, the role of monetary policy as a stabilisation policy is becoming more powerful and well determined.

As argued in Blinder (1998), Central Banks have never been more powerful than now. Monetary policy has become the principal means of macroeconomic stabilisation, and in most countries it is entrusted with the responsibility of an independent Central Bank.

From the experience of developed economies in the world, which exhibit strong economic management, various countries in developing economies have undertaken economic reforms consisting essentially of a set of market-oriented economic policies intended to readjust the economy to the liberalisation as well as bringing about an institutional reorganisation.

In the sub-Sahara African context, reforms increased significantly in the 1990s. The broad strategy has been the emphasis placed on the policy programs supported by the International Monetary Fund (IMF) and the World Bank, including among others fiscal reforms, liberation of exchange restriction and the adoption of indirect instruments of monetary policy, market-based interest policies, and so on. (IMF, December 2000).

Rwanda is not an exception to this situation. Rwanda's economy is very small and open, heavily reliant on the export of few major products, especially coffee and tea. In addition it is also very reliant on imports for most of its consumables.

The destruction of the economic base that took place during the civil war period (1990-1994) forced the authorities to begin a process of economic liberalisation: to turn away from the situation of control, regulation and state command and turn towards more market related policies since 1994. In 1997, Rwanda embarked on a program of sustainable economic growth. A revised

Central Bank statute underpinning the National Bank of Rwanda's independence in conducting the country's monetary policy was adopted. The period of 1998/99-2000/2001 was characterized by an enhanced structural adjustment facility program supported by IMF and World Bank. Based on this strategy, the macroeconomic objectives included an annual average real Gross Domestic Product (GDP) growth of 8 percent a year during the period 1998-2000; and a reduction in inflation to 5 percent by end 1999. In the period 1999-2002, the macroeconomic objectives were to achieve an annual real GDP growth of 6%, while keeping inflation at or below 3%.

In such program, the monetary policy played a central role in producing macroeconomic stability. It stated that monetary and credit policies would aim at further reducing the rate of inflation, and the authorities would continue to monitor development in both reserve money and broad money closely (IMF and Rwanda 1995/2002).

What it is clear from the Rwandan Central Bank behavior is that an achievement of the inflation target seems to be a fundamental goal of the monetary authority. On the basis of all the macroeconomic objectives mentioned above, Rwandan monetary authorities seem to assess the performance of monetary policy rules in terms of their effect on inflation and output. Such an assessment can be based on a situation in which the Central Bank refers to an equation, which is intended to establish the goal that has actually been influencing the actions of the Central Bank. One could interpret such behavior as being approximated by a particular rule referred to as the Taylor rule. In such a rule, monetary policy is adjusted in response to the deviation of inflation from its target value and the deviation of output from potential.

More than five years have passed since the monetary policy was given a central role in maintaining macroeconomic stability and a new statute has provided rule for monetary policy objectives and Central Bank independence. Enough observations have become available to perform an assessment of the Rwanda Central Bank's conduct of monetary policy based on choosing a rule and then using a model of the economy to examine how the economy would have behaved under the rule.

The objective of the paper is thus, to attempt to approximate the policy behavior of the Rwanda Central Bank by estimating a variant of the Taylor rule for Rwanda. In this specific model, the dependent variable is the monetary base that the Central Bank is assumed to control, while the explanatory variables are those that are assumed to affect Rwanda Central Bank's behavior. By attempting to measure the policy behavior, the question that arises is what was the Central Bank really reacting to? Or in other words, which targets did the Central bank actually follow?

More specifically, the study aims to:

- Examine the conduct of monetary policy in Rwanda
- Describe the monetary policy strategy in Rwanda by means of a model. That is, a Taylor Rule monetary policy reaction function applied to Rwanda and to interpret the estimated results in the context of the Rwandan economy.

The Taylor Rule has been considered as a representation of Central Bank behavior in various countries. It provides information about the responsiveness of the monetary policy instrument to

variable that seems to be a plausible indicator of the stance of monetary policy in Rwanda. Evidence suggests that the short-term interest rate cannot be applied to the realities of developing countries when taken as an instrument in conducting monetary policy given the underdeveloped nature of the financial market. It has been argued that the monetary base is the most appropriate instrument to be used in developing countries (Sanchez-Fung, 2000).

The modified version of Taylor's rule to be estimated can be written as

$$H_t = a_0 + a_1 \text{erdiff}_t + a_2 \text{ygap}_t + a_3 \text{lgap}_t + \varepsilon_t \quad (2)$$

Where H is the monetary base, erdiff is the difference between the black market exchange rate and the official exchange rate, ygap is the output gap, lgap is the inflation gap and ε is the disturbance term.

A_0 , a_1 , a_2 , a_3 are constant term and coefficients to be estimated empirically, respectively.

Equation (2) can be seen as a feedback rule in which the monetary base reacts to erdiff , ygap , and lgap

Recently, with number of empirical studies related to the Taylor rule, economists argue that the exchange rate is an essential state variable that has to be included in the model in the case of a small and open economy (Osterholm, 2003). Given that fact, some sort of exchange rate indicator would be a good candidate to be one of the targets of the authorities. Inflation is included in the model because that variable has emerged from many economists as the real goal of monetary policy in order to maintain price stability. The other target included in the model is the output gap, as in the original Taylor (1993) model.

The equation (2) can be seen as a function in which the monetary base (H) reacts to the inflation gap, output gap and the exchange rate.

The variable $erdiff$ in the model can be seen as a differential that the authorities should be willing to try to keep as small as they can, mainly by intervention in the exchange rate market. Having the monetary base (H) as the dependent variable, one expects that the monetary base will increase if inflation is below target, output is below the output gap, that is, the coefficient of YG and IG are expected to carry a negative sign. We expect also the response of the monetary base to $erdiff$ would be negative because the $erdiff$ can be seen as a differential that the authorities would be willing to try to keep as small as possible and as for long as they can mainly by intervention in the exchange rate market.

The version of the equation (2) to be empirically estimated can take a dynamic form since there is the lag response of Monetary Authority. On this basis, the equation (2) is expressed as follows:

$$H_t = a_0 + a_1 H_{t-4} + Erdiff_{t-2} + ygapt_{-2} + ygap_{t-2} + \epsilon_t \quad (3)$$

Equation (3) is an autoregressive-distributed lag. This formulation allows one to consider that the forecast value of H at time t is simply the reaction of monetary authorities to past and current economic states. Moreover, one should consider that, statistically, equation (3) could help to justify the problem of wrongly measured data. The lag of the variables have been chosen by taking into account the problems of autocorrelation.

3.2 Methodology

3.2.1 Data

The econometric analysis of the version of Taylor rule retained for Rwanda will be undertaken using quarterly data during 1997 (Q1) – 2001(Q4), simply because the monetary authorities actually began to carry out monetary policy in an independent way from 1997. However, data for the variables after 2001(Q4) are not available.

Real GDP, Index of Consumer Prices, monetary base and exchange rate differential were obtained from the Central Bank of Rwanda and have been all transformed in logarithm form, except the Index of Consumer Price. In addition, the inflation rate is calculated as the change over four quarters of the seasonally adjusted harmonised Index of Consumer Prices and the inflation gap has been taken as the difference between the observed inflation and the inflation target. The Inflation target is not constant and was obtained from IMF and Rwanda (1995-2002) and the National Bank of Rwanda. Potential output is estimated based on the Hodrick-Prescott Filtering Process and the output gap is expressed as $(Y - Y^*)$, where Y is the output and Y^* is the potential output. The exchange rate reported is in terms of Rwandan Francs per US Dollar because of the extensive use of US Dollars to dominate international transactions (Republic of Rwanda, 2000: 369).

By using this data, the focus will be on estimating the model (3) using Microfit 4.0 and by checking whether the estimated parameters of the regression are meaningful to interpretation.

3.2.2 Time series properties of the data

Prior to carrying out the model, it is necessary to examine the time series properties of the variables included in it.

This allows one to determine whether or not the regression is spurious. For this purpose stationarity of the data set is checked by using a simple appropriate test named Dickey- Fuller. The lag length used in the test is determined using the AKAIKE (AIC) and the Schwartz Bayesian Criterion (SBC) mainly. According to this criterion, the model to be preferred should have the highest AKAIK or the highest SBC.

Table (1.1) presents the integration test results for variables in their level form

TABLE (1.1): UNIT ROOT TEST-LEVELS OF VARIABLES

Variables	Trend	Constant	ADF (t)	Lag
Monetary base(H)	No	Yes	-3.33*	4
Inflation gap (IG)	No	Yes	-3.026*	0
Output gap (YG)	No	Yes	-3.25*	3
Exchange rate difference(Erdiff)	No	Yes	-3.05*	1

Note: ADF critical values:

* Significant at the 5% level

The results reported in Table (1.1) indicate that all the variables are stationary in levels. The unit root for the variables, which is rejected at the 5% significance level (the null hypothesis states that the time series has unit root and the alternative is that the time series does not have unit root).

When the variables are transformed to their first differences, the ADF test rejects as well the null hypothesis about unit root at the 5% level of significance for all the variables. Overall, it can be concluded that all

the variables in the model (equation 3) can be treated as I (0). Consequently, the Ordinary Least Squared (OLS) analysis by the feedback rule in which the monetary base reacts to the inflation gap, the output gap and the exchange rate differential or all of them will provide non – spurious results.

3.2.3 Estimation results

Ordinary Least Squares Estimation

Dependent variable is H
 18 observations used for estimation from 1997Q3 to 2001Q4

Regressor	Coefficient	Standard Error	T-Ratio[Prob]
C	16.0857	2.0790	7.7370[.000]
H(-4)	-.73536	.22979	3.2001[.007]
Erdiff(-2)	-.064089	.018438	3.4759[.004]
Ygap(-2)	-.048090	.010939	4.3961[.001]
Igap(-2)	-.1154E-3	.0054949	.021005[.984]

R-Squared .80663 R-Bar-Squared .74714

S.E. of Regression .046788 F-stat. F(4, 13)
 13.5575[.000]
 Mean of Dependent Variable 9.1606 S.D. of
 Dependent Variable .093044
 Residual Sum of Squares .028458 Equation Log-
 likelihood 32.5064
 Akaike Info. Criterion 27.5064 Schwarz Bayesian
 Criterion 25.2804
 DW-statistic 1.1883

Diagnostic Tests

* Test Statistics * LM Version * F
 Version *

* * * * *
 * A:Serial Correlation*CHSQ(4)= 4.9418[.293]*F(
 4, 9)= .85150[.527]*
 * * * * *

* B:Functional Form *CHSQ(1)= .64891[.421]*F(
 1, 12)= .44878[.516]*
 * * * * *

* C:Normality *CHSQ(2)= 1.6205[.445]*
 Not applicable *
 * * * * *

* D:Heteroscedasticity*CHSQ(1)= .17624[.675]*F(
 1, 16)= .15821[.696]*

A:Lagrange multiplier test of residual serial correlation
 B:Ramsey's RESET test using the square of the fitted
 values

C:Based on a test of skewness and kurtosis of residuals
D:Based on the regression of squared residuals on squared fitted values

The estimated model complies with most of the diagnostic statistics regarding no serial correlation, good functional form, normality and the absence of heteroscedasticity. On the other hand, the R^2 and the adjusted R^2 are fairly good and the signs of the estimated coefficient in the relation to their prior expectation are satisfactory.

The regression is significant as demonstrated by the F-statistic, which provides a test that the true value of the slope coefficients are simultaneously equal to zero (the p-value is zero).

The goodness of fit, as measured by the coefficient of determination R^2 , indicates how well the sample regression line fits the data. The fit indicates that about 80% of changes in monetary base are explained by monetary base in the 4 periods lagged, the inflation gap in the 2 periods lagged, the 2 period lagged output gap and the 2 periods lagged in the exchange rate differential. When examining each explanatory variable it was found that:

- The response coefficient on inflation gap is about 0.000115 almost zero in the two period lagged value. This coefficient is not significant but shows the negative expected sign
- However, the coefficients of Y_{gap} and E_{rdiff} are statistically significant at the 1%, 5% and 10% levels of significance. The response on the two period lagged value of the differential exchange rate is (-0.06) and the one on the two period lagged value of the output gap is (-0.048).

- The response coefficient on the four period lagged value of the monetary base is about (-0.7) and judging by the t-ratio, the coefficient is significantly different from zero at the all levels of significance.

In the light of the above results :

(1) Considering the four period lagged value of the monetary base (Ht-4), one can observe that a one percentage change in the four past period monetary base results in about 0.7% change in the current monetary base in the opposite sense, holding other things the same. This means that, there is one to 0.7 inverse relationship between the four previous quarter and the current monetary base.

(2) Considering the inflation gap:
It is noticed that the coefficient of the inflation gap is not significant. This may tell us that the monetary base does not react to the inflation gap because of the uncertain effects of monetary policy on inflation in Rwanda. Monetary authorities cannot easily control inflation as this one is more related to the change of climatic conditions in Rwanda.

(3) Considering the exchange rate differential :
The result shows that the Central Bank of Rwanda reacts to 1% change in the exchange rate differential by a change of 0.06% in the monetary base inversely, holding other things the same.

(4) considering the output gap :
the central bank reacts to 1% change on the two period lagged value of the output gap by a change

of 0.048% in the monetary base inversely, other things remain the same.

When looking at the result more closely with the objective of highlighting the variable that has influenced monetary policy decisions over the period of study, it is apparent that the monetary authorities were mainly concerned with the exchange rate differential and the output gap. This is relevant given the importance of the exchange rate in a small, open, and developing country especially Rwanda, in the present case. Indeed, as noted previously, the exchange rate policy in Rwanda aims at approaching a balanced level of the exchange rate, to stabilise prices, to ensure a support for the growth and to connect Rwanda's foreign exchange market to the international market. These objectives are pursued under a controlled flexible policy regime, that is, the exchange rate can fluctuate from day to day but the Central Bank attempts to influence the exchange rate by buying and selling currencies in the foreign exchange market. The impact of such interventions is to affect the monetary base. According to this fact, the exchange rate considerations play a great role in the conduct of monetary policy and this has been shown through the estimation results. The exchange rate coefficient from the results leads one to consider that a depreciation of Rwanda Francs may lead the Central Bank to pursue a kind of contractionary monetary policy and similarly, an appreciation in Rwanda Francs may lead to pursue a high rate of money growth and such reaction consists basically in acquiring or selling of international reserve.

Given the fact that Rwanda has a strong dependence on assistance from multilateral financial institutions which in its turn has a real impact on the balance of payment, apparently, the importance of reacting to exchange rates

seems to be relevant in Rwanda since it could limit the pressure exerted on the Rwanda currency in order to meet international prices and the debt service management. In addition, these findings about the exchange rate influence on monetary policy are consistent with the state of the Rwanda's economy from 1995 when it started to benefit from financial assistance from international institutions in the context of the Enhanced Structural Adjustment Facility (ESAF) and the Poverty Reduction and Growth Facility (PRGF). This may lead one to think that changes in the flow of international assistance could contribute to the significant changes in official reserves for the country. As a consequence, an objective of Rwanda currency stability should play an important role given the link between the foreign market operation and the change in monetary base and thereby the behavior of prices level. In this specific context, one could consider that monetary authorities were not as concerned about reacting to changes in the inflation as to the exchange rate simply because when focusing on the exchange rate, the Central Bank has also attempted to stabilize prices given the fact that the depreciation of Rwandan Francs and the increase in international prices affects the inflation rate.

Comparing these findings with the suggestion of the Taylor rule, it would appear that the weight of the inflation gap does not correspond to the Taylor rule's description which sets the weight greater than one. However, the estimates indicated also the emphasis on output gap as a goal variable under the period of study. These results may indicate that the Taylor rule adapted to the context of monetary policy in Rwanda expresses that the economy behaved by giving much importance to the exchange rate and the output change than to inflation.

4 CONCLUSION AND SUGGESTION

This paper intended to study how monetary policy was conducted in Rwanda. The task has been accomplished by designing and estimating a Taylor rule, monetary policy reaction function for the National Bank of Rwanda over the period 1997-2001.

Applying Ordinary Least Squared (OLS) on data taken from the National Bank of Rwanda, the Ministry of Economic and Finance of Rwanda and the IMF together, the study shows that the National Bank of Rwanda has had a monetary policy over the years with the monetary base as the principal instrument.

The Rwanda Central Bank's reaction function can be characterized by:

- A previous two quarters in exchange rate differential weight of (-0.06), which is negatively related to the monetary base
- A previous four quarters monetary base weight of (-0.73), which is also negatively related to the current monetary base, and
- A previous two quarter output gap weight of (-0.048), which is also negatively related to the current monetary base.

In general, such relative strong response of the National Bank of Rwanda to the exchange rate may reflect the economic environment in which the monetary policy was operating, because international aid has flow into Rwanda since 1995 in the context of various economic programs undertaken with the help of the International Monetary Found (IMF) or World Bank (WB). In addition, the estimate results indicated a neglect of inflation gap.

The results of this study of course, are backward looking, in the sense that they represent the relationships that existed so far in the data. It is worth noting that a forward-looking model may enable the implementation of a more successful monetary policy rule for Rwanda and there may be areas for future research.

BIBLIOGRAPHY

Books

Backhouse, R. (1999). Applied UK macroeconomics. Massachusetts: Basil Blackwell

Blinder, A. S. (1999). Central Banking in theory and practice. Massachusetts: The MIT Press

Daniels, J. , Vanhoose, D. (1999). International monetary and financial economics. Cincinnati: South-Western College Publishing

Darnell, A. C. (1994). A dictionary of econometrics. Brookfield: Edward Edgar Publishing limited.

Dornbusch, R. , Fisher, S. , Startz, R. (2001). Macroeconomics. 8th Edition. New-York: McGraw-Hill

Edwards, G. T. (1984). How economic growth and inflation happen. London: Macmillan Press

Enders, W. (1995). Applied econometrics time series. New-York: John Wiley and Sons.

Frown, S. F. (1993). Monetary theory and monetary policy. London: The Macmillan press.

Gujarati, D. (1992). Essentials of econometrics. New-York: McGraw-Hill.

Mankiw, N. G. (2000). Macroeconomics. 4th Edition. New-York: Worth Publisher

Meyer, L. H. (1980). Macroeconometrics, a model building approach. Cincinnati: South Western Publishing Co.

Mishkin, F. S. (1997). The economics of money, banking and financial. 5th Edition. Massachusetts: Addison-Wesley

Pesaran, M. H., Pesaran, B. (1997). Microfit 4.0. Oxford: Oxford University Press.

Wallich, H. C. (1982). Monetary policy and practice. Lexington: D. C. Heath

Walsh, C. E. (1998). Monetary theory and policy. Massachusetts: The MIT Press.

Journals, Working Papers

Alexander, W. E., Thomas, J. T. , Balino, Enoch, C. (1995). An Adopting Indirect Instrument of Monetary Policy. IMF Occasional Paper No 126. Washington.

Clark, T., E. (1994). Nominal GDP Targeting Rules: can they stabilize economy? Federal Reserve Bank of Kansas City. Economic Review, Third Quarter 1994

Federal Reserve System and Monetary policy (1979). Congressional digest, Vol 58 issue 4: p101 2p (AN 10584253)

Gidlow, R. M. (1998). Instrument of monetary policy in South Africa. south Africa Reserve Bank, January 1998.

Government of Rwanda (2001). Third United Nations Conference on the Least Developed Countries. Brussels, 14-20 May 2001. Action Programme for the Development of Rwanda 2001-2010.

Hsing, Y. (2004). Estimating the monetary policy reaction function for Canada. A VAR model. Southeastern Louisiane University. Vol.3 No.1 April (2004)

Judd, J. P., Motley, B. (1993). Economic Review Federal Reserve Bank of San Francisco. 1993. Pages: 3-11.

Judd, J. P. , Rudebusch, D. (1998). Taylor Rule and the Fed: 1970-1997. FRBSF Economic Review 1998, No3

Martinez, L. , Sanchez, A. , Werner, A. (2000). Monetary policy and the transmission mechanism in Mexico. BIS paper No8. Paper presented at the seminar on stabilization and monetary policy organized by the Bank of Mexico, November 2000.

Mishkin, F. S., Posen, A. S., McDonough, W. (1997) Special Issue on Inflation Targeting. Economic Policy Review. Vol3, No3. Federal Reserve Bank of New-York, 1997.

- Mishkin, F. S. (1995). Symposia on the monetary transmission mechanism. The journal of Economic Perspective. Vol.9 No 4 (1995): 3-10
- Musinguzi, P. , Opondo, H. (1999). Bank of Uganda Staff Paper. Vol 1. No 1. 1999.
- Musinguzi, P. , Obwona, M. B., Stryker, D. J. (2000). Monetary and exchange rate policy in Uganda. African Economic Policy Discussion Paper No23, April 2000.
- Republic of Rwanda (2000). Rwanda Development Indicator. Ministry of Finance, Kigali.
- Republic of Rwanda (2002). Rwanda Development Indicator. Ministry of Finance, Kigali
- Sanchez-Fung, J. R. (2002). Estimating a monetary policy reaction function for the Dominican Republic. Discussion Paper No 02/01 Department of Economics. University of Kent, UK.
- Small, M. M. ,de Jager S. The monetary transmission mechanism in South Africa. Occasional Paper No.16, September 2001, South African Reserve Bank.
- Stryker, J. D. , Rajaratnam, B. , Cassim, F. (2000) The effect of fiscal, monetary, and exchange rate policy on the South African growth and employment. TIPS 2000 Annual Forum September 2000.
- Svensson, L. E. O. Inflation Targeting as a Monetary Policy Rule. Journal of Monetary Economics 43 (june 1999), pp. 607-54.

- Esanov, A. , Merkl, C. , de Souza, V. (2004). A preliminary evaluation of monetary policy rules for Russia. Duestembrooker Weg 120 24 105 Kiel. Kiel Working Paper No.1201. (www.uni-kiel.de/ifw/pub/kap/2004/kap120.pdf). Accessed July 2004
- Federal Reserve Bank of San Francisco (2004). US monetary policy: an introduction. (www.frbsf.org/publications/federalreserve/monetarypolicy.pdf). Accessed March 2004
- Hsing Y. (2003). Estimating the Bank of Japan's monetary policy reaction function. Working Paper. (www.selu.edu/orgs/ije/guidelines.htm-16k) Accessed June 2004
- IMF (2000). Policy for faster growth and poverty reduction in Sub-Saharan Africa and the role of the IMF. An IMF Issues Brief. (www.imf.org) Accessed March 2004
- IMF (2001) IMF concludes article IV consultation with Rwanda. Public information notice (PIN) No.01/31 March 27, 2001. (www.imf.org) Accessed March 2004
- IMF and Rwanda (1998-2001). Rwanda-enhanced structure adjustment facility economic and financial policy framework paper for 1998-2001. (www.imf.org) accessed March 2004
- IMF and Rwanda (1997-2001): Press release index for 1997-2001. (www.imf.org) Accessed March 2004
- King, M. (2003). What has inflation targeting achieved? (www.missouri.edu/~ecoprml/ec413f03/yhch_15.pdf) Accessed March 2004

Osterholm, P. (2003). The Taylor rule: a spurious regression? JEL classification: E52.
(www.nek.uu.se/pdf/wp2003_20.pdf). Accessed May 2004

Poole, W. (1999). Monetary Policy Rules? The Federal Reserve Bank of St Louis Review, Issues 1999 March/April, 1999 vol.81, No2.
(www.research.stlouisfed.org/publications/ereview/99/03/9903wp.pdf) Accessed April 2004

Sanchez-Fung, J. R (2000). Estimating a Taylor-type monetary policy reaction function for a small developing economy. JEL classification: E5
(www.stanford.edu/johntaylor/papers/how+do+monetary+authorities+react+in+the+DR.pdf). Accessed April 2004

Setlhare, L. A. (2003) close look at Botswana's management of monetary policy: the reaction function approach.
(www.essa.org.za/download/paper.2003.htm-42k)
Accessed June 2004

Svensson, L. E. O. (1998). Inflation targeting as monetary policy rule. Working paper 6790 JEL No E42, E52.
(www.missouri.edu/~ecoprml/ec413f03/yhcha-Is.pdf)
Accessed April 2004

Taylor, J. B. (1999). The monetary transmission mechanism and the evaluation of monetary policy rules. Third annual international conference of Central Bank of Chile on monetary policy rules and transmission mechanism. September 20-21, 1999 WP No.87
(www.bcentral.ch/estudios/doctrab.htm) Accessed May 2004

Taylor, J. B. (1998). An historical analysis of monetary policy rules. Working Paper 6768. Cambridge: National Bureau of Economic Research. (www.nber.org/papers/w6768) Accessed April 2004

Walsh, C. E. (2001). The science (and art) of monetary policy. Federal Reserve Bank of San Francisco. Economic Letter 2001-13, May 4, 2001. (www.frbsf.org/publications/economics/letter/2001/el2001-13.html) Accessed April 2004

Worrel, D. (2000). Monetary and fiscal coordination in small open economies. IMF working paper. WPI/00/56 JEL classification No.E63, E58 (www.imf.org/external/pubs/ft/wp/2000/wp0056.pdf) Accessed March 2004

REFLEXION CRITIQUE SUR L'ETAT DES ENTREPRISES DE LA PRESSE AU RWANDA APRES 1994.

Par **BENENWA Bosco.**

Introduction

Les entreprises de la presse du Rwanda ne peuvent pas être considérés comme des banales entreprises privées dont le succès puisse se mesurer seulement aux bénéfices. Il faut qu'ils soient responsables vis-à-vis des divers groupes qui composent la société de la population : autrement dit, il convient que les médias répondent aux divers besoins et désirs. Pour simplifier, Claude Jean Bertrand (1999) rappelle les six fonctions majeures de médias ;

- Surveiller l'environnement ;
- fournir une image du monde ;
- transmettre la culture ;
- servir de forum ;
- faire acheter ;
- aider au bonheur (divertir)

Ces fonctions rejoignent les recommandations du Ministère Rwandais d'information adoptés par le conseil du gouvernement du 02/09/2004 insistant surtout sur le rôle des médias dans l'unité, la réconciliation nationale et le développement. Cependant, des six fonctions majeures des médias ci-haut cités, chaque média oeuvrant au Rwanda peut n'assumer qu'une ou deux, en considérant surtout que nos médias sont dans leur ensemble confrontés aux risques comme les autres entreprises. Ainsi, une solide organisation s'appuyant sur une bonne gestion des entreprises médiatiques peut leur permettre de remplir convenablement leur mission en dépassant les anomalies inhérentes au travail déficitaire caractéristique des médias rwandais.

Une bonne gestion ainsi qu'une bonne organisation des médias doit commencer par la professionnalisation et la technisation du métier le plus connu des médias, c'est-à-dire le «journalisme», sans oublier les autres professionnels, aux compétences et activités très diverses qui interviennent, tout au long du processus de réalisation puis de diffusion des produits médiatiques.

Sont analysés, dans les pages suivantes, les points relatifs au développement des techniques journalistiques, gestionnaires et organisationnelles des médias pluralistes au Rwanda.

Pour bien mener notre recherche, nous avons fait notre enquête au près de 11 organes de presse sur une quarantaine que compte le pays. Il s'agit de :

Umuseso, The New Times, Kinyameteka, Imvaho Nshya, Ubumwe, Rushyashya, Ingabo Magazine, Umuco, Gasabo, La Nouvelle Relève, Le Messenger

1. Réflexion critique sur la phase de lancement des médias rwandais

Les problèmes des médias rwandais trouvent leur racine pour la plupart dans l'amateurisme qui caractérise leur naissance. Plus précisément, l'observation qui se dégage des plusieurs points de vue d'experts enquêtés est que tout promoteur d'un journal ne peut lancer la phase productive qu'après avoir répondu à un certain nombre de question sur le contenu, le lectorat, la périodicité, la maquette, etc. Cette phase de définition de la formule d'un journal nécessite une considération minutieuse car en principe, elle ne varie et ne change pas au gré des événements, des modes, de revirements politiques. Comme le soulignent Daniel Fra et Ngangué Eyoun (1998), elle est faite pour durer et fidéliser un lectorat. Pour définir cette formule, un

directeur de publication peut s'appuyer sur les questions de référence auxquelles tout journaliste doit répondre : « *Qui ?* », « *Quoi ?* », « *Où ?* », « *Quand ?* », « *Comment ?* », etc.

A la lumière de ce qui précède, la presse rwandaise donne l'impression « *qu'on écrit pour soi au lieu d'écrire pour ses lecteurs* ». Par conséquent, comme l'on pourrait bien s'y attendre, la presse au Rwanda est généraliste et très concurrentielle. L'absence d'une presse spécialisée, avec de petits tirages et facile à vendre auprès de lecteurs et annonceurs ciblés, se fait sentir. Rien d'étonnant donc quand la majorité affirme que parmi les difficultés majeures rencontrées par la presse au Rwanda c'est le nombre très limité de lecteurs et d'annonceurs.

Evidemment cette observation est unidirectionnelle car ce qui semble échapper aux journalistes, plus précisément aux initiateurs des entreprises médiatiques du Rwanda, c'est la définition de ceux qui vont être les lecteurs. A partir d'une simple description démographique et statistique, ils peuvent pourtant déterminer leurs choix entre un public large ou réduit.

Quelques critères de différenciation des publics rwandais peuvent être par exemple :

- le sexe : homme et femme ; - la tranche d'âge : de 15 à 25 ans, de 25 à 45 ans, etc. ; - le revenu : de 10 000 à 20 000 Frw ; de 20 000 à 50 000 Frw etc.
- la profession : ouvrier, étudiant, « chômeur diplômé », employé de bureau, commerçant, enseignant, etc.

L'omission de la segmentation préalable de la population du pays rend tout promoteur d'un journal de presse incapable de déterminer dans la population globale que groupe est susceptible de l'acheter régulièrement. C'est être incapable de choisir sa cible. Visiblement, la plupart

des grands hebdomadaires ou mensuels d'actualité traitent de toutes les informations sur tous les sujets, pour tous les rwandais souhaitant se tenir au courant de l'actualité. Ils optent d'informer la majorité sur l'essentiel. Leur domaine privilégié est celui de l'actualité récente, chaude, et tous les thèmes y ont leur place : faits divers, actualité politique nationale et une très brève information internationale, faits de société, économie, sports, culture, etc.

Journaux spécialisés et journaux généralistes au Rwanda

Nom du Journal	Journal spécialisé	Journal généraliste	Tirage*
Umuseso		x	6.000
The new Times		x	6.000
Rushyashya		x	1.500
Imvaho nshya		x	6.000
La nouvelle Relève		x	1.000
Ingabo Magazine	x		1.600
Huguka News Paper	x		4.500
Umuco		x	2.000
Gasabo		x	1.500
Ubumwe		x	2.000
Le messenger		x	2.000
Umurage		x	1.000
Hobe	x		134.000
Amani	x		1.000
Ukuri-Gacaca	x		1.500
Kinyamateka	x		6.000
Grands Lacs Hebdo		x	2.000
Le Verdict/Umukindo	x		1.000
Totaux	7	11	

Source : Notre enquête, juin 2006

Tel que le tableau ci-dessus le montre, à première vue, le principal intérêt des promoteurs des journaux du Rwanda est de cibler la totalité de la population alphabétique et la prolifération des journaux généralistes, dont le public-cible est essentiellement la population urbaine de la capitale, en est la conséquence.

Les journaux généralistes de Kigali abordent tous les sujets avec insistance sur les questions politiques. En outre, le constant est tel que tous les sujets abordés sont traités superficiellement, car tout traiter requiert des moyens que les journaux rwandais n'ont pas toujours.

De surcroît, les journaux généralistes, du fait d'être fortement concentrés à Kigali se font subir une forte concurrence entre eux. Cette situation concurrentielle est empirée par celle de la télévision et surtout de la radio, qui donne chaque jour une information plus complète, plus immédiate et gratuite.

Même si d'emblée ne viser qu'une fraction de la population, donc une cible restreinte, paraît limitatif, la stratégie présente des avantages très importantes surtout pour les médias rwandais limités par les moyens matériels et financiers :

- Les membres de la catégorie sociale ciblée sentent spontanément que le journal est écrit pour eux, qu'ils traitent de leurs problèmes, de leurs aspirations. Ainsi l'acte d'achat du journal, ou au moins de lecture, est presque garanti à condition que la cible ait un minimum de pouvoir d'achat et que le contenu réponde effectivement à ses attentes.
- Plus une cible est réduite, moins la distribution pose problème.
- Un lectorat homogène est un argument commercial fort devant un annonceur publicitaire. A titre d'exemple, une

librairie-papeterie ou un magasin d'habillement pour les jeunes gagnera à passer ses annonces dans les journaux à lectorat étudiant et jeune.

- La spécialisation des journaux permet à certains d'entre eux d'orienter leur ligne éditoriale sur des thèmes différents de la politique échappant ainsi aux tracasseries liées au traitement d'information politique. Comme le rapporte un expert, « la censure, l'autocensure et le contrôle des informations à caractère hautement politique constituent un problème ». cependant, les journaux rwandais ont encore de vastes domaines qui demeurent inexplorés.

Ils peuvent se spécialiser soit en santé, soit en sport ou en musique, culture et arts, province, vie syndicale, faits divers, etc. les possibilités de spécialisation sont variées. On peut créer un journal centré sur le seul sport, le foot par exemple, le basket, etc.

2. La ligne rédactionnelle et les titres : difficulté d'émergence d'une presse pluraliste au Rwanda

La ligne rédactionnelle, comme l'affirment Guéry et Lebedel (1994), est la vision du monde et de l'actualité à laquelle adhère toute une équipe de journalistes et qu'elle veut partager avec son lectorat. Elle ne peut changer d'un numéro à l'autre, ni même tous les six mois : cela déboussolerait les lecteurs à qui il n'en faut pas plus pour se tourner vers d'autres titres. Il faut souligner que la ligne éditoriale d'un journal ne se réfère pas obligatoirement à la politique. Mais même un journal à contenu politique devrait savoir avant tout rester un organe d'information. Il doit s'efforcer d'être honnête vis-à-vis du public.

Certes des journaux comme la Nouvelle Relève, Imvaho Nshya, « le vénérable » Kinyarwanda, The New Times et

Ingabo ne traitent pas que des sujets politiques et abordent aussi d'autres thèmes d'actualité mais la plupart des plaintes portées contre les journaux rwandais dénotent un rubriquage profondément politique souvent traité avec une légèreté peu familière au professionnalisme où il ne s'agit pas de donner un compte rendu de l'actualité, ni même d'expliquer celle-ci mais de lui donner une orientation tendancieuse basée sur les opinions politiques personnelles. Par conséquent on se soucie peu de l'exactitude factuelle.

La ligne éditoriale peut inspirer le titre d'un journal, cependant le choix de celui-ci ne peut pas se faire à la légère.

Le simple bon sens devrait commencer au choix du titre : le nom du journal s'efforcera donc d'annoncer le contenu, la zone (région ou ville) de diffusion, sa fréquence de parution.

« *Ingabo Magazine* » annonce le contenu, « *Grands Lacs Hebdo* » semble annoncer la région de diffusion du reste des journaux, les titres sont une affaire de goût et très souvent sans référence au contenu, à la périodicité ou zone de diffusion.

L'une des raisons de la mévente des journaux rwandais est d'abord la prolifération des titres qui, malheureusement, attirent peu le lectorat. Les principaux journaux (*Imvaho Nshya, la Nouvelle Relève, The New Times, Umuseso, Ubumwe, Umuco, etc.*) sont à dominante politique.

Ils reflètent tous l'effervescence du débat politique et présentent ainsi le même produit sur un marché très restreint car limité essentiellement à la seule ville de Kigali.

Au moment de fixer définitivement le contenu d'une publication, la sagesse commandera de ne pas choisir un

produit qui existe déjà sur le marché. Les promoteurs de nouveaux journaux feraient mieux d'éviter de n'être « *qu'un journal de plus* » et de choisir des thèmes et un lectorat encore peu ou mal exploité. Le pluralisme de la presse ne se traduit pas tant par une voix supplémentaire dans le concert de débat politique, que par l'émergence d'une presse spécialisée.

Une presse pluraliste au Rwanda doit se fonder sur la question fondamentale du lectorat qui, à son tour répond à celle du contenu. Pour être pluralistes, les journaux, devront livrer à leurs lecteurs l'information susceptible de les intéresser sous plusieurs angles. La question à se poser est donc celle-ci : « *Quelle information attendent nos lecteurs ?* ». Le plus simple pour avoir des réponses est de la poser directement aux lecteurs potentiels.

Comme souligné dans les pages précédentes, en dehors du champ politique, les options de contenus rédactionnels ne manquent pas au Rwanda. La règle, c'est de savoir déterminer un domaine d'intérêt et la bonne manière journalistique de l'atteindre.

Au Rwanda, selon les dires de nombreux enquêtés, un autre facteur qui freine le développement de la presse pluraliste est que beaucoup préfèrent ne pas perdre et l'argent aux régions en dehors de Kigali. C'est dommage, car en province des lectorats éventuels manquent d'information. Le nombre de lecteurs de Kigali ayant guère évolué, ceux de province pourraient augmenter très sensiblement les ventes. Les solutions sont autant du domaine de la diffusion que du contenu.

Nos journaux peuvent couvrir rédactionnellement les petits centres commerciaux de province. Un journaliste correspondant engagé sous forme de freelance peut alimenter régulièrement une rubrique. L'intérêt sera nécessairement soutenu : les populations de Kigali et

même celles d'autres villes étant majoritairement constituées de ruraux devenus citadins, ils gardent de forts liens effectifs avec leurs milieu d'origine. Ils seront rapidement fidèles lecteurs des journaux qui leur donnent les nouvelles de chez eux.

3. Considérations techniques relatives au fonctionnement des médias rwandais

- Périodicité

Il est recommandé que le journal respecte sa périodicité affichée sous forme d'un véritable contrat avec le lecteur. Quotidien, bi ou tri-hebdomadaire, hebdomadaire, bimensuel, mensuel, trimestriel, etc. La plupart des législations, le Rwanda compris, considèrent que quatre parutions par an est le minimum pour avoir droit au statut de journal. Chaque périodicité présente des avantages mais aussi des contraintes, c'est essentiellement en fonction de son contenu qu'on détermine la périodicité d'une publication.

- La périodicité des journaux du Rwanda

A la lumière du tableau ci-dessus, au Rwanda, le plus grande fréquence de parution est celle de « *The New Times* » dont la parution est de 3 fois la semaine. Le reste des journaux sont hebdomadaires, bimensuels, mensuels, etc.

Journal	Périodicité
Umuseso	Hebdomadaire
The New Times	Quotidien
Kinyameteka	Bi-mensuelle
Imvaho Nshya	Hebdomadaire
Rushyashya	Bimensuelle
Ubumwe	Mensuelle
Ingabo Magazine	Bimensuelle
Umuco	Bi-mensuelle
Gasabo	Bi-mensuelle
La Nouvelle Relève	Hebdomadaire
Le Messager	Mensuelle

- *Source : notre enquête, 2006*

En effet, plus la fréquence de parution est élevée (périodicité citée), plus le contenu doit être l'information d'actualité. Comme la périodicité de la plupart des journaux rwandais est longue, ceux-ci devraient traiter des sujets en profondeur (enquête de fond, reportages, analyses globales, informations exclusives). Cependant, on est souvent étonné de voir certains journaux bimensuels et mensuels aborder les événements comme s'ils venaient d'avoir lieu alors qu'ils sont vieux d'une, deux, trois ou quatre semaines. Ils n'ajoutent rien de nouveau à ce qu'ont écrit les trihebdomadaires, et ce qu'ont diffusé la radio et la télévision.

Un titre d'article ne devrait pas être repris s'il est déjà utilisé par un concurrent. La confusion serait préjudiciable aux deux. Le manque d'engouement aux journaux que les publics rwandais manifestent en est la conséquence. Parfois le même titre se trouve à la fois dans *l'Umuseso*, *Ubumwe* et *Umuco*. Pour connaître le succès, un

hebdomadaire ou un mensuel doit apporter une pluvalue en information : reportages et enquêtes de fond plutôt qu'une information au jour le jour et sans perspective.

Ce qu'il faut noter c'est que la périodicité n'influence pas la masse de travail. On ne travaille pas plus dans un quotidien que dans un mensuel. Il ne faut pas croire que plus les parutions sont espacées, plus le travail de la rédaction est tranquille. Les rythmes changent mais la masse de travail reste sensiblement la même. Dans un quotidien qui sort le matin, c'est « *un bouclage tous les soirs* », une phase très intense vers la fin de l'après-midi ou dans la soirée. Dans un hebdomadaire, le bouclage dure souvent toute une journée. Quant aux mensuels, certains rédacteurs en chef et secrétaires de rédaction savent qu'ils sont condamnés à passer les trois dernières nuits à rédiger et corriger papiers ou épreuves.

La conception, les méthodes de travail, les modes de traitement et la présentation graphique sont très différents entre un quotidien, un hebdomadaire et un mensuel, et répondent à une demande différente des lecteurs. Du quotidien considéré comme une source d'information éphémère (l'information est traitée au jour le jour), il faudra différencier les hebdomadaires et les mensuels pour lesquels la recherche et le traitement de l'information sont plus élaborés. Dans tous les cas, il est important que le journal respecte sa périodicité affichée.

Au Rwanda, il est arrivé que des journaux paraissent avec un ou plusieurs jours de retard. Certains ont paru momentanément puis ont disparu. Pour les professionnels de la presse, le respect du rendez-vous est impératif. Les journaux « *Ere de liberté* », « *Tribun du peuple* », etc. en sont une triste illustration pour ceux qui s'en souviennent.

- La « Une » des journaux

L'un des problèmes majeurs des journaux rwandais c'est la page « Une » car il arrive que certains journaux offrent aux lecteurs leurs pages « unes » quasi identiques. La « une » en tant que « vitrine du journal », doit inciter à « venir à l'intérieur », c'est-à-dire à la lecture et à l'achat. Elle fait fortement appel au visuel, donc à l'émotionnel, d'où la prédilection de la photo pour cette page (Le Roy, 1993)

Tout un florilège de formules convient à la une : une photo unique avec un seul titre s'y rapportant, le démarrage des articles les plus intéressants qui se poursuivent dans les pages intérieures ou encore un résumé des principaux articles accompagnés de photos. L'essentiel est qu'en présentant à chaque numéro la même physionomie (même principe de maquette, mêmes couleurs, même ton, la « une » fidélise le lecteur, l'habitué à reconnaître, d'un seul coup d'œil son journal. cependant, rien ne doit être exagéré au-delà du fait réel. Il n'est pas rare de trouver dans certains journaux de Kigali un titre « fort » ou un « titre-choc » à la « une » qui renvoie à un article vide d'information annoncée. C'est de l'escroquerie et les lecteurs ne se laissent pas bernier longtemps.

- Les rubriques

Les rubriques sont des points de repère pour les lecteurs. ils aident aussi considérablement la rédaction à travailler car élaborer un rubrique, c'est déterminer des sous-ensembles, fixés une fois pour toutes et qui, là encore, ne changeront pas d'un numéro à l'autre au gré de l'actualité. A ce sujet, une brève observation révèle que les journaux rwandais sont souvent limités dans leur pagination. Il est,

dans ces conditions, rarement possible de maintenir toutes les rubriques souhaitées par la rédaction.

La solution n'est pas de supprimer l'une ou l'autre rubrique. Face à cette difficulté, il faut éviter de fixer la rubrique avant de connaître la pagination (le nombre des pages disponibles). Il faut donc éviter une fréquente révision des rubriques car ceci conduit à une nouvelle pagination qui va gonfler les factures d'imprimeurs au-delà des possibilités de trésorerie. Avant tout, la pagination est déterminée par les comptes prévisionnels de l'entreprise. Le créateur d'un journal doit d'abord savoir sa prévision budgétaire, il faut savoir aussi combien de journalistes dispose-t-on : cet effectif est tributaire de sa capacité de supporter tel ou tel autre nombre de rubrique.

Les moyens techniques comptent aussi énormément : un seul ordinateur pour six journalistes dans un hebdomadaire c'est un casse-tête en prévision. Il est également nécessaire de s'assurer aussi de la capacité de l'imprimeur à libérer le journal à temps. Rien de pire que de voir des pages livrées à temps traîner plusieurs jours dans les ateliers. Certains hebdomadaires rwandais se plaignent de longues attentes imposées par l'imprimerie impliquant le risque de retard sur la périodicité.

Bref, il faut au départ se fixer des objectifs réalistes : plutôt que de voir coûte que coûte sortir un hebdomadaire grand format de 20 pages, sans doute vaut-il mieux, dans un premier temps, démontrer qu'on peut publier un bimensuel, de 20 pages également. Tous les journaux évoluent dans leur forme, dans leur fond, dans leur périodicité et aussi dans leur rubriquage. Avant de vouloir tout de suite jouer dans la cour des grands, il semble

préférable d'appliquer une loi de progressivité consistant à « *commencer petit* » (mais bien) et de « *montrer en puissance* », selon Mamadou Konoba Keïta (1991). « *Sans trop de pertes, les lecteurs suivent* » le titre. Par contre, le mouvement inverse (un quotidien devenant hebdomadaire) admet implicitement que « *l'on n'arrive plus à tenir le rythme* » et risque de faire perdre la confiance de lecteur acheteur.

- Illustration : Une technique que les journaux rwandais n'ont pas encore suffisamment intégrée. Une photographie une information et, à ce titre, elle doit être traitée avec la même considération que n'importe quel article. Malheureusement lorsqu'on analyse la photographie de la plupart des journaux de Kigali, on a l'impression que la photo est un simple accessoire du texte, mis là pour embellir. La majorité des personnes enquêtées qui se sont exprimées sur cette question pensent que plusieurs journaux n'ont pas de photographes de presse considérés comme journalistes à part entière.

En réalité, les journaux rwandais manquent de photographes professionnels capables de faire voir au public « les photos qui parlent » et qui provoquent chez nombre de personnes le désir d'en savoir plus et de lire les textes accompagnant ces images. Il est vrai que le public rwandais manifeste peu d'intérêt à l'égard des journaux, mais aussi, on ne le dira jamais assez, plusieurs lacunes expliquent la faiblesse des journaux rwandais d'accrocher un public de « lecteurs » potentiels. L'absence de structure administrative et rigoureuse, le manque de journalistes professionnels, y compris les photographes professionnels, etc. redent nos journaux peu attrayants.

Tous les journalistes devraient pouvoir, avec une formation minimale, être capables de rapporter de leur

reportage les prises de vues pour mettre en pratique « une politique photo ». On n'attire pas le lecteur vers un article sans l'appât d'une bonne photo expressive. Il faut donc se fixer un objectif simple : au moins une photo par page, une photo qui soit un vrai morceau d'information.

- La qualité du contenu des médias rwandais.

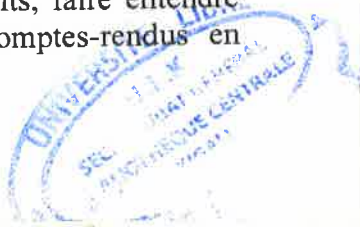
Dans l'ensemble, la qualité du contenu de nos médias n'est pas bonne car elle reste tributaire de plusieurs facteurs limitatifs. Les gens des médias rwandais ont soit du mal à se démarquer des faits à reporter, soit ils se font une idée fautive des goûts du public.

En quoi une œuvre de qualité se distingue-t-elle d'une production médiocre ou mauvaise ?

Selon Pigeat (1997), six éléments importants déterminent la qualité d'un article de journal :

1. La séparation du fait et du commentaire ;
2. La recherche de l'équilibre et de l'équité de l'information (ne pas masquer la vérité, ne pas exagérer le fait) ;
3. Présenter des possibilités contradictoires ;
4. Présenter des preuves à l'appui ;
5. Utiliser le style direct ou les guillemets de façon judicieuse ;
6. Structurer l'information selon un ordre approprié en commençant par l'essentiel, quitte à donner les détails à la fin (Pigeat, 1997)

Si les journaux rwandais frisent la médiocrité c'est qu'en partie ils sont ennuyeux et n'apportent aucune surprise. Il faudra bien qu'ils exploitent de nouvelles méthodes de travail : tenter de nouvelles formes, de nouveaux genres journalistiques, aborder des sujets inédits, faire entendre des voix différentes, proposer des comptes-rendus en



choisissant d'autres perspectives, ne plus hésiter à faire plus court ou plus long que d'ordinaire.

Tel que le tableau ci-dessous le prouve, la majorité de personnes enquêtées, soit 75%, affirment que le contenu dans des médias rwandais est médiocre car plusieurs journalistes ne savent différencier les faits de leurs propres commentaires.

Question posée	Réponse		
	Oui	Nom	Totaux
Pensez-vous que les journalistes rwandais respectent la séparation du fait et des commentaires personnels.	3	8	11
%	3 (25%)	8 (75%)	100

D'autres aspects signalés par les enquêtes affectant sérieusement la qualité du contenu des articles des journaux sont les problèmes de la clarté des idées, fautes d'orthographe, coquilles, oublis ainsi que des problèmes de maquette.

- L'usage des sources anonymes

Il faut, d'abord, signaler que ce sujet est particulièrement délicat à traiter, et pas seulement dans le contexte rwandais actuel, mais presque sous toutes les latitudes où il existe une presse qui pourrait se dire tant soit peu démocratique.

L'anonymat peut être une astuce du journaliste qui passe ses idées en les mettant sur le compte d'un informateur, qui est d'ailleurs, parfois, lui-même. Mais, l'anonymat

peut également cacher un informateur officieux (une personne que le journaliste peut bien connaître, dont en tout cas, il a vérifié l'authenticité de l'information, mais qui, pour différentes raisons avouées ou inavouées, préfère ne pas dévoiler le nom, mais de qui il livre, cependant, une information dont il estime que le public a besoin), un informateur – manipulateur qui donne des demies-vérités, des nouvelles interprétées à sa façon ou des rumeurs.

Dans tous les cas, la loi permet au journaliste de protéger ses sources mais en même temps, il sait qu'il assume la responsabilité de ses informateurs anonymes. Le recours à l'anonymat peut également traduire la nature répressive d'un régime dans lequel les gens pensent, à tort ou à raison, que l'expression libre de leurs opinions comporte des risques. En effet, sous certains régimes, la profession de journaliste s'assimile au serment de « Kamikaze ».

Les sources anonymes font donc partie intégrante du monde de la presse. Rarement la rédaction d'un journal s'achève sans qu'ait paru au moins un article important dans lequel elles sont utilisées, et il n'y a aucune raison de penser que cette situation va changer.

Cependant il est une question que l'on peut se poser : les reporters et les rédacteurs en chef des médias rwandais manipulent-ils l'information abusant ainsi l'usage des sources anonymes comme le révèlent les multiples accusations portées contre eux ? Cette question nous conduit à plusieurs autres : Le public n'est-il pas en droit d'attendre qu'une information soit accompagnée de quelques informations sur les motivations de celui qui l'a divulguée ? Pourquoi l'article qui renferme cette information ne pourrait-il mentionner au moins la source générale, tout en conservant l'anonymat individuel ? Les

journalistes, insistent-ils suffisamment auprès de leurs informateurs pour être autorisés à publier leurs noms ? Si un parlementaire ou un politicien estime qu'il est dans l'intérêt du public que telle information soit relevée, pourquoi n'accepterait-il pas que son nom soit indiqué en même temps ? Et dans la négative, serait-il prêt à donner de son refus une explication que publierait le journal ?

Toute cette histoire des sources mentionnées ou no est étroitement liée au problème de manipulation. Aussi longtemps que les journaux rwandais accepteront des matériaux en provenance de sources anonymes et voudront bien les publier sans dire dans quelles circonstances ils ont été obtenus, la pratique de la manipulation de l'information et les conflits qu'elle génère constituera continuellement un problème de fond pour la profession journalistique au Rwanda.

En rapport avec les questions ci-dessus le Professeur Hugh M. Culberston, de l'université d'Ohio cité par Ngagué (1991), affirme que la dissimulation des sources d'information ne doit pas être un jeu truqué. Tout d'abord, le lecteur mérite qu'on lui donne des indications qui lui permettront d'évaluer la crédibilité du message. Bien entendu, nos journalistes doivent savoir qu'il existe différentes sortes de sources anonymes. La plupart des journalistes devraient être capables de distinguer un informateur que exige l'anonymat pour être à l'abri des représailles des gens qu'il dénonce et celui qui fait la même demande pour éviter que l'on voie son nom accolé à des déclarations qui servent ses propres intérêts ou sont une critique suspecte d'un rival politique. Souvent, cependant, il n'est pas si facile de discerner la motivation qui est à l'origine de la demande d'anonymat.

De toute façon, les sources qui exigent l'anonymat doivent être traitées avec la plus grande circonspection par les journalistes.

Strentz, cité par Ngagué (1991), donne au journaliste et au public quelques règles à observer vis-à-vis d'une source qui exige l'anonymat :

1. Le journaliste doit obtenir confirmation de l'information fournie par une source anonyme. Il peut même recourir pour cela à d'autres sources anonymes indépendantes. C'est ce que firent Woodward et Bernstein pour la plus grande partie de leur travail sur l'affaire de *Watergate*. Ils cherchèrent à obtenir une double ou triple confirmation, de différentes provenances, des informations données par des sources anonymes.
2. Les articles dont les matériaux ont été fournis par des informateurs ayant gardé l'anonymat devraient en général être présentés avec le nom des reporters. Quelqu'un doit être responsable du contenu des articles d'information, y compris des déclarations en provenance des sources anonymes.
3. L'anonymat ne doit pas être le premier argument auquel **aura** recours le journaliste **pour amadouer** sa source. Si l'informateur **semble hésiter** à répondre à une question, le journaliste a d'autres choix que de lâcher : « Bon, je laisserai votre nom en dehors de tout ça, si vous voulez ». Si la source est une personnalité officielle, le journaliste doit insister sur sa responsabilité que les gens dans sa position **ont vis-à-vis** du public. **S'il ne s'agit pas** d'une **personne** officielle, il peut **faire valoir** qu'il utilise à contrecœur les déclarations d'une source anonyme. Par modestie, pour se protéger ou pour

d'autres motifs moins estimables, beaucoup d'informateurs bondiront sur la chance qui leur est offerte de voir citer leurs déclarations mais par leurs noms. Le journaliste ne doit pas les soumettre à cette tentative au premier signe d'hésitation de leur part. il existe, certes, de bonnes raisons pour justifier l'utilisation des sources anonymes, mais dans ce cas le journaliste assume sa responsabilité dans le strict respect des règles déontologiques de l'objectivité journalistique.

- *Quid de l'objectivité du journalisme au Rwanda*

Après avoir analysé plusieurs articles à travers divers journaux, et après avoir lu différents dossiers contenant les accusations portées contre certains journaux rwandais, il y a lieu de relever trois principaux styles caractérisant le journalisme local.

- Le premier style peut être qualifié de journalisme engagé – dans lequel les journalistes prennent ouvertement fait et cause, en toute contradiction avec l'effort d'impartialité et d'objectivité (cas de la plainte présentée en 2005 par Mgr BIRINDABAGABO devant le Haut conseil de la Presse contre l'hebdomadaire « *Imvaho* »)
- Le deuxième style est proche du Journalisme d'investigation où des articles traduisent une tendance de la part de certains journalistes de se poser en adversaires du pouvoir établi, proposant parfois des solutions aux problèmes et se donnant une mission qui va bien au-delà du reportage, attaché aux faits. (plaintes portées devant le HCP

contre le journal « *Umuseso* » suite à un article qui s'attaquait au Président Paul Kagame)

- Journalisme de service – qui recourt au style privilégiant les préoccupations et les intérêts quotidiens du grand public, au détriment de l'originalité et de la nouveauté. Dans cette approche, la sélection des sujets traités vise à s'identifier étroitement avec le public.

Face à cette situation, il faudrait privilégier l'approche qui vise l'objectivité ou l'impartialité. Il s'agit bien sûr d'un processus qui suit des techniques de collecte des données et des données de présentation journalistique mises au point par Mac Neil Robert cité par Ngangué (1991).

- Techniques de collecte des données d'information

Au départ, le processus qui vise la collecte des données implique une série de questions interdépendantes que le journaliste doit se poser à chaque étape.

- **Le choix des données** : Qu'est-ce qui mérite d'être couvert et pourquoi ? Evidemment, tout dépend du type de publication et de l'objet qui est le sien.
- **La collecte des données** : A quel moment a-t-on recueilli suffisamment d'informations ? Il s'agit une fois d'une question fondamentale. Un journaliste expérimenté doit savoir quand il a recueilli suffisamment d'informations pour répondre aux questions essentielles qui assurent un compte-rendu complet. En l'occurrence, le texte consiste à se demander, compte tenu des objectifs d'un article donné, si toutes les questions essentielles ont trouvé une réponse dans les éléments fournis par les sources appropriées. Ce

critère d' « *exhaustivité raisonnable* » est souvent invoqué par la défense dans les poursuites en diffamation, et l'on demande de plus en plus souvent aux organes de presse d'indiquer les « *seuils* » qu'ils définissent pour déclarer un reportage achevé.

- **L'évaluation des données :** qu'est-ce qui est suffisamment important dans un article ? Seule une partie des informations collectées figurera dans l'article définit. Laquelle ? Et pourquoi ? Parfois on sent le besoin d'établir une liste de priorités, notamment lorsque le secrétariat de rédaction demande de pratiquer des coupures dans une première version jugée trop longue. Pareille décision doit être rationnelle.

Ainsi, un journaliste qui couvre par exemple la libération de l'ex - Président PASTEUR BIZIMUNGU doit dresser une liste des faits essentiels, des sources clé et des interprétations. Mais si on lui demande de raccourcir son article, il lui faudra donc déterminer ce qui est indispensable à une présentation précise et complète.

- **La rédaction des données :** Quels mots et quelles images faut-il utiliser ? Lorsqu'un journaliste rédige un article, il ne lui est pas difficile de distinguer clairement ce qui relève de ses impressions personnelles, qu'il a parfaitement le droit d'exprimer, et ce qui relève de l'information purement actuelle. Cependant, il essaiera d'être fidèle aux faits que le lecteur moyen aurait pu constater s'il s'était trouvé sur les lieux de l'événement.

- **La mise en forme des données :** Quelle information choisira-t-il pour faire la une, pour ouvrir le bulletin à la radio ou à la télévision, et quels articles décidera-t-on de supprimer ? Qu'est-ce qui est plus important pour le public ? Une fois ce point établi, on peut décider de couper telle ou telle chose, et de mettre en relief telle ou telle autre.

- Mode de présentation journalistique

Il convient maintenant d'examiner trois types généraux de présentation journalistique :

- Articles descriptifs
- Articles analytiques
- Articles consacrés aux répercussions d'un événement.

Les explications sont fournies par Bertrand J C (1999) sur le tableau ci-dessous :

Trois modèles de compte-rendu d'information et de rédaction d'articles

Modèle	Caractéristiques	Questions ayant obtenu une réponse	Exemples
Articles descriptif	Simple description des faits essentiels d'une situation ou d'un événement - style concis, sobre, allant à l'essentiel : le minimum de détails essentiels à la compréhension du lecteur. Nature et portée de l'événement ou de l'affaire, principales sources (citées)	Qui ? Quoi ? Où ? Quand ?	Brèves nouvelles, reportages, couverture d'événements exceptionnels (catastrophe)

			s naturelles, élections, défilés, manifestations...)
Articles analytiques	Article qui met l'accent sur les forces en jeu, les intérêts rivaux, les points de vue, les explications et les interprétations possibles des circonstances et des origines d'une situation ou d'un événement.	Comment ? Pourquoi ?	Articles de fond exposant les forces (visibles et invisibles) qui sous-tendent une affaire ou un événement : montrent comment des forces multiples, les points de vue différents ont pesé sur un événement (par ex. des articles relatant les phases d'une décision politique)
Articles consacrés aux répercussions d'un événement	Article exposant la signification immédiate et à long terme d'un événement. Relève parfois de la spéculation, en se fondant sur des sources qui font autorité. Quelles sont les conséquences sur les individus ? La communauté ? Et d'autres personnes ?	Et alors ?	Article proposant une interprétation, s'efforçant de dégager le sens des événements, des questions, problèmes, etc., utiles pour l'étude des

			tendances, des processus ; peuvent prendre la forme de projection (par ex. les conséquences qu'une réforme fiscale entraînera pour les citoyens)
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Une interprétation des modes de présentation relative à l'objectivité du **journaliste** conduit à ces conclusions :

- Les articles **descriptifs** sont aisément vérifiables. On y présente certains faits qui peuvent être confirmés même s'il existe des désaccords sur des points de détail.
- Dans le cas d'articles analytiques, il est **généralement possible d'inventorier** les sources disponibles sur un **sujet donné**. On peut les énumérer et présenter les divers points de vue. Le **journaliste** donne à son article une perspective **qui relève** de l'interprétation et qui prête une certaine signification aux événements, mais n'importe quel lecteur attentif doit pouvoir s'en rendre compte. De même, si le journaliste omet de citer une source éventuelle, le lecteur doit le remarquer et porter un jugement en conséquence.

Les articles consacrés aux répercussions d'un événement **posent plus de problèmes** mais rien n'empêche de les présenter avec **impartialité**, comme **exposés de conjectures** ou d'hypothèses.

CONCLUSION

Cet article a tenté d'exposer les problèmes liés au lancement des organes médiatiques. La faiblesse majeure y relative est l'absence de recherche exploratoire dont le but serait l'identification des caractéristiques du public cible.

En outre, nous avons analysé les aspects techniques tels que la périodicité, la « une » des journaux du Rwanda, l'usage des sources anonyme, etc. L'analyse faite nous a permis de relever les faiblesses et les moyens pouvant contribuer à les surmonter.

REFERENCES

Bertrand JC, Média : *Introduction a la presse, la radio et la télévision*, Editions Ellipses, Paris, 1999

Bresseau JM et Socin J., *Créer, gérer et animer une radio*, Editions Dumas, Saint-Étienne, 1998

Fra D. et Ngangué E., *Créer, gérer et animer une publication*, Edition Dumas, Saint Etienne, 1998

Guéry L. et Lebedel P., *Comment gérer et animer une publication*, C.F.P.J., Paris, 1994

Mangeol A., *Le reportage des journaux à domicile*, C.F.P.G, Paris, 1994

Parsi P. et al. *Etude sur les conditions de la viabilité de la presse écrite en Afrique francophone*, Ministère des affaires étrangers – Coopération et francophonie, Paris, 1996

Le Roy B., *Gérer la fabrication d'un journal*, C.F.P.J, Paris, 1993

Ngangué E., *La gestion d'un organe de presse au Cameroun : Cas de la Détente*, Ecole des économiques et commerciales (ESSEC), Douala, 1991

Desmoulins N.T., *L'économie des medias dans le monde*, Ellipses, Paris, 1999

Pigéat H., *Les agences de presse*, Documentation, Paris, 1997

Pierre A. et Letenturier C., *Les medias dans le monde*, Paris, Ellipses, 1999

Tudesq A. J., *Feuilles d'Afrique : Etude de la presse de l'Afrique Sub-Saharienne*, Editions de la maison des sciences de l'homme, Bordeaux, 1995

THE IMPORTANCE OF THE INTERNAL AUDIT WITHIN THE ORGANIZATION

By

BUREGEYA Pascal

Introduction

An organization cannot afford to operate ineffectively in a competitive environment. It is crucial for the Rwandan Organization to be aware of all the factors that influence its business strategy. And one of the ways is to have an effective internal auditing which can play an important role in contributing to organizational performance.

It is now rare indeed to find an enterprise of any size, which does not have an internal auditing function. In many cases, internal auditing has now eclipsed other management services to become management's primary source of advice on efficiency, effectiveness, and economy. Accompanying its status within organization, internal auditing is now much more strongly established professionally (Chambers & Rand, 1997: vii).

However, it seems that in Rwandan enterprises seldom have an internal auditing function. One of the causes of business failure in Rwandan organizations is the absence of an internal auditing function. Also not all internal auditing departments function at their full potential because internal auditing is a relatively new profession in the Rwandan business environment. A number of internal auditing functions are in the process of either being established or of being upgraded.

Being part of the structure in many organizations, the internal auditing function is actually operational in few of

them. Sometimes, organizations resort to external audit exercised by national as well as international private auditing agencies to carry out the audit function. It seems that the internal audit function is neglected and considered as useless in most of Rwandan organizations. It seems that this important function is neglected in Rwandan organizations.

This article aimed to prove that internal auditing has a role in improving organizational performance, and that internal auditors, as management consultants, should advice management on how to achieve the organization's objectives.

The purpose of this article is focused on how auditors can contribute to the Rwandan organization's performance. To achieve this, auditors must have a thorough knowledge of the business. If the auditor doesn't understand the business, he may focus on the wrong area or fail to provide meaningful recommendations to improve organizational performance. Throughout this article, the auditor's role in helping the audit committee and/or managers to improve organizational performance will be emphasized.

Moreover, this article should allow decision-makers to understand the internal auditing role in the organizational performance and opportunity criteria for the establishment of internal auditing service in the organization.

The literature is reviewed on the effective measuring of internal auditing's contribution to the enterprise's profitability. There is increasing management interest in the value which internal auditing can add to an organization's internal control framework. In fact, internal auditors provide a mixture of benefits, from

quality in the performance of internal auditing work and associated other services, to contributions to the achievement of organization objectives; from experience, training and development gained by internal auditors, to future contribution to their organization's management and specialist careers (Ridley & Chambers, 1998: xix).

At a time when internal auditing is being challenged by outsourcing alternatives and by other methods of reviewing managerial effectiveness, it is particularly important to be able to measure its contribution to the enterprise's profitability. Appropriate specific measures are **recommended**. By doing this, we will be identifying the **key aspects** of internal auditing which need to be focused upon in order to improve internal auditing's contribution to the enterprise's profitability. We consider the difficulties of reaching reliable measures of internal audit performance, and distinguish between qualitative and quantitative **measures**. We **suggest** a value for money approach to **assessing internal audit performance**.

It will be necessary to identify the categories of performance measures which may be used to evaluate internal audit performance and the strengths and weaknesses of each. Advice on their interpretation is given. The measurement of internal audit is placed in context with: (a) the general business environment, (b) professional standards for internal auditing, and (c) good management practice on planning and control (Chambers & Rand, 1997:18).

Placing internal audit in context

Historically, the **growth** of internal auditing as a **business** service has been **counter-cyclical**, though not **uniformly**

so. By this we mean that in the past, internal auditing has developed most strongly during times of economic constraint. Either directors, managements and now regulators have considered that investment in internal auditing is particularly important in constrained times, as an antidote to the controls risks sometimes associated with stringent cost cutting; or managements have turned their attention away from financial, accounting and operational control (to which internal audit can contribute) when extra profits have been more easily secured by burgeoning sales.

Whether or not internal audit prospers in constrained times, in such times it certainly behoves internal audit to be able to demonstrate that their activity's cost effective and is managed so as to maximize its cost effectiveness. Even in periods of growth, acute competition means that every penny that is spent has to be justified. Where internal auditing is not a mandatory requirement, by statute law or by regulation, there is added pressure for audit to be able to demonstrate its worth. There are indications that managements are now placing internal auditing under a microscope, with the intention of determining whether it pays its way. Internal auditing is a costly service to run. Large amounts of profits from sales are needed to resource even a modest internal audit function (Ridley & Chambers, 1998: 215).

Integrating performance measures with good management

The performance measures we use to evaluate internal audit should harmonize with those which are applicable to the enterprise as a whole (Ridley & Chambers, 1998:226-228):

“The importance of the objectives identified for audit is that these should underpin an organization's overall aims

and objectives, so that audit's achievements aid the development of the organization as a whole."

Top management and the board should take the trouble to satisfy themselves that this is so. The Chartered Institute of Public Finance and Accountancy (CIPFA) suggests there are four fundamental questions to be asked of internal auditing without which performance measures for internal audit have little meaning:

1. Does internal audit have agreed and established goals?
2. Is the work planned and resourced in such a way as to make achievement a realistic possibility?
3. Does the achievement of these goals contribute to the attainment of the corporate objectives, i.e. establishing and maintaining internal control?
4. Does internal audit achieve its defined goals?

These questions should be addressed by the audit committee, by management, by the head of internal audit, and by external audit. The Charter of the internal auditing unit is a device which assists greatly in enabling these four questions to be answered in the affirmative.

Interpreting performance measures

According to Ridley and Chambers (1998:226) any performance measure may mislead if it is interpreted on its own. For instance, the number of internal auditors per 1,000 staff employed may show a very economic approach to internal auditing – but other measures may indicate that internal auditing is not very effective. Completion of all audits by their targets dates may be at the expense of useful findings and recommendations being made in the audit reports. Measures of reporting success should be linked with measures of cost savings, time utilization and the achievement of audit plans.

We also need to be cautious about placing too much confidence in our performance measures. It might be that they indicate a high degree of audit success and yet overlook important issues which bear upon internal audit effectiveness. Here we highlight just two possible issues of this sort.

First, *audit independence*. This is prerequisite of successful internal auditing. Secondly, the *scope* of internal auditing work. Ridley and Chambers (1998:226) stated that:

“Whether or not audit is able to perform the full range of audit functions effectively and efficiently largely depends upon management attitude and support which is itself largely influenced by status and independence. The real sign of independence is that auditors are not impeded in their efforts to examine any area within the organization whereas status often determines the significance attached to audit findings by management. There is no persuasive reason why... internal auditing should not [appraise operations generally, weighing actual results in the light of planned results]. Perhaps the only limiting factors are the ability to afford so broad an audit, the difficulty of obtaining people who can do a broad type audit, and the very practical consideration that individuals may not like to be reported upon. While persons responsible for accounts and for the safeguarding of company assets have learnt to accept audit, those responsible for far more valuable things – the execution of plans, policies and procedures of a company – have not so readily learnt to accept the idea.”

Conclusion

For the Rwandan organizations to achieve its mission, it is necessary to have an effective internal control. Establishing and maintaining an effective system of internal control calls for skills that can only be provided through a competent and professionally qualified internal audit function. Auditing is a key factor in the corporate governance. In addition to statutory auditor attestations on financial reports, internal auditing is an essential linkage in assuring an adequate system of internal control.

The Rwandan organizations' internal audit function is not totally independent and objective because of the reporting line. Internal auditors should be independent of the activities they audit. Audit reporting is at the heart of effective audit independence.

Many see a growing value from internal audit contributions in the assessment and reporting of control status.

Many of the Rwandan organizations don't have an audit committee and this is a problem for internal audit to be objective and independent. Ridley and Chambers (1998:117) state the importance of audit committee. For internal audit units to be objective and independent, in all control and governance issues, their work should always be reviewed and supported by an audit committee or a similar group of senior no-executive management.

The Institute of Internal Auditors' policy is to recommend that businesses should have audit committees of the board. Where there are not present, it is difficult to provide an adequate substitute in order to preserve audit independence. In the absence of either an audit committee

of the board or an internal audit committee, greater reliance has to be placed on forging formally accepted direct lines of reporting to the board itself, the chief executive, the regulatory authorities and the external auditors. These reporting lines should be present even where there is an effective audit committee – with the exception that reporting to the board would, in that case, be via the audit committee (Chambers, 1992:15).

Ridley and Chambers (1998:230) voiced that it is no longer sufficient for audit to review the historic reasons for its establishment as justification for its continued existence. Audit must and should be prepared to provide proof of its worth and value for money to the organization as part of the organization's continued growth.

To achieve its performance, internal audit must be resourced and it is now generally accepted that audit resources should be allocated to review a business activity in proportion to the degree of audit risk associated with that activity and methods are adopted to achieve this.

According to Ratliff et al. (1996:758), performance audits generally focus on efficiency and effectiveness, and they require that performance criteria be established. These audits depend on the availability of a set of accepted objectives and goals against which performance can be evaluated.

The internal auditor may use existing performance measures to assess performance. Effective Internal audit has then an important role to play in improving organizational performance but one can ask what makes effective internal audit. Vinten (1999:410-411) echoed

that the critical condition for effective internal audit is adequate status and independence within the organization and the widest possible remit. The prerequisite is therefore visible and overt top level support and commitment of resources. The organization should be seen to listen to and act upon the advice of its internal auditors. It should invest the time, money, and energy in ensuring its internal auditors perform and that their advice is sound.

REFERENCE

- CHAMBERS, A. & RAND G. 1997. *The operational auditing handbook: auditing business process*. Chichester: WILEY.
- RIDLEY, J. & CHAMBERS, A. 1998. *Leading Edge: Internal Auditing*. Cornwall: ICSA.
- CHAMBERS, A. 1992. *Effective Internal Audits: how to Plan and Implement*. London: Pitman.
- RATLIFF, R.L., WALLACE, W.A., SUMNERS, G.E., MCFARLAND, W.G. & LOEBBECKE, J.K. 1996. *Internal auditing: principles and techniques*. 2nd ed. Florida: IIA.
- VINTEN, G. 1999. Audit independence in the UK – the state of the art. *Managerial Auditing Journal* [Online], 14(8): 408-437. Available from: <http://www.emeraldinsight.com/0268-6902> [Accessed: 18/05/2006].

KIGALI CITY SOLID WASTE DISPOSAL OPTIMIZATION: APPLYING LINEAR PROGRAMMING

By

Okoko OSAMBO¹⁶⁰

1. INTRODUCTION

The objective of this paper is to investigate into the efficiency of applying the volume reduction technique for optimizing the waste management in the City of Kigali. A linear programming model has therefore been developed with as main objective: helping minimizing the overall waste management system costs, meaning, the cost of collecting waste and processing it through volume reduction, as well as identifying low cost alternatives to manage household, institutional and industrial waste in city.

This will have to be done through setting up three volume reduction (compaction, shearing and grinding) sites, namely: the Bicumbi, the Kabuga and the Kimironko volume reduction site, as well as six waste collecting sites: the Kacyiru, Kicukiro, Remera,

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Nyamirambo, Central Business District (MuMujyi) and the Nyabugogo site.

This empirical exercise has revealed the below benefits, as output from the linear programming model entered into STORM, an operational research software, made up by Storm Software, Cleveland, OHIO, USA for optimizing linear programming problems:

	Waste generated per year	Technology used	Total cost of the Waste disposal management	benefits in terms of costs reduced	benefits in terms of tonnes disposed
Currently	46 500 Tonnes	no ordinary dump site	US \$1 500 000		
By using the model under study	50 000 Tonnes	Volume reduction technology	US \$1 090 000	US\$ 210 000	3500 tonnes

In summary, the total cost, is of US \$ 950 000, with three volume reduction (compaction, shearing and grinding) sites, the Bicumbi, the Kabuga and the Kimironko volume reduction site, as well as six waste collecting sites: the Kacyiru, Kicukiro, Remera, Nyamirambo, Central Business District (MuMujyi) and the Nyabugogo site. This model may be considered as a valuable contribution into evaluating integrated waste management in Kigali, Rwanda as well as into developing countries.

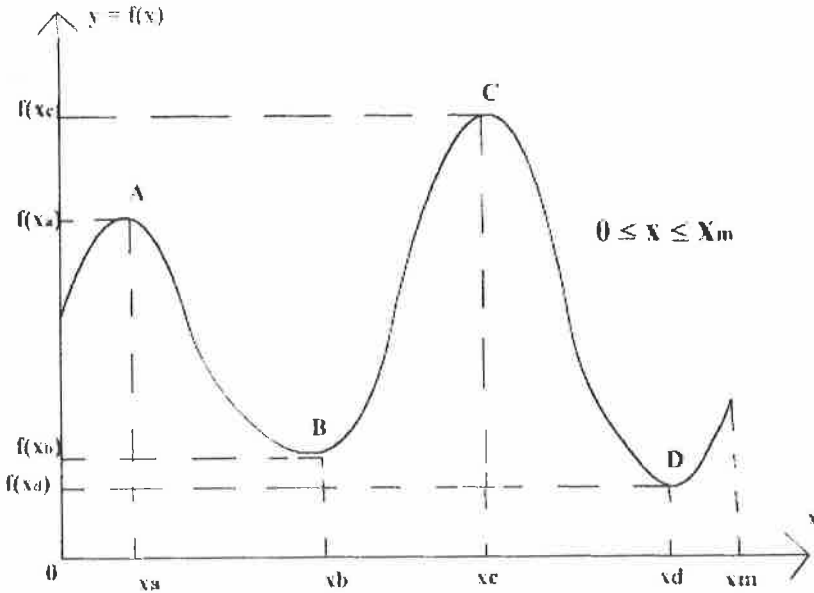
2. THE CONCEPT OF OPTIMALITY

BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:41) affirm that the ultimate purpose of making a decision is this of trying to influence the objective

function towards a favourable direction. The authors pursue by explaining that optimization is the state of either minimization or maximization of the chosen measure of effectiveness or efficiency.

Considering the below figure 1, given that variable x represents the independent variable and assuming that this variable has values ranging between $x = 0$ and $x = x_m$, a function is said to reach a relative or local maximum at a point $x = a$, if $f(a)$ is greater than the value of $f(x)$ for any adjacent value of x . Similarly, a function is said to reach a relative or local minimum at a point $x = a$, if $f(a)$ is less than the value of $f(x)$ for any adjacent value of x . (Note that we are confining our attention to continuous functions).

Figure 1 : minima and maxima.



Source: BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. 2004, *Principles of Operations Research for Management*. New Delhi: AITBS Publishers & distributors.

For example, in Figure 1, relative maxima occur at points A and C as well as when $x = x_m$ on the curve. If you select a point adjacent to x_a , the value of the criterion variable is less than $f(x_a)$. The same argument applies to adjacent point surrounding $x = x_c$. Following the definition of a relative minimum, one would conclude that relative minima occur at point B and D as well as when $x = 0$. For values of the independent variable adjacent to either $x = x_b$ or $x = x_d$, the value of the criterion variable is greater than $f(x_b)$ or $f(x_d)$, respectively.

Ideally, decision makers would like complete control of the criterion variable. Although such powers are rare (monopolistic conditions might approximate this situation), most decision makers are capable of partially controlling the relative achievement of their objectives. They do so by making decisions concerning the variables over which they have control. Such decision variables might include the level of personnel resources to hire, the amount of money to allocate to advertising, the number and timing of daily runs of a mass transit system, the hours of operation of a bank, the number of sections of a required college mathematics course to offer during a semester, and so forth. Note that decision variables are represented as independent variables.

If the functional relationship $y = f(x)$ is known and no restrictions or constraints are placed on the decision variables, then one can search for the optimal set of decision variables x^* using unconstrained optimization techniques.

Realistically, there may be practical, competitive, or legal restrictions on the values independent variables can assume. For example, budget considerations could set restrictions on the number of persons who can be hired on the allowable amounts of money that can be expended for advertising. Within these limits of control the decision maker hopes to influence the value of the objective function in the most favorable direction.

If $y = f(x)$ is known and subject to a set of constraints on the decision variables, then we can search for the optimal set x^* by one of the constrained optimization technique in the following chapters. In two variables problems with one equality constraint, often the problem can be formulated as unconstrained.

In many cases we may not know the functional relationship between the criterion variable and the decision variables unless we proceed through a trial-and-error procedure.

3. LINEAR PROGRAMMING: THE MODEL AND ITS APPLICATIONS.

SANCHETI, D.C. and KAPOOR, V.K. (2002:L-P.1) as well as WEVHERBERG, A. (1997) affirm that the central theme of economic theory as well as the management one, is this of optimizing the use of scarce resources which include machine, manpower, money, warehouse space or raw material. There are several theoretical tools to accomplish this purpose in both economic and management sciences. Linear programming has been found to be most useful in tackling complex problems with several alternatives, each with its own restrictions and limitations.

About linear programming, BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:91) underline that this applies to models with linear objective functions and linear constraints. This therefore engenders Linear Programming problems or Linear Programming Models. The above cited authors affirm that solution techniques to solve linear programming problems were developed by the Russian L.V. KANTOROVICH and strengthened by George DANTZIG in 1947.

Many linear optimization problems are characterized by the existence of two or more activities (variables) that compete for limited resources. The operational objective of the economist or manager when using linear programming is therefore to determine the levels of activities (values for controllable variables) that optimize a linear criterion subject to resource limitations and other conditions expressed by linear constraints.

GASS, S.I. (1975) cited by BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:95) affirm that economics as well as management applications of linear programming (LP) are prolific, diverse, and successful. The armed forces and the oil industry in particular have made extensive use of this technique. Traditional manufacturing organisations into wood products, metals, automotive, chemicals industries as well as the services and the public sector, have increasingly utilized linear programming. Thus, the range of applications has been remarkable. For example, financial institutions have used LP for portfolio and cash management; industrial firms, for food and chemical blending; production departments, for scheduling and allocation; marketing departments, for media selection in advertising and the distribution of products; agricultural interests, for the production

scheduling of farm products; and government agencies, for varied uses such as solid waste disposal, air and water pollution control, political redistricting, school bus scheduling and natural resources planning. GASS, S.I. (1975) cited by BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:95) conclude by explaining that, of all the tools in operations research, with the possible exception of simulation models, mathematical programming (of which linear programming is a subset) has found the most widespread use.

The following example introduces the formulation and conceptualisation of linear optimization models. Comes next, a generalized mathematical model for stating linear programming problems and a discussion of model characteristics.

The Production Manager of BRALIRWA Cool drinks is scheduling hourly production levels for three of its more popular cool drinks: Coca-Cola; Fanta Orange and Sprite. Each cool drink is processed through three departments: Cool drinks brewery, bottling and packaging. Table 1 indicates the time required to process a unit in each department (in minutes per unit), the total production time available during each hour of operation as well as profits margins for each product.

Table 1 : Bralirwa product mix data

Department	Processing time (minutes/unit)			Available Production Time (minute/hour of operation)
	Coca- Cola	Fanta- Orange	Sprite	
Cool drinks brewery	1,00	1,20	1,25	1 200
Bottling	1,30	1,50	1,60	1 500
Packaging	0,80	0,75	0,90	900
Profit/unit	\$ 0,55	\$ 0,70	\$ 0,75	

Source: primary data

Management has specified minimum hourly production levels for the Coca-Cola and Fanta-Orange of 200 and 250 units, respectively. Also, no more than 225 units of Sprite should be produced each hour.

The production manager wishes to determine the number of cool drinks units to schedule each hour so as to maximize total contribution to profit while:

- Using no more time in each department than available each hour.
- Satisfying minimum production levels for Coca-Cola and Fanta-Orange.
- Producing no more than the maximum specified for Sprite.

This problem can be formulated as a linear programming model, with the below Problem solving framework:

1. Verbal Statement of Problem.

Determine the number of cool drinks of each to schedule for production per hour so as to maximize total contribution to profit.

2. Decisions

a. Verbal Statement.

Number of cool drinks units of each type to schedule for production per hour.

b. Mathematical Definition

x_1 = Number of Coca-Cola units produced per hour

x_2 = Number of Fanta-Orange units produced per hour

x_3 = Number of Sprite units produced per hour

3. Criteria

a. Verbal Statement

Maximize total contribution to profit each hour.

b. Mathematical Statement

Given the profit/unit figures in Table 1, the linear objective function for this problem is:

$$z = 0.55x_1 + 0.70x_2 + 0.75x_3.$$

4. Constraining Conditions

a. Verbal Statement

From the description of the problem, the following constraining conditions must be satisfied when deciding on values for the decision variables. During each hour of operation on any given day:

- 1) No more than 1 200 minutes may be scheduled in the limonadery department.
- 2) No more than 1 500 minutes may be scheduled in the bottling department.
- 3) No more than 950 minutes may be scheduled in the packaging department.
- 4) At least 200 units of the Coca-Cola model should be scheduled.
- 5) At least 250 units of the Fanta-Orange model should be scheduled.

- 6) No more than 225 units of the Sprite model should be scheduled. (In addition to these constraints, the non negativity condition requires that production quantities for the three models cannot be negative).

b. Mathematical Statement

The first three constraints have a similar form. Using the data in Table 1, the constraint for the fabrication

department is: $1.00x_1 + 1.20x_2 + 1.25x_3 \leq 1200$.

The constraints for the other departments are developed in the same manner.

The fourth constraint sets a minimum production level on the Coca cola model.

The mathematical representation is

$$x_1 \geq 200.$$

Similarly, the fifth constraint is

$$x_2 \geq 250.$$

The mathematical representation of the last constraint is

$$x_3 \leq 225.$$

Finally, the non negativity condition states that

$$x_1 \geq 0, x_2 \geq 0, \text{ and } x_3 \geq 0.$$

5. Mathematical Model

The complete mathematical model for this problem is the following:

Maximize

$$z = 0.55x_1 + 0.70x_2 + 0.75x_3$$

Subject to

$$\text{Limonadery limit: } 1.00x_1 + 1.20x_2 + 1.25x_3 \leq 1200 \quad (1)$$

$$\text{Bottling limit: } 1.30x_1 + 1.50x_2 + 1.60x_3 \leq 1500 \quad (2)$$

$$\text{Packaging limit: } 0.80x_1 + 0.75x_2 + 0.90x_3 \leq 950 \quad (3)$$

$$\text{Coca-Cola minimum: } x_1 \geq 200 \quad (4)$$

$$\text{Fanta-Orange minimum: } x_2 \geq 250 \quad (5)$$

Sprite minimum:

$$x_3 \leq 225(6)$$

And

$$x_1, x_2, x_3 \geq 0.$$

It's useful to generalize the statement of the LP model, as it increases our understanding of both its formulation and solution. In this section we state characteristics of the LP model in a generalized form and analyse the underlying assumptions.

The generalized linear programming model is concerned with optimizing linear objective function in n decision variables subject to two sets of conditions:

(1) m structural constraints that are linear, and (2) n non negativity conditions, one for each decision variable.

The structural constraints are based on the decision variables and reflect the resource limitations and/or other conditions imposed on the problem. The non negativity conditions guarantee that each decision variable is non negative, a requirement in solution procedures.

This condition does not pose an applied problem as almost all applications in economics and management treat variables that assume positive values exclusively; we can use an algebraic "sleight of hand" should we have a need for non positive variables.

The Mathematical Statement of the Generalized LP Model is therefore the following:

Let us define the following symbols:

x_j = j th decision variable.

c_j = Coefficient on j th decision variable in the objective function.

a_{ij} = Coefficient in the i th constraint for the variable.

b_j = Right-hand-side constant for the i th constraint.

n = Number of decision variables.
 m = Number of structural constraints.

Based on these definitions, the LP can be stated as optimize (maximize or minimize):

$$z = c_1 x_1 + c_2 x_2 + \dots + c_n x_n \quad (1)$$

subject to the structural constraints

$$a_{11}x_1 + a_{12}x_2 + \dots + a_{1n}x_n (\leq, \geq, =) b_1 \quad (1)$$

$$a_{21}x_1 + a_{22}x_2 + \dots + a_{2n}x_n (\leq, \geq, =) b_2 \quad (2)$$

$$a_{m1}x_1 + a_{m2}x_2 + \dots + a_{mn}x_n (\leq, \geq, =) b_m \quad (m)$$

and the non negativity conditions

$$x_1 \geq 0$$

$$x_2 \geq 0$$

$$x_n \geq 0.$$

Note that only one sign ($\leq, \geq, =$) would apply to each structural constraint. Also note that decision variables are placed on the left-hand sides of constraints, a convention consistent with solution procedures (as discussed in the next chapter).

A more efficient statement of the model is achieved by using summation notation as follows:

Optimize

$$z = \sum_{j=1}^n c_j x_j \quad (4)$$

subject to

$$\sum_{j=1}^n a_{ij} x_j (\leq, \geq, =) b_i \quad i=1, 2, \dots, m \quad (5)$$

and

$$x_j \geq 0, \quad j=1, 2, \dots, n \quad (6)$$

In the LP literature, 4 through 6 are often condensed as follows :

$$\text{Optimize } \left\{ z = \sum_{j=1}^n c_j x_j \mid a_{ij} x_j \leq, \geq, = b_i, \quad i=1, \dots, m, \quad x_j \geq 0 \right\} \quad (7)$$

where the symbol “|” means “subject to” or “conditional upon”.

The deterministic (non probabilistic) nature of the LP model and the linearity assumptions are commonly made for certain tacit assumptions in applied problems.

Although these assumptions are either met or closely approximated in many applications, users must be thoroughly familiar with their implications and limitations in order to avoid misusing the LP model.

For BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:95), the following underlying assumptions are a direct result of the characteristics of the LP model.

1. The Model is Deterministic. This means that each coefficient (c_j , a_{ij} , b_j) is fixed and known with certainty. In many cases this is reasonable, as when parameters are set by management, contractual obligations, or otherwise by definitely known conditions. In many other cases, the parameters are random variables from either known or unknown probability distributions. In these cases, we should estimate parameters by sampling procedures, forecasting models, or probability models.

2. The model is Proportional. This condition flows directly from the linearity assumptions set upon the objective function and the constraints. This means that

the criterion and the constraints expand or contract proportionally to the level of each activity. For example, doubling the number of units of given product produced, results in doubling its cost contribution and doubling its labour and material requirements. These conditions represent constant returns to scale rather than economies or diseconomies of scale. These conditions will not hold if, for instance, the cost coefficients in the objective function or the technological coefficients in the constraints vary as a function of the level for each activity; that is, if marginal costs decrease or production efficiency increases as the output increases. For such problems, linearity assumptions may hold over specific ranges of output, allowing the use of piecewise linear programming procedures in other special cases, nonlinear programming algorithms may be used.

3. The Model is Additive. The assumption of proportionality guarantees linearity if and only if joint effects or interactions are nonexistent. This latter assumption implies that the total contribution of all activities (to the criterion or the constraints) is identical to the sum of the contributions for each activity individually. Put another way, "the whole is equal to the sum of its parts". This would not be true if, for example, a company produces two products that compete in the market; the resulting cross elasticity's would cause interactions-that would be reflected by multiplicative terms in the profit function; a change in demand for one will affect the demand for the other and the prices of both.

4. The Decision variables are divisible. This means that fractional levels for the decision variables are permissible; specifically, the objective function and constraints are continuous functions. Clearly, some

problems require integer solutions; for example, how many tankers per month should be leased to transport crude oil from the Middle East to the United States? The decision variables are not necessarily restricted to integer values if one accounts for in-process products, products at various stages of production. If the standardized LP model is used for problems requiring integer solutions, then two obvious results are possible: Either the optimal solution will include all integer values for the activities or it will not.

4. THE TRANSPORTATION AND ASSIGNMENT MODELS: PARTICULAR CASES OF THE LINEAR PROGRAMMING MODELS.

All linear programming problems can be solved by the simplex method. However, due to their specialized structure, certain classes of LP problems are more effectively solved out by other techniques that are computationally more efficient than the simplex method. The **transportation** as well as the **assignment models** are two important subclasses of these linear programming models.

Related to the structure of the model, the typical transportation problem involves the shipment of some homogeneous commodity from various **origins** or sources of supply to a set of **destinations**, each demanding specified levels of the commodity. Each origin can theoretically ship all, part, or none of its supply to any of the destinations. The assumption of a homogeneous commodity implies no difference in commodity characteristics among origins. The goal is to allocate the supply available at each origin so as to optimize a criterion while satisfying the demand at each destination. The usual objective function is to minimize

the total transportation cost or total weighted distance or to maximize the total contribution from the allocation.

Given a classical transportation model with m origins, n destinations, and a minimization objective, the LP formulation can be generalized as follows:

$$\text{Minimize : } z = \sum_{i=1}^m \sum_{j=1}^n c_{ij} x_{ij}$$

Subject to

$$\text{Supply constraints: } \sum_{i=1}^m x_{ij} = s_i \quad i = 1, \dots, m$$

$$\text{Demand constraints: } \sum_{j=1}^n x_{ij} = d_j \quad j = 1, \dots, n \quad (1)$$

With all the x_{ij} superior or equal to zero.

Where x_{ij} = number of units shipped (or to be shipped) from an origin i to a destination j ; c_{ij} = cost of shipping one unit of goods from an origin i to destination j ; s_i = number of units available at the i th origin; and d_j = Number of units demanded at the j th destination.

This formulation assumes that total supply and demand are equal to one another, or

$$\sum_{i=1}^m S_i = \sum_{j=1}^n d_j$$

This "balance" between total demand and total supply ensures a feasible solution.

However, procedures for handling imbalance between total demand and total supply exist.

The generalized LP model for the transportation problem is best represented by the generalized transportation table shown in the below table 2.

Table 2: the generalized transportation table

Origin	Destination				Supply
	1	2	...	n	
1	C_{11} X_{11}	C_{12} X_{12}	...	C_{1n} X_{1n}	S_1
2	C_{21} X_{21}	C_{22} X_{22}	...	C_{2n} X_{2n}	S_2
...
m	C_{m1} X_{m1}	C_{m2} X_{m2}	...	C_{mn} X_{mn}	S_m
Demand	d_1	d_2	...	d_n	$\sum_{i=1}^m S_i = \sum_{j=1}^n d_j$

Source: Budnick, S.; Mcleavey, D. and Mojena, R. 2004, *Principles of operations research for management*, AITBS Publishers & distributors

Although any transportation problem can be solved by the simplex method, specialized algorithms such as the transportation one requires a transportation algorithm. We discuss into this paper a specific transportation algorithm, which will be useful for optimizing solid waste disposal in Kigali-city, the case study of this research paper.

Note that there is one row for each origin and one column for each destination. The objective function coefficients are contained in the sub cells at the intersection of each row and column. In addition, the last column and the last row contain, respectively, the capacities of each origin and the requirements for each destination. These are the right-hand sides for the constraints. Finally, values for the decision variables are indicated as entries in the main cells.

CHAVTAL, V. (1983) cited by BUDNICK, S.; MCLEAVEY, D. and MOJENA, R. (2004:91) shows that it has to be understood that if the total supply exceeds the total demand, we have to add a column for a dummy destination, with a rim requirement equals to the excess supply, if total demand exceeds total supply, then we have to add a row for a dummy origin, with a rim requirement equal to the unfulfilled demand.

Also remember that infeasible or excluded routes require as either to “cross out” the corresponding cells or to assign undesirable objective function coefficients. In cases requiring either lower bounds on decision variables or exact value for decision variables, the table data must be suitably modified. A **feasible solution** contains solution variables called basic variables whose values satisfy the structural constraints and non negativity conditions. Basic variables are those selected for solution; variables not selected for solution are set to zero and called **non basic variables**. The set of basic variables is called a **basis**.

The stepping-stone algorithm first requires an initial solution (obtained by any heuristic method) consisting of $m + n - 1$ basic variables. Then the method employs marginal analysis to evaluate the desirability of a pair wise exchange. If an improved solution is possible, a new variable **enters** the **basis**, replacing one of the original basic variables, and **the** new solutions developed. This procedure is continued until no further improvement is possible.

5. WASTE MANAGEMENT: THE BASICS.

5.1. Definition.

According to the WIKIPEDIA ENCYCLOPAEDIA (2006), waste management is the collection, transport, processing or disposal of waste materials, usually ones produced by human activity, in an effort to reduce their effect on human health or local aesthetics or amenity. A sub focus in recent decades has been to reduce waste materials' effect on the natural world and the environment, and then to recover resources from them.

According to the same above mentioned encyclopaedia, waste management practices differ for developed and developing nations, for urban and rural areas, and for residential, industrial, and commercial producers. Waste management for non-hazardous residential and institutional waste in metropolitan areas is usually the responsibility of local government authorities, while management for non-hazardous commercial and industrial waste is usually the responsibility of the generator

Waste management has a number of different concepts, which vary in their usage between countries or regions. The waste hierarchy classifies waste management strategies according to their desirability. The term "3Rs", or "Reduce- Reuse- Recycle", has also been used for the same purpose. The waste hierarchy has taken many forms over the past decade, but the basic concept has remained the corner stone of most waste minimization strategies. The aim of the waste hierarchy is to extract the maximum practical benefits from products and to generate the minimum amount of waste.

Some waste management experts have recently incorporated a "fourth R": Re-think, with the meaning that the present system may have fundamental flaws, and that a thoroughly effective system of waste management may need an entirely new way of looking at waste. Some "re-think" solutions may be counter-intuitive, such as cutting fabric pattern, with slightly more "waste material" left- the now larger scraps are then used for cutting small parts of the pattern, resulting in a decrease in net waste. This type of solution is by no means limited to the clothing industry.

5.2 Waste management techniques.

According to REYER GERLAGH, R.; VAN BEUKERING, P.; MADHU, V.P. and PANDEY, P.(2006), managing domestic, industrial and commercial waste has traditionally consisted of collection, followed by disposal. Depending upon the type of waste and the area, a level of processing may follow collection. This processing may be to reduce the hazard of the waste, recover material for recycling, produce energy from the waste, or reduce it in volume for more efficient disposal.

Collection methods vary widely between different countries and regions, and it would be impossible to describe them all. For example, in Australia most urban domestic households have a 240-litre bin that is emptied weekly by local Council. Many areas, especially those in less developed areas, do not have a formal waste-collection system in place.

In Canadian urban centres curb side collection is the most common method of disposal, whereby the city collects garbage on a scheduled basis from residential areas. In rural areas people dispose of their waste at transfer

stations. Garbage collected is then transported to regional landfill.

The WIKIPEDIA ENCYCLOPAEDIA (2006) affirms that disposal methods also vary widely. In Australia, the most common method of disposal of solid waste is to landfills, because it is a large country with a low-density population. By contrast, in Japan it is more common for waste to be incinerated, because the country is small, techniques used are summarized into one word. These include: compaction, shearing and grinding.

5.2.1 Disposal methods

5.2.1.1. Landfill

Disposal of waste in a landfill is the most traditional method of waste disposal and it remains a common practice in most countries. Historically, landfills were often established in disused quarries or mining areas. Running a landfill minimizes environmental problems as this can be a hygienic and relatively inexpensive method of disposing waste materials.

Older or poorly managed landfills can create number of adverse environmental impacts, including wind-blown litter, attraction of vermin and soluble pollutants such as leach ate which can leach into and pollute groundwater. Putrescible wastes may also arise in landfill.

Many local authorities, especially in urban areas, have found it difficult to establish new landfills due to opposition from adjacent landowners. Few people want a landfill in their local neighbourhood. As a result, solid waste disposal in these areas become more expensive as material must be transported further away for disposal.

Some oppose the use of landfills in any way, anywhere, arguing that the logical end result of landfill operations is

that it will eventually leave a drastically polluted planet with no canyons, and no wild space. Some futurists have stated that landfills will be the "mines of the future": as some resources become scarcer, they will become valuable enough that it would be necessary to "mine" them from landfills where these materials were previously discarded as valueless.

5.2.1.2. Incineration

Incineration is the process of destroying material by burning it. Incineration is carried out both on a small scale by individuals and on a large scale by industry. It is recognized as a practical method of disposing of hazardous waste materials, such as biological medical waste.

Though still widely used in many waste materials because it destroys not only the raw material; but also all of the energy, and other natural resources used to produce it. Some energy can be reclaimed as electricity by using the combustion to create steam to drive an electrical generator, but even best incineration can only recover a fraction of the caloric value of fuel materials.

Second, incineration creates toxic gas and ash, which can harm local populations and pollute groundwater.

5.2.1.3. Volume reduction

Volume reduction includes compaction, shearing as well as grinding.

➤ Compaction

Herein, the waste is compacted or compressed. It also breaks up large or fragile items of waste.

In landfill sites, the waste is often compacted by driving over it with a heavy excavator-type vehicle with spiked wheels.

➤ Shearing

The waste is sliced with heavy metal shears.

➤ Grinding

The waste is ground up by a hammer mill.

5.2.1.4. Resource recovery techniques

A relatively recent idea in waste management has been to consider the waste material as a resource to be exploited, instead of simply a challenge to be managed and disposed of. There are a number of different methods by which resources may be extracted from waste: the materials may be extracted and recycled, or the calorific content of the waste may be converted to electricity.

The process of extracting resources or value from waste is variously referred to as secondary resource recovery, recycling, and other terms. The practice of treating waste materials as a resource is becoming more common, especially metropolitan areas where space for new landfill is becoming scarcer. There is also a growing acknowledgement that simply disposing of waste materials is unsustainable in the long term, as there is a finite supply of most raw materials.

There are a number of methods of recovering resources from waste materials, with new technologies and methods being developed continuously, amongst the following:

✓ **Recycling**

Recycling means to reuse a material that would otherwise be considered waste. The popular meaning of 'recycling' in most developed countries has come to refer to the widespread collection and reuse of single-use beverage containers. These containers are collected and sorted into common groups so that the raw materials of the items can be used again (recycled).

In developed countries, the most common consumer items recycled include aluminium beverage cans, steel food and aerosol cans, HDPE and PET plastic bottles, glass bottles and jars paperboard cartons, newspapers, magazines, and cardboard. Other types of plastic (PVD, LDPE, PP, and PS) are also recycled. These items are usually composed of single type of material, making them relatively easy to recycle into new products.

✓ **Composting and digestion**

Waste materials that are organic are mainly made up of food scraps and paper products. These materials are disposed through a composting or artificial digestion process which decompose the organic matter and kill pathogens. The organic material is then recycled as mulch or compost for agricultural or landscaping purposes.

There are a large variety of composting methods and technologies (varying in complexity from simple window composting of shredded plant methods) which can be broadly categorised into aerobic and anaerobic methods, although hybrids of the two methods also exist.

The WIKIPEDIA ENCYCLOPAEDIA (2007) gives herein, the example of the Green Bin Program, a form of organic recycling used in Toronto and surrounding municipalities including Markham (Ontario, Canada)

which makes use of anaerobic digestion to reduce the amount of garbage shipped to Michigan, in the United States. This is the newest facet of the 3-stream waste management system. It has been implemented in the town and is another step towards the goal of diverting 70% of current waste away from the landfills. Green Bins allow any organic waste that in the past would have formed landfill waste to be composted and turned into nutrient rich soil. Examples of waste products for the Green Bin are food products and scraps, soiled papers and sanitary napkins. Currently, Markham and other municipalities in the Greater Toronto Area, ship all of their garbage to Michigan at a cost of CAN \$ 22 per metric tonne.

The Green Bin Program is currently being studied by other Municipalities in the province of Ontario as a way of diverting away from the landfills. Notably, Ottawa, the Capital city of Canada, is in the preliminary stages of adopting a similar program.

The City of Edmonton, Alberta, Canada has adopted large-scale composting to deal with its urban waste. Its composting facility is the largest of its type in the world, representing 35 per cent of Canada's centralized composting capacity.

✓ **Pyrolysis and gasification.**

Pyrolysis and Gasification are two related forms of the thermal treatment, where materials are incinerated with limited oxygen. The process typically occurs in a sealed vessel, under high temperature and pressure. Converting material to energy this way is more efficient than direct incineration, with more energy able to be recovered and used.

Pyrolysis of soil waste converts the material into solid, liquid and gas products. The liquid oil and gas can be burnt to produce energy or refined into other products. The solid residue can be further refined into products such as activated carbon.

Gasification is used to convert organic materials directly into a synthetic gas composed of carbon monoxide and hydrogen. The gas is burnt to produce electricity and steam. Gasification is used in biomass power stations to produce renewable energy and heat.

6 WASTE AND WASTE DISPOSAL MANAGEMENT IN KIGALI-CITY: A BRIEF SITUATION ANALYSIS.

ARD-Rwanda (2006) asserts that Rwanda is one of the most densely populated countries in the world, with a population of 8, 1 million and an area of 26,338 km²

Kigali is the country capital city, and the country most important city. It accommodates more than 70% of the urban population of the country; consequently it produces averagely 46,500 tonnes of solid waste per year. The collection, transport and dump site cost of the city solid waste is costing on an average RWF 706 millions (US \$ 1, 5 million).

Furthermore, this creates environmental damage and leach ate contamination of local waste supplies. Thus, the need to develop an optimized and sustainable municipal waste management system. This system will have to collect, process and dispose the city's municipal solid waste at the least cost.

Also, this may allow reducing the amount of biodegradable and non-biodegradable as well as non-recycled and recycled waste.

7 WASTE DISPOSAL MANAGEMENT IN KIGALI-CITY: PROSPECTS AND OPTIMIZATION

This study investigates into the optimisation of the city waste disposal through the volume reduction technique, means: compaction, shearing and grinding.

The study proposes to build up:

Three waste volume reduction sites, with the compacting, the shearing as well as the grinding services at each one, are to be settled. These sites are the following: Bicumbi, Kabuga and Kimironko.

Six waste collection sites are also to be settled. These sites are the following: Kacyiru, Kicukiro, Remera, Nyamirambo, the Central Business District site (Mu Mujyi) and the Nyabugogo site.

Each volume reduction site will be characterized by an operating cost " C_j ", which is the cost of processing each tonne of waste. There is also the cost t_{ij} , which expresses the cost of transporting each tonne of waste from the collection site " i " to the volume reduction site " j ".

Each collection area generates W_i tonnes of waste per year and each volume reduction site has a processing capacity of P_j tonnes per year.

The problem appears similar to a classical transportation model with six origins, three destinations and a minimization objective (the Cost of the City Waste Management). This problem may be named: The Kigali

City Waste Disposal Linear Programming Model. Its formulation can be structured as follows:

$$\text{Minimize: } Z = \sum_{i=1}^6 \sum_{j=1}^3 (C_j + t_{ij}) x_{ij}$$

Subject to:

$$\text{Supply constraint: } \sum_{i=1}^6 x_{ij} = w_i \quad i=1, \dots, 6$$

$$\text{Demand constraint: } \sum_{j=1}^3 x_{ij} = p_j \quad j=1, \dots, 3$$

With $X_{ij} \geq 0$ for all i and j .

Where: X_{ij} = waste tonnes shipped from collection area i to volume reduction area j

C_j = Cost of processing one tonne of waste at a given j volume reduction

site.

t_{ij} = Cost of shipping one tonne of waste from the i collection area to the j

volume reduction site

W_i = Waste tonnes available at the i th collection site per year

P_j = Waste tonnes that the j th volume reduction site may process per year

Z = the total year cost of waste disposal in Kigali City.

Table 3 summarizes the transportation plus the processing costs per tonne of waste. Values for W_i and P_j are also indicated. Volume reduction sites 1 (Bicumbi), 2

(Kabuga) and 3 (Kimironko) have variable operating cost (C_j) of US \$ 75 per tonne; 60 per tonne and 80 per tonne, respectively.

How the transportation costs between the collection site and the volume reduction ones (t_{ij}), as well as tonnes of waste generated by each collection site (W_i) and the reduction capacity of a reduction capacity site have been established (P_j)? These are the questions to which the following is answering to?

The cost (t_{ij}):

This cost is composed of the cost of the vehicle hired from a collection site to a volume reduction one. This has been established on basis of the actual market transportation costs between the collection site area and the volume reduction area. We however found useful to add to this market cost 10%, so as to consider possible variations of costs for a period of two years. The 10% are approximately the average of the Consumer Price Index yearly variation in Rwanda for the past five years (2002 to 2006).

The W_i & P_j :

These have been computed according to data gathered from a research conducted on the capability of the various sites (collection as well as processing ones) to accommodate collected waste as well as to process it. It has however to be reminded that according to ARD-Rwanda (2006), Kigali City produces averagely 46,500 tonnes of solid waste per year, costing on an average, RWF 706 million (US \$ 1, 5 million) for disposal.

The above table 2 prepared in a linear programming transportation format, gives the costs of transportation routings as well as these of waste processing. The table

gives also the capacities of sites to accommodate the collected waste as well as to process it.

Table 2: Proposed collection as well as volume reduction sites total cost and

Capacity.

		Collection sites						Volume reduction Capacity per year, in tonnes (Pj)
		Kacyiru	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujyi)	Nyabugogo	
volume reduction sites	Bicumbi	\$40	\$30	\$50	\$20	\$25	\$35	10000
	Kabuga	\$55	\$10	\$25	\$35	\$60	\$50	15000
	Kimironko	\$20	\$30	\$5	\$40	\$30	\$15	25000
Tonnes of waste generated per year (Wi)		5000	3000	7000	10000	14000	11000	50000

Source : Primary data.

The above table, put into Linear Programming model gives the table 3. This table is the Kigali City Waste Management Linear Program Model. It has thereafter been entered into STORM, operational research software, made up by Storm Software, Cleveland, OHIO, USA for optimization. Optimizing herein means, finding out the optimal routings of moving wastes so as to minimize the city total transportation and processing costs.

Table 3: The proposed Kigali City Waste linear programming model.

		Collection sites						Volume reduction Capacity per year, in tonnes (Pj)
		Kacyiri	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujyi)	Nyabugogo	
volume reduction sites	Bicumbi	\$40	\$30	\$50	\$20	\$25	\$35	10000
	Kabuga	\$55	\$10	\$25	\$35	\$60	\$50	15000
	Kimironko	\$20	\$30	\$5	\$40	\$30	\$15	25000
Tonnes of waste generated per year (Wi)		5000	3000	7000	10000	14000	11000	50000

The STORM solver gives us the following results:

Table 4: The optimisation tableau: iteration 1.

		Collection sites					Volume reduction Capacity per year, in tonnes (Pj)	
		Kacyiru	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujvi)		Nyabugogo
volume reduction sites	Bicumbi	\$40 5000	\$30 3000	\$50 2000	\$20	\$25	\$35	10000
	Kabuga	\$55	\$10	\$25 5000	\$35 10000	\$60	\$50	15000
	Kimironko	\$20	\$30	\$05	\$40	\$30 14000	\$15 11000	25000
Tonnes of waste generated per year (Wi)		5000	3000	7000	10000	14000	11000	50000

This first iteration of the LP gives a city waste disposal total cost of US \$ 1 450 000. However, the STORM solver suggests that this total cost can still be improved; means reduced, therefore the iteration 2. Iteration 2 gives the same result as well as the same conclusion with the first one. It also suggests that the solution can still be improved.

Table 5: The optimization tableau: iteration 3.

		Collection sites					Volume reduction Capacity per year, in tonnes (Pj)	
		Kacyiru	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujyi)		Nyabugogo
volume reduction sites	Bicumbi	\$40 5000	\$30 3000	\$50	\$20	\$25 2000	\$35	10000
	Kabuga	\$55	\$10	\$25 5000	\$35 10000	\$60	\$50	15000
	Kimironko	\$20	\$30	\$05 2000	\$40	\$30 12000	\$15 11000	25000
Tonnes of waste generated per year (Wi)		5000	3000	7000	10000	14000	11000	50000

The iteration 3 of the Kigali City LP model gives a city waste disposal total cost of US \$ 1 350 000. However, the STORM solver suggests that this total cost can still be improved; means reduced, therefore the iteration 4.

Table 6: The optimization tableau: iteration 4.

		Collection sites						Volume reduction Capacity per year, in tonnes (Pj)
		Kacyiru	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujyi)	Nyabugogo	
volume reduction sites	Bicumbi	\$40 5000	\$30 3000	\$50	\$20	\$25 5000	\$35	10000
	Kabuga	\$55	\$10 3000	\$25 2000	\$35 10000	\$60	\$50	15000
	Kimironko	\$20	\$30	\$05 5000	\$40	\$30 9000	\$15 11000	25000
	Tonnes of waste generated per year (Wi)	5000	3000	7000	10000	14000	11000	50000

Iteration 4 gives a total cost of US \$ 1 215 000, However, the STORM solver suggests that this total cost can still be improved; means reduced, therefore the iteration 5.

Table 7: The optimization tableau: iteration 5.

		Collection sites						Volume reduction Capacity per year, in tonnes (Pj)
		Kacyiru	Kicukiro	Remera	Nyamirambo	CBD (Mu Mujyi)	Nyabugogo	
volume reduction sites	Bicumbi	\$40	\$30	\$50	\$20	\$25 10000	\$35	10000
	Kabuga	\$55	\$10 3000	\$25 2000	\$35 10000	\$60	\$50	15000
	Kimironko	\$20 5000	\$30	\$05 5000	\$40	\$30 4000	\$15 11000	25000
Tonnes of waste generated per year (Wi)		5000	3000	7000	10000	14000	11000	50000

Iteration 5 gives a total cost of US \$ 1 090 000. The Storm Solver shows that this is the last feasible solution, which is also the optimal one. It gives a total cost of US \$ 1 090 000 per year for the Kigali City Waste Disposal, using the volume reduction techniques which is composed of more advanced techniques (compaction, shearing and grinding) compared to the dump site technique, the today mostly used one by the Kigali city. This total cost is by far better than the current Kigali City Waste Management total cost, RWF 706 million (US \$ 1, 3 million) generating hence a cost reduction of US \$ 210 000 added to various other benefits which may be summarized into the below table 8.

Table 8: summary of the benefits gains

	Waste generated per year	Technology used	Total cost of the Waste disposal management	benefits in terms of costs reduced	benefits in terms of tonnes disposed
Currently	46 500 Tonnes	no one, ordinary dump site	US \$1 500 000		
By using the model under study	50 000 Tonnes	Volume reduction technology	US \$1 090 000	US\$ 210 000	3500 tonnes

8. CONCLUSION

The objective of this paper was to investigate into the efficiency of applying the volume reduction technique for optimizing the waste management in Kigali City. A linear programming model has therefore been developed with as main objective: helping minimizing the overall system cost, means, the cost of collecting waste and processing it through the volume reduction technique (compaction, shearing and grinding), as well as to identify low cost alternatives to manage household, institutional and industrial waste. The study shows that this objective may be achieved through setting up three volume reduction (compaction, shearing and grinding) sites, the Bicumbi, the Kabuga and the Kimironko volume reduction site, as well as six waste collecting sites: the Kacyiru, Kicukiro, Remera, Nyamirambo, Central Business District (MuMujyi) and the Nyabugogo site.

This empirical exercise has revealed the below benefits, as output from the linear programming model entered into STORM, an operational research software, made up

by Storm Software, Cleveland, OHIO, USA for optimizing linear programming problems:

Currently the city of Kigali is managing the city waste disposal by the ordinary technique of site dumping. The waste annually disposed is on average, of 46 500 tonnes per year. This costs to the city, an amount of US \$ 1 500 000 per year.

By using the volume reduction technology (compaction, shearing and grinding), the site may process more waste (50 000 tonnes per year). As regard to costs, the waste disposal management system will be costing US\$ 1 090 000. Various environmental benefits arise out of the above system using volume reduction technology, as the positive difference gained in terms of costs saved is of US \$ 210 000 per year, with a more of 3 500 tonnes of waste processed.

9. REFERENCES

ARD-Rwanda. 2006. *local use of municipal solid waste for expanded agricultural business growth*. (online)
<http://www.ard-rwanda.org.rw/solidwaste.htm>

Budnick, S.; Mcleavey, D. and Mojena, R. 2004. *Principles of Operations Research for Management*. New Delhi: AITBS Publishers & distributors.

Chvatal, V. 1983. *Linear Programming*. New York: Freeman.

Gass, S.I. 1975. *Linear Programming: Methods and Applications*. New York: Mc Graw-Hill.

Reyer Gerlagh, R.; Van Beukering, P.; Madhu, V.P. and Pandey, P. *Solid Waste Management in developing countries*. (online)

Sancheti, D.C. and Kapoor, V.K. 2002. *Business Mathematics*. New Dehli: Sultan Chand & Sons.

Wevherberg, A. 1995. *Operational Research Course Notes*, LIC1Economics, UCB, Bukavu. Unpublished.

Wikipedia encyclopaedia. 2006. *Waste Management*. (Online).

http://en.wikipedia.org/wiki/Waste_management. March, 2006

Hero or conman?
An investigation into Paul Rusesabagina's
claims to heroism.

Alfred Ndahiro

1. Introduction

Since 2000, five feature films have appeared on the international scene intended to depict events that happened during the 1994 genocide in Rwanda. One such film is *Hotel Rwanda*, starring Don Cheadle. Upon its release in 2004, it became an instant hit in the USA, Canada, Europe, Japan, and elsewhere and it is, undoubtedly, the most successful of the five films that have hit the screens of cinemas worldwide. Little wonder that it has won several awards.¹⁶¹

The hero in the film is a certain Paul Rusesabagina, played by Don Cheadle. The film, it is alleged, "follows the real-life story of Paul Rusesabagina, a Rwandese hotel manager whose self-preservative worldview is challenged by the violence that erupts in the African nation around him. This challenge ultimately leads him to save the lives of 1268 refugees during the 1994 genocide

¹⁶¹ The other four films are "One hundred Days" produced by a Rwandan, Eric Kabera in 2000, "Sometimes in April" directed by the Haitian Raoul Peck, "Shooting Dogs", produced by David Belton, who worked for the BBC during the genocide as a television producer, and most recently, "Back Home", directed by a genocide survivor, J.B. Rutagarama. Another film in preparation is the one dramatizing events surrounding Lieutenant General Romeo Dallaire's experience as the commander of the failed UN forces in Rwanda at the time and based on his book "Shaking Hands with the Devil".

that saw nearly a million of the Tutsi people slaughtered by the Hutu militia”¹⁶².

This is the image of Paul Rusesabagina, as presented by Hollywood. Yet, the survivors of the Rwandan genocide, and Rwandans in general, tell a different story. In fact, **judging from their testimonies, this representation of Paul Rusesabagina could not be farther from the truth.**

We decided to carry out research and to unearth the truth about what happened at the Hôtel des Mille Collines during the period Paul Rusesabagina worked there as caretaker manager. This could not happen without involving and working closely with the survivors of the 1994 genocide in Rwanda who took refuge at the Hôtel des Mille Collines and who, directly or indirectly, had to deal with that caretaker manager. This study is a compilation and analysis of their opinions on him and his claims of heroism.

2. RESEARCH METHODOLOGY

The research was divided into four phases: the research group discussions, a survey of the perceptions of the behaviour of Paul Rusesabagina through a questionnaire (see Appendix), semi-structured in-depth interviews with individuals who took refuge at the Hôtel des Mille Collines, and interviews with other people who were associated with the Hotel and Paul Rusesabagina in some way (henceforth referred to as “the associated individuals”).

Focus Group Discussions

¹⁶² One of the reviews by Mark Stokes, posted on the internet on 17th April, 2005

Focus group discussions were held with six individuals (one woman and five men) randomly selected from the people who were refugees at the Hôtel des Mille Collines. The main aim was to consult them from the beginning and to listen to their experiences during April, May and June 1994, and their views on Paul Rusesabagina. Their views and experiences would inform and guide us in the design and administration of the questionnaire, the interview schedule for the former refugees, as well as the interview schedule for the "associated individuals".

The initial contact with the Focus Group also enabled members of the group to remember important events related to our research and to compile a representative list of other individuals to whom the questionnaire would be sent. Members of this group maintained a keen interest in the study both collectively and on an individual basis. They also served as experimental subjects for the trial of the questionnaire, and in some cases, they acted like "fieldworkers", distributing questionnaires and getting them back from respondents.

Six focus group discussions were conducted and they lasted on average two hours and a half.

Survey through a questionnaire

This formed the heart of the study. A predominantly structured questionnaire (with a few open-ended questions) was developed in consultation with the focus group discussion members and other people with knowledge of the events surrounding the 1994 genocide in Rwanda, and, in particular, those that specifically concern Paul Rusesabagina.

The questionnaire consisted of 29 questions (see Annexe), divided into 4 main sections. These covered the identity of the respondent; events at the start of the genocide (why people chose to go to Hôtel des Mille Collines, etc.); encounter with Paul Rusesabagina and life at the Hôtel in general; and what happened after they had left Hôtel des Mille Collines.

Some of the questions in the Section on Paul Rusesabagina dealt with the film "Hotel Rwanda" and what the respondent thinks about it.

It was impossible to acquire the names and addresses of all the people who had taken refuge at the Hôtel. Some have passed away, and others live outside Rwanda, and consequently, their addresses are difficult to determine. That said, the first 100 people remembered and whose contacts were known were selected, but a deliberate decision was taken to include as many former employees of Hôtel des Mille Collines as possible. Care was also taken to involve individuals now residing outside Rwanda and whose e-mail contacts were known. It should be understood that we were open-minded and we were willing to listen to as many people as possible. We did not and could not predict their responses, given that the vast majority were unknown to us. In other words, we did not know who would say positive things about Paul Rusesabagina, and those who would say negative things about him, which goes to explain why we involved people residing outside Rwanda.

All in all 100 questionnaires were distributed. The bulk was handed out to the respondents by the researchers themselves, but as already pointed out, a few were handed out by the members of the discussion group.

Instructions were that distributors of questionnaires give ample time to respondents to fill in the questionnaires, and that the respondents determine when the researchers could return to collect them.

Since all the respondents are Banyarwanda, the original questionnaire was in Kinyarwanda, and it was administered in Kinyarwanda. A translation into English was subsequently made and is presented as Appendix ...

Seventy four questionnaires out of the 100 sent out were filled and returned (some questionnaires were returned after the computation of the responses had started and were therefore ignored in this study). Most of the respondents filled in all the questions in the questionnaire, but a few decided to leave some of the questions unanswered. The reader will understand that these are extremely sensitive matters and we had to approach this part of the research with utmost caution. That said, many people were happy to contribute to this study. The responses constitute the data for analysis and the basis for our conclusions.

In-depth interviews with individual refugees

The penultimate question of the questionnaire asked respondents to state whether they were willing to provide more information in the form of an in-depth interview. 59% responded favourably and 15 were selected. Priority was given to those who knew Paul Rusesabagina intimately: those who worked with him at both Hôtel des Diplomates and Hôtel des Mille Collines before and during the genocide. The others were those, who, according to the responses in the questionnaire had had several encounters with Paul Rusesabagina that were deemed to be of interest to the researchers.

The interview schedule was made of 6 open-ended questions that centred on the activities of Paul Rusesabagina while he was care-taker manager of the Hôtel des Mille Collines (see Appendix 2).

The aim was to explore in more detail refugees' experiences with Paul Rusesabagina in order to confirm or refute his claims for heroism. Note that no allusion was made to his alleged heroism in the interview schedule. The respondents themselves volunteered judgement as to whether they considered him a hero or not.

In-depth interviews with the "associated individuals"

Besides the interview with individual refugees, two other interviews were held with people associated with Paul Rusesabagina and Hôtel des Mille Collines. These are his former employees at SABENA, the former owners of the Hotel.

3. Statistical Tool

The responses from the questionnaire were compiled and converted into statistical tables and charts using the Census and Survey Processing System (CSPro), which is a software package used for entering, editing, tabulating and mapping census and survey data. It combines the features of the Integrated Microcomputer Processing System and the Integrated System for Survey Analysis in a Windows environment.

CSPro enables the researcher to create, modify, and run data entry, and tabulation applications from a single, integrated development environment. It processes data on a case basis (one or more questionnaires), where a case

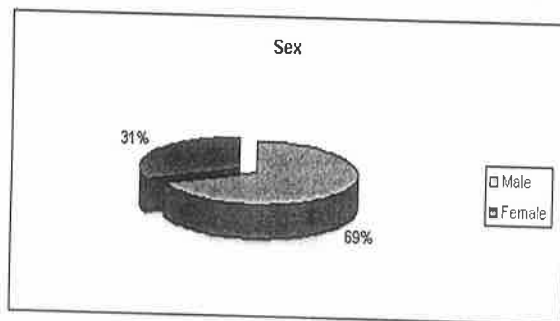
can consist of one or many data records. The results summarised below were obtained with the help of this processing system.

4. Analysis of the results

As mentioned above, 74 respondents returned the completed questionnaires out of the 100 initially selected. Because they were randomly selected, they vary in their professions and occupations. They included a former Prosecutor General of the Republic of Rwanda, a Senator, Members of Parliament, a Bishop, doctors, journalists, business people, and students. As can be seen from Table 1 below, the male-female ratio is about 2:1. The youngest is 26, while the oldest is 77 years old today.

Table 1

Sex	Frequency	Percentage
Male	51	68.92
Female	23	31.08
Total	74	100



It will be clear from the summary of results, and as mentioned above, that the 74 respondents did not always answer all the questions, partly because they could not recall the events in question and partly because the questions evoked memories that proved to be difficult to bear. As can be seen from the results, 96 % of the respondents lost their loved ones, and 74 % lost more than 4 members of their family. In some cases they misread the question and gave the wrong answer: e.g. when asked when they were born, they said where they were born.

Tables 2, 3, and 4 give the age brackets, the occupations of the respondents, and the provinces of origin respectively.

Table 2

Date Of Birth (D.O.B.)

Age	Frequency	Percentage
1920-1929	1	1.37
1930-1931	1	1.37
1940-1949	7	9.59
1950-1959	14	19.18
1960-1969	28	38.36
1970-1980	22	30.14
Total	73	100

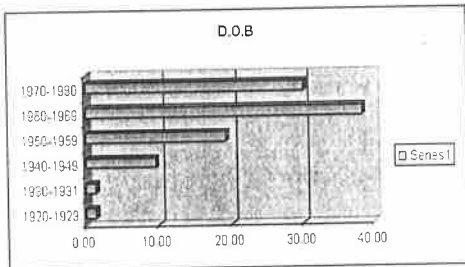
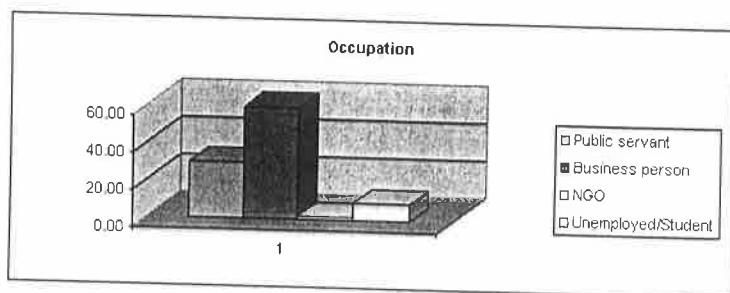


Table 3

Occupation	Frequency	Percentage
Public servant	20	29.85
Business person	40	59.70
NGO	1	1.49
Unemployed/Student	6	8.96
Total	67	100.00



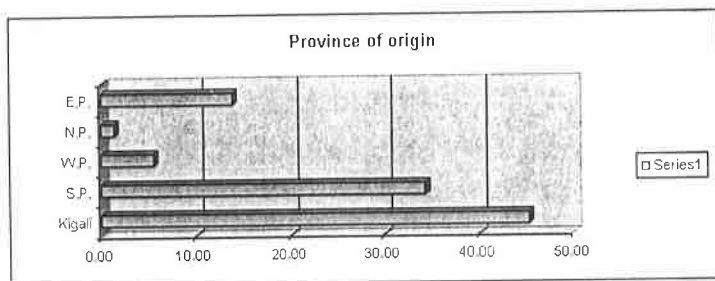
Other than Kigali, which had the biggest number of refugees at the Hotel, the next province with a big number was the Southern Province (25 refugees). The immediate reaction would be that these knew Paul

Rusesabagina and had gone seeking help from him, given that he hails from that province (this affinity was strong in pre-genocide Rwanda). As it happens, of those who knew him, only 9 come from the same province, and even then, because 3 of them, by coincidence, had worked with him at the Hôtel des Mille Collines.

The rest of the people who knew him were business people and civil servants who frequented both Hôtel des Diplomates and Hôtel des Mille Collines. More than half of our respondents did not know the man before genocide, suggesting that the overwhelming majority of the refugees did not go to Hôtel des Mille Collines because they were attracted or helped by Paul Rusesabagina.

Table 4

Province of origin	Frequency	percentage
Kigali	33	45.21
Southern Province	25	34.25
Western Province	4	5.48
Northern Province	1	1.37
Eastern Province	10	13.70
Total	73	100.00



Not surprisingly, the vast majority lived in Kigali before genocide and still live there (Tables 5 and 6). These constitute the vast majority of our respondents. But where residential addresses of people in the countryside were known, we visited and involved them in this research. Similarly, where we had e-mail addresses of people living abroad, we sent them the questionnaire electronically and they responded positively.

Table 5

Current Residential address	Frequency	percentage
Kigali	63	87.50
Southern Province	2	2.78
Northern Province	1	1.39
Eastern Province	1	1.39
Other Country	5	6.94
Total	72	100.00

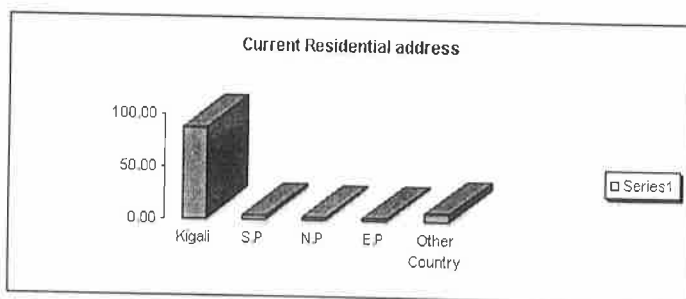


Table 6

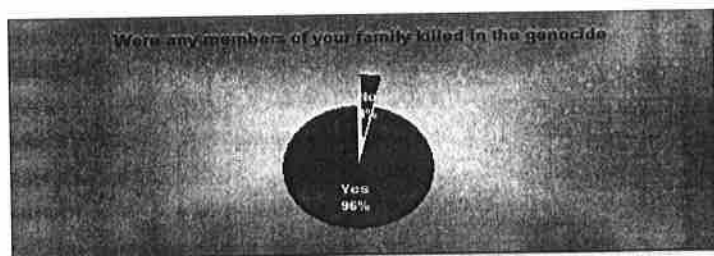
Where were you when genocide started in April 1994?

	Frequency	percentage
Kigali	74	100

Table 7

Were any members of your family killed in the genocide?

	Frequency	percentage
No	3	4.05
Yes	71	95.95
Total	74	100

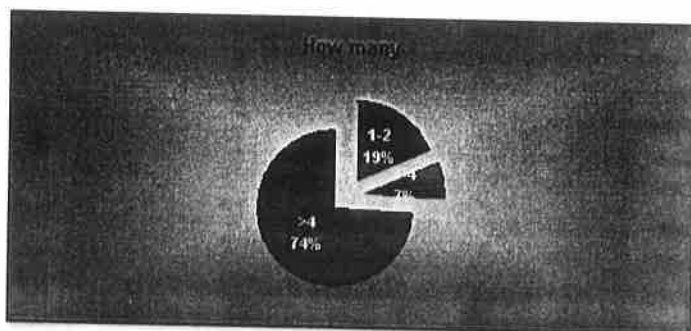


As said above, 96% of all our respondents lost members of their family during the genocide, and 95% expected to die (see Table 22). Not surprisingly, they are deeply disturbed that Paul Rusesabagina has distorted this sad episode of their history.

Table 8

How many?

	Frequency	percentage
1-2	13	18.57
3-4	6	7.14
>4	52	74.29



85 % of the respondents took refuge at the Hotel in April, at the height of the massacres 163, most of them (27) (see Table 10) helped by their Bahutu friends 164 while others simply gave money to soldiers to take them there. What emerged from this study is that many Bahutu did indeed hide some of their Batutsi friends and helped them to get to Hôtel des Mille Collines. It must be understood, however, that such a humanitarian act did not stop some from committing other atrocities. It is well known that during the genocide, some Bahutu hid their Batutsi friends but went out every day to hunt and kill other Batutsi. Similarly, some Bahutu husbands killed their Batutsi wives and went on to kill their children because they were born of a Mututsi wife. Some Bahutu wives

¹⁶³ It is estimated that the vast majority of the Batutsi who lived in Rwanda were killed in the first five weeks of the genocide.

¹⁶⁴ The name of a certain Victor Munyarugerero keeps coming up as a Muhutu who saved many Batutsi. He did not only shelter them from the killers, he also took many to Hôtel des Mille Collines. He also used to go out to buy food and provided special cooking facilities at the Hotel for those who could not get any food from the Hotel. One respondent even said that Victor Munyarugerero pledged up to seven million Rwandan Francs so that some refugees be allowed to enter Hôtel des Mille Collines and be allowed to stay.

killed their Batutsi husbands and went on to kill their children because they were begotten of a Mututsi husband. This all goes to explain the complexity of the Rwandan genocide. One lady respondent said that she had been brought to Hôtel des Mille Collines by a certain Fr Munyeshyaka, who is regarded by other survivors as the “bête noire” for his macabre role in the genocide¹⁶⁵.

¹⁶⁵ Here are excerpts from an *African Rights* article (1999) entitled “Father Wenceslas Munyeshyaka: In the Eyes of the Survivors of Sainte Famille. “Father Wenceslas Munyeshyaka took charge of the Parish of St. Famille early on in April, after the parish priest, Father Anaclet Mwumvaneza, was forced into hiding by threats from militiamen. The survivors of St Famille all expressed their shock at the appearance and attitude of Father Munyeshyaka. They gave numerous examples of his hostility towards them and towards Tutsis in general. Clad in a flak jacket, and armed with a pistol, Munyeshyaka was an intimidating figure who, from the beginning, did nothing to make the refugees feel welcome. It was not long before the refugees discovered where Father Munyeshyaka’s sympathies lay. Jean-Claude Rwabakika, a 35-year-old data processor, fled to the church on 20 April after militiamen attacked his home and killed his parents. Jean-Claude said that Fr. Munyeshyaka divided the refugees according to ethnicity and discriminated against the Tutsis”. ... Fr. Munyeshyaka could and did save lives – principally the lives of a select number of women and young girls. According to the refugees, these women were given special treatment: food, water and accommodation which he withheld from the rest. They were evacuated by Munyeshyaka to the Mille Collines Hotel and given priority on the UNAMIR evacuation lists. There was a price for these privileges, and the refugees have accused Father Munyeshyaka of demanding sexual favours. Most of the refugees were shocked by the open favouritism displayed by the priest, as Antoine Nkusi explains: Munyeshyaka had put several beautiful women in the three rooms next door to his. Whenever we saw them coming and going at night around Munyeshyaka’s home we could guess why they were there. When Munyeshyaka realised that a lot of the refugees noticed the girls who went up the stairs of his house to his room on the first floor, he moved into more basic quarters on the ground floor, and even reserved a room at the Mille Collines Hotel... and he would go in with his girls, then return to St. Famille”.

Table 9

When did you go to HMC?

	Frequency	percentage
April	61	84.72
May	10	13.89
June	1	1.39
Total	72	100.00

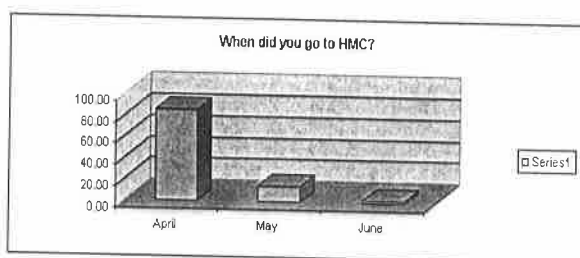


Table 10

How did you get to HMC?

	Frequency	percentage
UNAMIR	3	4.05
On my own	14	18.92
N.G.O	1	1.35
Soldier	17	22.97
Friend	27	36.49
Other	12	16.22
Total	74	100

The rubric "Other" in Table 10 above includes people who had gone to work at the Hotel as they always did, and whom genocide found there. Some one also reported that he was helped to get to the Hotel by the driver of Fr Munyeshyaka.

Contrary to Rusesabagina's claims, by far the majority of the refugees (60%) at the Hotel state that they took refuge there because it was judged to be the safest place in Kigali, given that it was one of the UN protected sites at the time, which gave them a sense of security, as can be seen from Table 11. In their reckoning, the presence of expatriates at the Hotel and UNAMIR's armoured vehicles blocking the gate to the Hotel, as well as the presence of the UN flag hoisted at the entrance to the Hotel would deter the marauding Interahamwe and government soldiers from carrying out wholesale massacres like the ones which were taking place in the rest of Kigali and the country as a whole. It is, therefore, disingenuous for Paul Rusesabagina (ref.) to dismiss the UN force at the Hotel as useless. And whereas most people agree that the UN Mission in Rwanda was generally inadequate as a peace keeping mission, it must be acknowledged that some of the peace keepers did save some lives in Rwanda. Here, for example, is an account by Linda Melvern¹⁶⁶ which the reader will find not only interesting, but also touching.

Last year, there was a special showing of "Hotel Rwanda" in the Hague. In the audience was a Polish

¹⁶⁶ Linda Melvern: History? The film is fiction. An article that appeared in *The Observer* of March 19, 2006. Linda Melvern has written extensively on the 1994 Genocide in Rwanda. See for instance her two books: *Conspiracy to Murder: The Rwandan Genocide and the International Community*. London:Verso (2004), and *A people Betrayed: The role of the West in Rwanda's Genocide*, London: Zed Books, (2000).

officer, Major Stefan Stec, one of the volunteer peacekeepers in Lt Gen Roméo Dallaire's force. After the film, which also portrays the peacekeepers as ineffectual, there was a panel discussion during which Stec was publicly blamed for not having done enough to save Rwandan lives.

Yet it had been Stec, grenade in hand, who had faced down the militia in the attempt in May to evacuate some of those trapped in the Hotel des Mille Collines. It had been Stec who read the names in a crowded lobby of those to be evacuated, but only those with the requisite visas to enter Belgium. There were just four Tunisian peacekeepers protecting people in this high-profile hotel. By the end of May, there were 91 similar sites all over Rwanda. There were only enough peacekeepers to guard four of them.

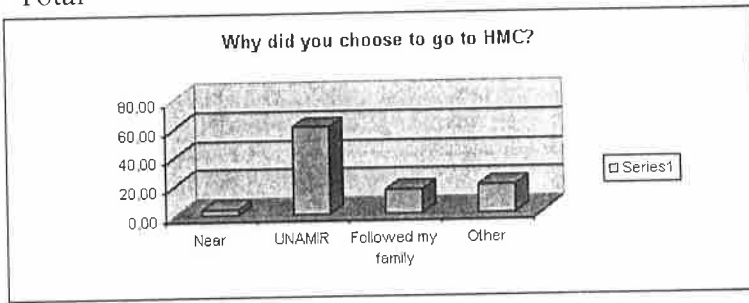
Post-traumatic stress is a mysterious illness. Stec fell ill after the viewing of Hotel Rwanda. He stopped eating and in spite of help from psychiatrists who had treated soldiers from the Dutch battalion in Srebrenica, Stec died late last year. He feared that the wider public would never understand the truth of Rwanda and that Western politicians and diplomats would forever escape accountability for their decisions. For three months, they had played down the crisis, arguing that nothing could be done in Rwanda. Meanwhile, Stec and his colleagues had done all they could.

Some people followed their relatives who had already arrived there. Others went there because it was the nearest place to go to. Yet others said they went there because they simply wanted to be with other refugees and because there were prospects of an eventual evacuation from the Hôtel des Mille Collines to the safety of the outside world.

Table 11

Why did you choose to go to HMC?

Near	3	4.11
UNAMIR	44	60.27
Followed my family	12	16.44
Other	14	19.18
Total	73	100.00



Asked whether or not they received any services on arrival at the Hotel, 38 refugees said that they did receive them while 27 said that they did not receive any. This is seen in Table 12, which gives two sets of statistics, juxtaposed. Figures and percentages of people who did not receive services and those who did are presented in the columns with figures. But the table also shows the categories of people who received the services, and the categories of those who did not receive the services. The idea was to see if there is a correlation.

Not surprisingly, the majority of those who received services were business people (22) and public servants (11). We can extrapolate that these were people who were familiar with how hotels normally operate, and those who had the money and were willing to pay for their services and those of their protégés. This was

indeed confirmed in the other questions of the questionnaire and the interviews.

Table 12

Did you receive any services on arrival at HMC?

Occupation Code	No		Yes		Total	
	Freq.	%	Freq.	%	Freq.	%
Public servant	8	42.11	11	57.89	19	100
Business person	17	43.59	22	56.41	39	100
NGO			1	100.00	1	100
Unemployed/Student	2	33.33	4	66.67	6	100
Total	27		38		65	

Table 13

Which ones?

	Frequency	Percentage
Restaurant and Bar	22	34.92
Accommodation	31	49.21
Medical treatment	2	3.17
Phone and Fax	3	4.76
Other	5	7.94
Total	63	100.00

Needless to say, the kinds of services received were food and drinks (22), accommodation (31), medical treatment (2), and the phone and fax (3). But also, just getting access to the Hotel was considered a service. As Gashumba Peter Claver says, "Just staying at the Hotel was good enough. There were no more vacant beds anyway. Our friends welcomed us and we shared the little they had, including sharing a bed." The "Other" rubric in the table showing the services received (Table 13) refers to watching news on TV (CNN) so that they

could find out how far the Rwandan Patriotic Army were, and speculate on how long it would take to be rescued.

What is also abundantly clear is that not everyone received services on arrival. Interestingly, Question 16 asked whether the refugees arrived at the Hôtel des Mille Collines before Paul Rusesabagina. Out of the 40 who arrived before him, 28 said that life was better before his arrival because they had received services free of charge. This remains an enigma. Why did the other 12 not request for services if they were provided free of charge? In the initial stages, it is conceivable that the rich did what would normally be expected of them, i.e. pay for the services and share them with their relatives and friends, for whom it did not matter whether they had paid for them or not. The fact of the matter is that the majority of the people shared rooms with their relatives or friends, acquired free of charge or paid for.

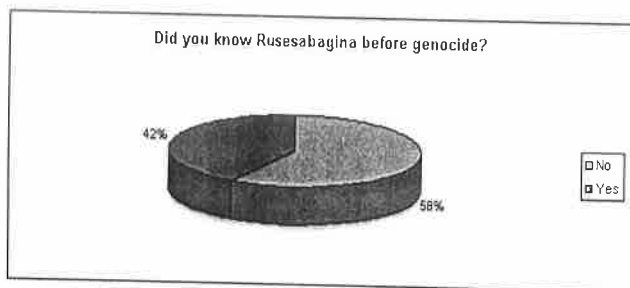
What needs to be understood is that these were people of mixed backgrounds, social status, and ages, all of them with high levels of trauma. Some were Bahutu although the bulk were Batutsi. They all shared one thing: they were all living in terrible circumstances, and going through the most terrifying and trying times of their lives.

We asked refugees whether they had known Paul Rusesabagina before genocide. We wanted to find out how many people were acquainted with Paul Rusesabagina before genocide, and whether this had any bearing on his claims that he saved people at the Hotel. Our hypothesis was that if he had known certain individuals, this would have led him to the inclination to save them.

Table 14

Did you know Rusesabagina before genocide?

	Frequency	percentage
No	42	58.33
Yes	30	41.67
Total	72	100.00



As mentioned above, of the 30 people who said they knew him, only 9 came from his province of origin, and 3 out of the 9 knew him because they worked with him at the Hôtel des Mille Collines. The rest of the people who knew him were business people and some professionals who frequented Hôtel des Diplomates. The point we are making is that people did not flee to Hôtel des Mille Collines because they knew Paul Rusesabagina.

Of course, this does not preclude the possibility that he did whatever he did out of sheer altruism and humanitarianism. We would have to wait to see what other questions provide as evidence to his claims.

We also asked refugees if they had come face to face with Paul Rusesabagina, and if they did, when, where, and in what circumstances?

Not surprisingly, 67% of our respondents said that they came face to face with Paul Rusesabagina, and most of them met him at the Hotel reception area and in his office. The reception area because that is where they were received and asked to pay or told to go back if they did not have the money to pay. In his office because that is where the remaining telephone and fax lines were housed and any one who needed to use them had to go through him.

The "Other" rubric refers to answers like the following: "He met me at the swimming pool and asked me to stop drawing water from the pool because it was reserved for expatriates, just in case they needed to swim¹⁶⁷.

Table 15

Did you ever come face to face with Rusesabagina at HMC?

	Frequency	percentage
No	24	33.33
Yes	48	66.67
Total	72	100.00

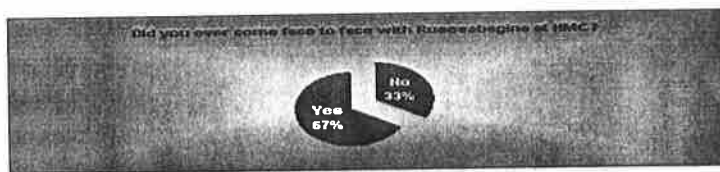


Table 16

When?

	Frequency	percentage
Every day	4	9.76

¹⁶⁷ The swimming pool in the end became the lifeblood of all the residents because that is where they could only draw water from.

Often	8	14.63
April	22	41.46
May	7	17.07
June	1	2.44
Can't remember	6	14.63
Total	48	100.00

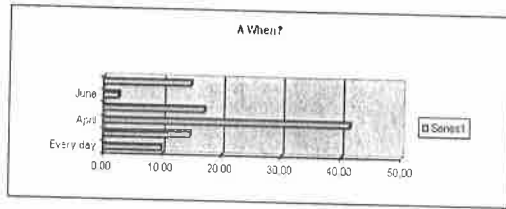


Table 17

Where?

Corridor	4	6.98
Accommodation	6	13.95
In his office	13	23.26
At Reception	15	32.56
Other	10	23.26
Total	48	100.00

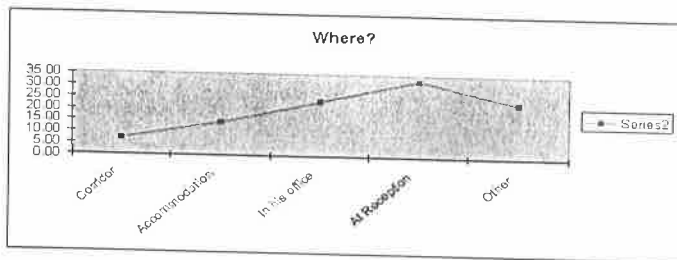


Table 18

In what circumstances?	Frequency	Percentage
When I paid	7	14.58
When I was in need of Fax or Tel	5	10.42
In corridor	6	12.50
At reception	6	12.50
Other	24	50.00
Total	48	100.00

Other residents met him in the hotel gardens which they had turned into a kitchen area. These were people who were sleeping in corridors, either because they arrived late and all the rooms had been occupied, or because they did not have any money to pay. In fact most of the 24 people in the “Other” rubric in question 15 are those who had failed to pay and were sleeping in corridors. Rusesabagina always threatened them with eviction because, according to him, sleeping in corridors was not permitted and always urged them to go back to their districts because he could not ensure their security at the Hotel. Of course, everyone knew that leaving the hotel gate was tantamount to committing suicide. People were being massacred on the roadblocks just outside the hotel.

We then asked refugees if they arrived at the Hôtel des Mille Collines before Rusesabagina, and if so, whether the services were better or worse after his arrival. The results are summarised in Tables 19, 20, and 21 below.

Table 19

Did you arrive at HMC before Rusesabagina?

	Frequency	percentage
No	1	2.44
Yes	40	97.56
Total	41	100.00

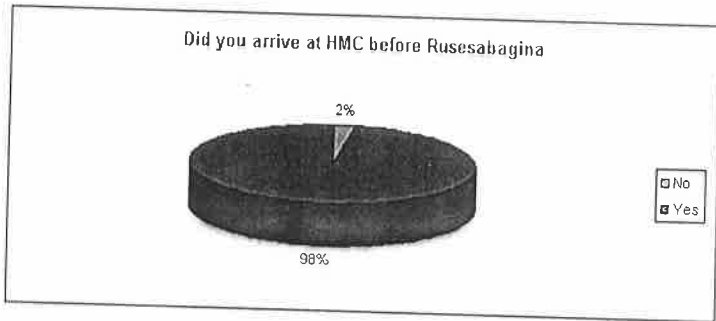


Table 20

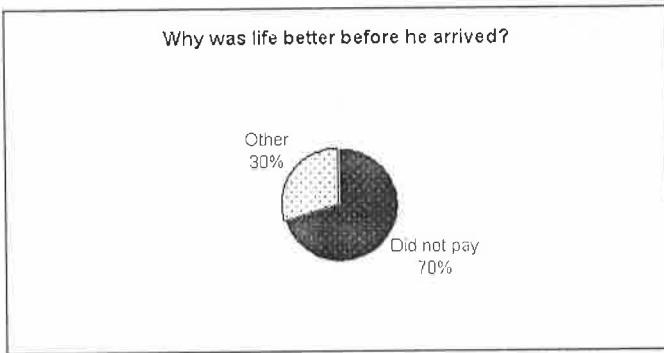
Was life better before he arrived?

	Frequency	percentage
Yes	40	100.00
No	0	100.00
Total	40	100.00

Table 21

Why?

	Frequency	percentage
Did not pay	28	70.00
Other	12	30.00



40 people said that they had arrived before him. All these reported that life was better before he arrived mainly because they had not been charged for the services given to them before he arrived. Besides, free access to the phone and fax that refugees were using to contact the outside world stopped. It is of course possible to argue that here was a Hotel manager who was trying to put some order in the Hotel he managed. Indeed, I have heard Paul Rusesabagina say that he did nothing more than a hotel manager would normally do. But these were not normal circumstances. Besides, even people who had always worked in the hotel were denied the usual benefits they had been accustomed to such as free meals and drinks.

The most traumatising and frightening thing that Rusesabagina did was to bring leaders of Interahamwe and other killers into the Hotel, in so doing enabling them to know how many people were there and which individuals were there. Rusesabagina has claimed that he had to maintain friendship with these killers in order to have leverage to save them. On their part, some refugees believe that he was colluding with them and giving them

updated lists of people who were there. This caused them a lot of stress and anxiety.

Other refugees mentioned other reasons why life was better before he arrived, notably the fact that the quantity of food diminished after his arrival, and they had to rely on a certain Victor Munyarugerero, who would venture out and buy food for them; and that Paul Rusesabagina gave away the water tanker¹⁶⁸ that used to bring them water.

We also asked people if they ever felt that they would die during that period. Table 22 shows that 70 refugees (95%) said they thought they would die. One respondent was convinced a grenade had been placed between his room and that of his children and that it had been diffused by UNAMIR soldiers. We were not able to corroborate this information.

Table 22

Did you at any one time feel that your life was threatened

	Frequency	percentage
No	4	5.41
Yes	70	94.59
Total	74	100.00

We then asked a number of questions which relate directly to Paul Rusesabagina's claims to heroism. These are: Are you aware of any acts undertaken by Rusesabagina that may have saved your life, and if so, which ones? Are you aware of any acts undertaken by Rusesabagina that may have put your life in danger, and if so, which ones? Are you aware of any acts undertaken

¹⁶⁸ It is believed that this water tanker was given to Col. Bagosora

by Rusesabagina that may have put his life in danger to save others, and if so, which ones? The answers to these questions are summarised in the following tables.

Table 23

Are you aware of any acts undertaken by Rusesabagina that may have saved your life?

	Frequency	percentage
No	68	95.77
Yes	3	4.23
Total	71	100.00

Table 24

Which ones?

	Frequency	Percentage
Allowed use of water from swimming pool	3	100.00

Table 25

Are you aware of any acts undertaken by Rusesabagina that may have put your life in danger?

	Frequency	percentage
No	33	48.53
Yes	35	51.47
Total	68	100.00

Table 26
Which ones?

	Frequency	Percentage
Refused room	10	28.57
Not given food	1	2.86
Let Interahamwe come inside	9	25.71
Other	15	42.86
Total	35	100.00

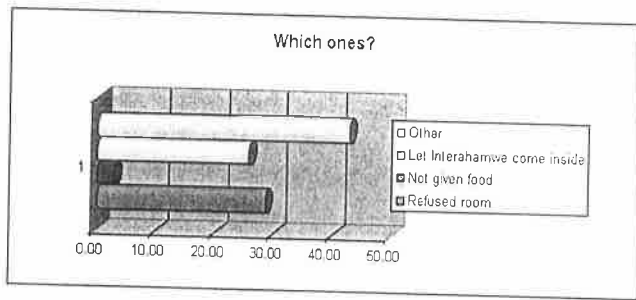


Table 27
his life in danger to save
others?

	Frequency	percentage
No	64	85.14
Yes	1	2.70
Total	65	87.84

Table 28

Which ones?

	Frequency	Percentage
May have stopped killers from killing us	1	100
Total	1	100

The statistics are self-explanatory. What is noteworthy is that only three people admitted that Rusesabagina undertook acts that may have saved their lives. They all said that he allowed them to draw or drink water from the swimming pool. It is difficult to tell whether they were genuine or whether they were sarcastic in their response¹⁶⁹. What is also noteworthy is that 50% of the refugees said that Paul Rusesabagina undertook acts that may have put their lives in danger. Two acts came on top of the list: the fact that he refused them rooms because they were not in a position to pay and the fact that he allowed the leaders of Interahamwe and other killers to come into the Hotel. In the "Other" rubric, people mentioned such things as: "He stopped us from telling the world about our predicament; He gave away the water tanker to Col. Bagosora, as a result of which we ended up using the water from the swimming pool for all our needs; Rusesabagina held frequent meetings with the killers and provided them with updated lists of all the residents; Rusesabagina discouraged the Red Cross from providing food to us; and Rusesabagina forced us to cook in the open gardens where we were exposed."

In the Table 27 above, only one person said that Paul Rusesabagina undertook acts that may have put his life in danger to save others. That person specifically said that Rusesabagina may have stopped the **genocidaires** from killing the refugees.

¹⁶⁹ He had previously instructed them not to use water from the swimming pool.

Asked whether they had been asked to pay for their accommodation and/or other services during their stay at the Hôtel des Mille Collines, the overwhelming majority (45 = 74%) confirmed that they had been asked to pay in one form or another.

Table 29

Were you ever asked by Rusesabagina to pay for your accommodation and/or other services during your stay at HMC?

	Frequency	percentage
No	19	
Yes	45	26.39
Total	64	73.61
		100.00

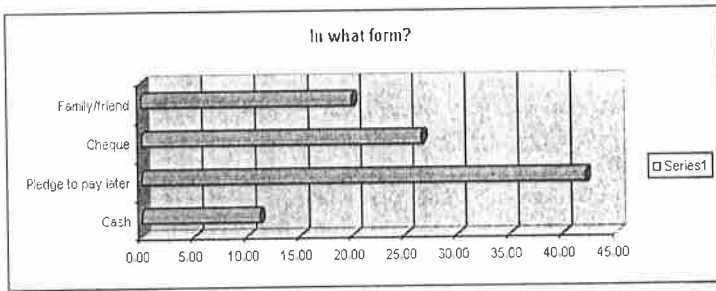
Interestingly, the rates were no longer fixed. Paul Rusesabagina accepted whatever **amount** of money was paid and in whatever form it was **given** (see Table 30 below). Most people paid cash in the first few days of their **stay**, and then people decided to make pledges of future **payments**, sometimes amounting to 2 million Rwandan francs.

Some refugees were astute enough to mortgage houses they never owned or houses they knew had been destroyed. One person mortgaged his car and another **person** presented his company order/**requisition form** which was accepted, implying that his **company** would pay for him at the end of the genocide.

Table 30

In what form?

	Frequency	percentage
Cash	5	11.11
Pledge to pay later	19	42.22
Cheque	12	26.67
Family/friend	9	20.00
Total	45	100.00



We then wanted to know if our respondents had seen the film “Hotel Rwanda” and what they thought about it. 50% of the respondents reported they had seen it and the other 50% said that they had not seen it. The majority of the latter added that, after hearing what the film was about, they decided they would never watch it.

Table 31

Have you seen the film "Hotel Rwanda"?

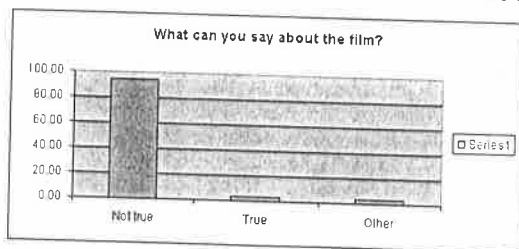
	Frequency	percentage
No	34	50.00
Yes	34	50.00
Total	68	100.00

As to what they thought about it, 94% said that it was a load of lies from beginning to end (Table 32). One respondent was worried that Paul Rusesabagina had found a non-inquisitive audience of foreigners to whom he could lie about what happened in Rwanda (the rubric "Other").

Table 32

What can you say about the film?

	Frequency	percentage
Not true	32	94.12
True	1	2.94
Other	1	2.94
	34	100.00

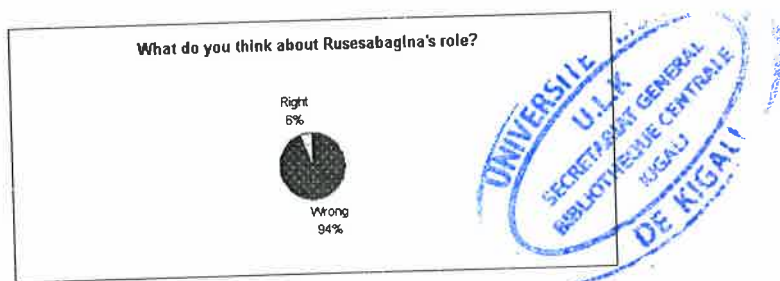


We then asked those who had seen the film what they thought about the role attributed to Rusesabagina. Once again, 94% of the refugees said that Paul Rusesabagina had misappropriated that role, and that he is only motivated by the desire to make money at the expense of telling the truth, and in utter contempt of the survivors.

Table 33

What do you think about Rusesabagina's role?

	Frequency	percentage
Wrong	32	94.12
Right	2	5.88
	34	100.00



We were then interested in knowing if the refugees owed their lives to another individual or other individuals other than Paul Rusesabagina.

Table 34

Do you owe your life to another individual who saved you while you were at HMC

	Frequency	percentage
No	12	17.14
Yes	58	82.86
Total	70	100.00

Among those mentioned, RPF Inkotanyi come on top, followed by UNAMIR, and then another individual. This individual is the same Victor Munyarugerero, a Muhutu that most refugees consider to be the real hero of Hôtel des Mille Collines.

Table 35

Who?	Frequency	percentage
RPF Inkotanyi	28	38.89
UNAMIR	19	26.39
Other Individual	2	2.78
Other	23	31.94
Total	72	100.00

As already mentioned, Victor Munyarugerero's name comes up again and again as the person who would venture out and buy food for the refugees, and perhaps most importantly, as the person who accepted to make pledges for payment on behalf of the young and poor who were threatened with eviction. One refugee said that Munyarugerero's total pledges amounted to about seven million Rwandan Francs.

One of our respondents handed me the document reproduced below, which is not signed but is attributed to him. This document reflects the desperate situation that the refugees were facing and the state of affairs at the Hotel at the time. For the benefit of our non-Kinyarwanda readers, we provide an English translation.

hôtel des mille collines

- Located in the business heart of Kigali.
 - 112 rooms and suites, all with own terrace, satellite TV and video, piped music, mini bar, direct-dial telephone in rooms.
 - Two bars, two restaurants, cocktails and banquet facilities.
 - Conference and conference rooms, international service, swimming pool, tennis courts, selected boutiques, bank, car rental.
- PO BOX 1133 KIGALI - RWANDA - TEL. (250) 7630-34 - FAX (250) 76541

FAX TO : _____	FAX FROM : _____
FAX NBR : _____	ROOM : _____ TOTAL
ATTN : _____	DATE : ____/____/____ NBR OF PAGES: _____
URGENT ! YES / NO	RESPONSE REQUESTED YES / NO

S.O.S STE Famille
cyangwa se KILIF Collines!!!

Kuli twe haliho ababurara!!!
Turagira ngo turayeho ryacu lijyane
n'ibikorwa, duterateranye ku buryo dufite
dusaranganye na bagenzi bacu
mu gihe Croix Rouge itaraza.
- Ufite ubushyamba, umucyi, umubiri
uhagarurira ababurara agushyamba.
cyangwa abanyaga ababurara.
P.S. turamaze abafite ubushyamba n'igihe turakomeye
yaburirako burigira hira mu gihe dutarazirako

Original: SOS Ste Famille cyangwa se Mille Collines

Muli twe haliho ababurara!!! Turagira ngo isengesho ryacu lijyane n'ibikorwa, duterateranye ku buryo dufite dusaranganye na bagenzi bacu mu gihe Croix Rouge itaraza.

Ufite udushyimbo, umuceli, isukari, ifu y'igikoma, agasabune cyangwa akamiya akazane.

P/S Turasaba abifuza kujya muli iyi comité y'ubufasha kwigira hino maze tugatangira.

Translation: SOS The St Family Church¹⁷⁰ or Hôtel des Mille Collines

Some amongst us go without food every day. We would like to accompany our prayers with action. This way we can share the little we have with our neighbours and friends who have nothing, while waiting for the arrival of the Red Cross.

We appeal especially to those who have beans, rice, sugar, flour to make porridge, soap, or even a coin to come forward.

P/S: Those of you who would like to volunteer to join the humanitarian committee, please come forward so that we can start.

A whole list of other people and organisations was given in the "Other" rubric. They include the following (in no special order): God, SABENA, Pasa and Zozo (both of whom worked at Hôtel des Mille Collines), the international community and international media, refugees themselves who showed solidarity, Mutarekanwa Felicien (who paid for those who could not afford), Tatien Ndolimana, an American by the name of

¹⁷⁰ The Ste Famille Church was/is a few meters from Hôtel des Mille Collines. It too had received many refugees whom Victor Munyarugerero was helping. Unfortunately, almost all of them were killed.

Alex Gromo Gregory, Corneille Kagaba and his wife Josée, General Dallaire and Capt Mbaye (both of UNAMIR), Rubangura Vedaste (who also paid for those who could not afford to pay for themselves), Rudasingwa J. M. Vianney, Dr Kanimba P. Celestin and his wife, Sarabwe Damien, Makuza Bertin (who also paid for those who could not afford to pay for themselves), Sebakiga Evarist, and Dr Kayijaho Josué.

We then asked the refugees when they left the Hôtel des Mille Collines, how they did, and where they went. Most people left when there was the first evacuation organised by UNAMIR and RPF in May 1994 after negotiations between RPF and Government forces resulted in “an exchange of prisoners”.

Table 36

When did you leave HMC?

	Frequency	percentage
April	8	9.38
May	53	79.69
June	9	10.94
Total	70	100.00

Table 37

How did you leave HMC?

	Frequency	percentage
With help of UNAMIR	68	85.00
With help of RPF	4	5.00
With help of NGO	2	2.50
Other Individual	2	2.50
Other	4	5.00
	80	100.00

The majority of these, and those who were evacuated in the second phase were taken to the RPF-held territory in Kabuga, in accordance with the agreement between the interim government, the RPF, and UNAMIR.

Some individuals paid someone who volunteered to take them to Burundi. Two other individuals were helped by an NGO to travel to Nairobi.

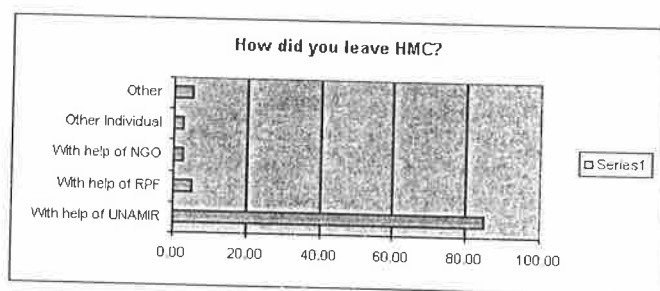


Table 38

Where did you go from HMC?

	Frequency	percentage
RPF Territory/Kabuga	68	97.14
Other	2	2.86
Total	70	100.00

In conclusion, we asked our respondents if they had anything else they wanted to say. Those who said they had nothing to say indicated that the whole exercise revives bad memories and trauma. Nonetheless, as can be seen from Table 39, a good number were willing to say something in addition to what they had said in the questionnaire.

Table 39

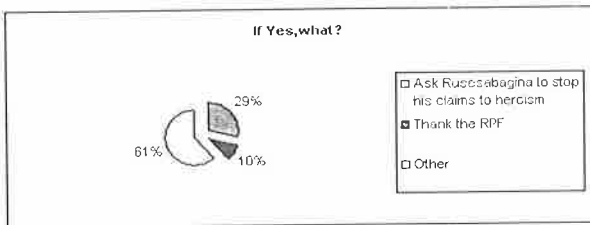
Do you have anything else you would like to say?

	Frequency	
No	20	27.78
Yes	52	72.22
Total	72	100.00

Table 40

If Yes, what?

	Frequency	percentage
Ask Rusesabagina to stop his claims to heroism	15	28.85
Thank the RPF	5	9.62
Other	32	61.54



Besides requesting that everything be done to stop Paul Rusesabagina's claims to heroism, the respondents made a number of interesting comments, some of which are reproduced below.

“Paul Rusesabagina did not kill any one but he should refrain from pretending that he saved people. If anything, he created more problems for us”.

“If Paul Rusesabagina thinks that he is a hero, he should come back and face us. We will remind him of the wrongs he did to us”.

“I was surprised to hear that Paul Rusesabagina claims to be a hero. Perhaps he exhibited his heroism before I joined the Hôtel des Mille Collines. All I know is that he lived a life of luxury together with one or two of his intimate friends, while we were dying of hunger. His residence was out of bounds for many of us”.

“I lived in the corridors of Hôtel des Mille Collines for the whole duration of my stay there, without even a sheet to cover myself. It is only when I reached Kabuga (the RPF-held territory) that I felt human again”.

Finally, it is worth noting that many of our respondents were willing to give us an in-depth interview, and we are grateful to those who did. As mentioned above, we knew that this was bringing back awful memories, and we tried to approach this aspect of our research with the utmost care and sensitivity it deserved. The following comment by one respondent speaks volumes about this situation. “Yes, I am willing to give you an in-depth interview, but it will depend on the day. Sometimes I wake up thinking, today I do not want to think about or talk about what happened to us”.

Table 41

Would you like to say more in the form of an in-depth interview?

	Frequency	percentage
No	28	40.58
Yes	41	59.42
Total	69	100.00

Table 42

Do you have any objection to the mention of your name in this study?

	Frequency	percentage
Yes	16	21.62
No	58	78.38
Total	74	100.00

5. *Conclusion*

To millions of people around the world, Paul Rusesabagina is the man that saved 1268 who had fled to the hotel he managed. To Rwandans, and especially genocide survivors, he is at best a cunning man that has always been characterised by deceit and deception, and at worst, a conman, and an opportunist who concocted his own version of events in 1994 and is now distorting and misrepresenting the history of Rwanda for his personal interests. The findings of this study are conclusive and they confirm this. Far from saving refugees, he obstructed and frustrated their attempts to get out of their predicament and their determination to live on.

Those who know Paul Rusesabagina well, including those who were brought up with him in Gitwe, his student colleagues at Utalii College, those who worked with him both at Hôtel des Diplomates and Hôtel des Mille Collines, say that they are not surprised he did what

he did. They all agree that he has always been an elaborate and astute opportunist. Lured by financial gain, he will leave no stone unturned. Little wonder then that he succumbed to the temptation of making financial and political capital out of the Rwandan tragedy.

Bibliography

Dallaire, R. (2003): *Shake Hands with the Devil: The Failure of Humanity in Rwanda*. Toronto. Random House.

Harroy, Jean-Paul (1984): *Rwanda. De la Féodalité à la Démocratie, 1955-1962*, Bruxelles, Hayez.

Jura, J. (2005): *The Real Hotel Rwanda in Orwell Today*, website: www.orwelltoday.com.

Logiest, G. (1988): *Mission au Rwanda. Un Blanc dans la Bagarre Tutsi-Hutu*, Bruxelles, Didier-Hatier.

Melvern, L (2006): *History? The film is fiction*. The Observer of March 19, 2006.

Melvern, L. (2000): *A People Betrayed: The Role of the West in Rwanda's Genocide*. London: Zed Books.

Melvern, L. (2006): *Conspiracy to Murder: The Rwandan Genocide and the International Community*. London: Verso.

Mugabo, I (2006): "Rwanda: Of Rusesabagina's Friendship with Genocide Architects" The New Times, No. 876, of May 29th, 2006.