

UNIVERSITY OF BELGRADE

Faculty of Political Sciences

Belgrade, July 2018

At the meeting of the Department of International Studies, held on 22 June 2017, the Master Thesis Defense Commission (hereby the Commission) for the candidate Nevena Mančić was formed with the following members: Prof. dr Radmila Nakarada, prof. dr Vesna Nikolić Ristanović and prof. dr Nemanja Džuverović. The Council for the Second and Third Cycle of Studies has accepted the proposal made by the Department.

After reading the master thesis, the Commission is submitting the following report.

R E P O R T

The master thesis of Nevena Mančić entitled "The Role of Gacaca Court System in Restoring Relations between Hutu and Tutsi in the Post-war Rwanda" is comprised of 55 pages. Next to the Introduction and the Conclusion, the master thesis has four chapters and the list of references.

In the introduction the candidate gives a brief description of the topic that will be elaborate. She provides a short historical background of the conflict and consequences of the genocide in Rwanda. In addition, the candidate explains the necessity to address topics like restoring justice and the importance of the development of indigenous restorative justice instruments.

In the first chapter "Theoretical Framework" the candidate explains the theoretical framework for describing the importance of indigenous mechanisms in community life. In regards to that, the candidate describes Lederach's conflict transformation theory and Barton's restorative justice theory as two main theories that support the further analysis of the work. Also, she highlights the importance of theoretical guidance for local support.

In the next chapter, the candidate focuses on the development of the term Gacaca in tradition and in judicial system. The chapter is divided in two parts. In the first part she elaborates the broad traditional role of Gacaca courts as a concept that is present in Rwandan society much before the conflict and its significance throughout Rwandan history. In the second part the candidate continues with the description of much narrowed concept of modern use of Gacaca after the conflict and explains its impact on the process of achieving justice.

The overall of the chapter is to create an image of Gacaca courts as evolving process and legal mechanism that is appropriate for the social and political context in Rwanda.

In the following chapter (“Gacaca’s Path to Reconciliation”) the candidate discusses the core value of Gacaca system which provides local participation and customs as valid and valuable approach for ongoing relationship between Hutu and Tutsi. The candidate divides this chapter in three sections in the attempt to address the importance of each level that society experiences through Gacaca. She stresses out indigenous peacebuilding and dialogue as an important component of trials and the healing process when dealing with the truth. In the first section she strives to explain how Gacaca responds to the population needs in a holistic way, and what kind of the hybrid methods are used to encourage engagement and participation in the process. The second section focuses on the trials and creation of space for recovery of the truth by collecting the facts about the genocide. The candidate mentions the impressions and evaluations of those involved in these activities. Finally in the third section of the chapter, she highlights the importance of Gacaca courts as culturally sensitive input in the reconciliation process, despite some negative opinions that testify about its failure. She also gives an explanation why healing and forgiveness are considered to be the merits for achieving peace. Therefore she uses Phil Clarks’s two main forms of healing through Gacaca in order to explain the psychological challenge in restorative justice programs. Throughout the work she leans on Clark’s findings and analysis as the researcher who engaged very closely with the role of Gacaca courts and in his book about how Rwanda judged its genocide provided the illustrative account of the difficulty of the process itself.

In the last chapter (“Gacaca and Restoring Justice-Perspectives for Reconciliation”), the author discusses the main connection between restoring justice and Gacaca system driven by the conflict transformation rather than just a resolution. In this chapter she enlists the possibilities of a long-distance perspective that relies on well established practice and locally inspired norms. She also gives an explanation of societal and practical perspectives of reconciliation and pragmatic work between groups needed in order to balance truth and justice. This chapter also includes several views of the participants on the process itself and the importance to employ all tools at their disposal in order to generate mutual activities towards more meaningful future. In addition to that, the candidate stresses out the new social dynamics that appears in Gacaca that in the end creates the common ground for different groups in Rwandan society and withdraws the similar understanding that reconciliation will happen in the long run. She further discusses two stages for successful reconciliation where

she connects them with theoretical frameworks of conflict resolution and relationship transformation.

In the concluding chapter, the candidate once again summarizes the importance of the Gacaca court system as a traditional community court system that Rwandan government established to bring the justice and reconciliation from the bottom up level. Additionally, she concludes that it is a very specific way to restore unity and reconstruct Rwandan identity. She also argues that in academic terms, revising the effects of Gacaca courts will emphasize the importance of the post-conflict peacebuilding as well as the challenges during this process. Finally, the candidate explains that the analysis presented throughout the work suggests that Gacaca, unlike the Western court system, carries out the specific participatory nature in the process of reconciliation and restoring relations that brings up the form of justice that promotes democratic decision-making in the community and gets at the truth better than traditional court system.

The Commission is convinced that the candidate Nevena Mančić has shown sufficient understanding of the role restorative justice has in the process of the reconciliation in post-conflict societies, and the importance of indigenous institutions and customs for this undertaking. Also, the Commission is satisfied how the candidate has applied the theoretical framework on the case study of Gacaca courts in Rwanda. Based on this, the Commission concludes that the master thesis "The Role of Gacaca Court System in Restoring Relations between Hutu and Tutsi in the Post-war Rwanda" by Nevena Mančić fulfils all the formal criteria for the public defence.

The Commission:

Prof. dr Radmila Nakarada

Prof. dr Vesna Nikolić Ristanović

Prof. dr Nemanja Džuverović