



# Entrenched Dictatorship

## The Politics of Rigged Elections in Rwanda since 1994

Susan Thomson with Madeline Hopper

Elections in authoritarian regimes are performative—there is little electoral choice or contestation in cases where there is the appearance of multiple partyism. The rise of the “new” African leader, heralded by Western leaders such as American president Bill Clinton, has resulted in electoral authoritarianism, not the desired transition to liberal democracy (Carothers, 2002, p. 6). Instead, since the early 1990s, regimes undergoing authoritarian entrenchment vary according to degree of political competition and repression (Matfess, 2015). The common feature is a political balancing act between the formal adoption of democratic institutions and procedures and the use of formal and informal strategies intended to manage the emergence of democracy. The key mechanism is rigged elections, manipulated to ensure the “right” candidate wins. Elections in authoritarian systems “are intended to show that the dictatorship can make the dog perform tricks, that it can intimidate a substantial part of the population, so that any opposition is futile” (Gandhi and Przeworski, 2006, p. 21; Levitsky and Way, 2002).

Since the mid-2000s, authoritarian and semi-authoritarian regimes are now the global norm, with skilled dictators employing the tools and language of democracy to legitimate and deepen their grip on power (Bueno de Mesquita and Smith, 2011; Dobson, 2012;

Gandhi and Przeworski, 2006; Simpser, 2013). Autocrats such as Rwanda's Paul Kagame and his ruling Rwandan Patriotic Front (RPF) easily and readily manipulate the minimal standard of international election observers: The perception of free and fair universal suffrage in a multi-party setting, with each party offering a different policy platform. As Cheeseman and Klaas demonstrate, the rigging of elections is "the greatest political paradox of our time" with more local and national elections being held than ever before (2018, para. 3). Yet, at the same time, in 2017, more than sixty percent of the world's population lives in unfree or partly-free political systems (Freedom House, 2018). By standard democracy measures, including the Economist Intelligence Unit (2017) and Freedom House (2018), Rwanda is widely understood to be "not free," ranking amongst the worst in the world for civil and political liberties, the active participation of citizens, the protection of human rights and the rule of law.<sup>1</sup>

Rwanda since the 1994 genocide follows this trend of rigged regular national elections, made even more pointed with the country's history of civil war and genocide in which an ethnic Hutu-led government orchestrated the murder of at least 500,000 ethnic Tutsi (Des Forges, 1999, pp. 15-6). While international post-conflict reconstruction and reconciliation toolkits aim to promote democracy, the empirical evidence illustrates that recovery from violent conflict rarely drives democratization. In practice, the reality is quite the opposite, particularly in cases of civil war, such as that which preceded the 1994 genocide. Civil war undermines three key ingredients for democracy: The quality of political institutions, the nature of elite cohesion and the character of civil-military relations (Cheeseman, *et*

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<sup>1</sup> The AfroBarometer database (<http://afrobarometer.org/countries>) does not include Rwanda. It does not fit many of the necessary criteria to assess and conduct surveys on democracy: Openness and ability of citizens to express views, access to census data and ease of travel to remote areas (Nkomo, 2018).

*al.*, 2018, p. 31). We employ this “key ingredients for democracy” framework to understand the role of rigged elections in Rwanda since 1994. Local and national elections are strategically deployed to assure the RPF’s preeminence in all spheres of public life: Politics, the economy and the military while representing itself as the only game in town.

Our paper focuses on two key areas of national electoral management as mode of entrenching the power and authority of the ruling party, the Rwandan Patriotic Front: 1) the formal political arena, notably via a 2003 constitutional revision (analyzed in Part III); and 2) RPF rhetoric to promote a Rwandan-style of democracy in the name of national peace and security (analyzed in Part II). We also consider the RPF’s rhetorical strategies that allow party representatives to gain popular compliance through physical coercion, repression of civil liberties and the suppression of political opposition. Since 1994, Paul Kagame has framed his leadership as necessary if Rwanda is to both develop economically and avoid a future round of genocide. His colonial predecessors, Juvénal Habyarimana (1973-1994) and Grégoire Kayibanda (1962-1973), also presented themselves as the sole leader capable of providing peace and prosperity (Desrosiers, 2014). Like authoritarian leaders in other states, Rwanda’s postcolonial presidents have invested in both a political system designed for control. Indeed, as we demonstrate in Part V, the current Rwandan government, the RPF, uses the cultural mechanism of *imihigo* (government performance contracts) to ensure popular political participation as a form of compliance.

As we analyze in Part IV, ordinary Rwandans and the local officials charged with governing them are accountable to the president through an intricate top-down state system. In turn, this produces the feeling of being watched that results in a culture of obedience that ensures the expected electoral outcome. Lastly, in Part VI, we assess the RPF’s treatment of two opposition politicians who dared to challenge the incumbent Kagame. Victoire Ingabire (an ethnic

Hutu) and Diane Rwigara (an ethnic Tutsi) fell afoul of the regime respectively in the 2010 and 2017 presidential elections, the result being that both women have been imprisoned for their political views. We conclude that the RPF has practiced adroit electoral manipulation to ensure that its vision for what is needed to avoid future rounds of violence has instead entrenched a system that could, if left unchecked, foretell a return to mass political violence.

### **A Setting for Democratization?**

Rwanda has long been home to civil conflict that in turn results in low elite commitment to democratic institutions and processes (Reno, 1999). The nature of Rwanda's political leadership is military by design, in readiness for civil conflict. Constitutional reforms, whether taken before or after the 1994 genocide, have focused on entrenching single-party rule that legitimates the presence of the military in civilian politics (Ottoway, 2003). Senior members of the government, including the president and his advisors, are military trained, and are often active members of the armed service.

Loyalty is of the utmost importance in Rwandan political culture. Loyalty to the president of the day is expected of the rank-and-file who earn favor by monitoring the population, while the monitored populations demonstrate their loyalty by performing deference to the leaders of the day (Purdeková, 2016; Thomson, 2013).

Post-colonial political elites are products of Rwanda's militarized society that keeps the country on a war footing, willing and able to use force to quell challenges from the opposition or the general public to assure their political primacy (Desrosiers, 2014). Rwanda has yet to enjoy a peaceful transition of power by way of democratic practices such as voting, strong institutions such as an independent judiciary or through a strong parliament capable of checking executive power. There has not been, nor is there today, a

burning incentive for political-military elites in Rwanda to craft strong, plural and impartial political institutions (Sebarenzi, 2009).

Instead, Rwanda's post-colonial elites work to ensure their political and military primacy through repression, notably the denial of civil and political rights, the disappearance, detention or death of political opponents, and control of the population (Reyntjens, 2013; Thomson, 2018). When they find themselves under pressure, Rwanda's elites choose ethnic violence to maintain their grip on power (Desrosiers, 2014). In other words, postcolonial regimes ramped up anti-Tutsi rhetoric in response to threats to their political power.<sup>2</sup> Civil conflict is the mode of regime change since the country gained independence from Belgium in 1962. The ruling RPF knows this violent history all too well.

Ethnically-motivated violence at key junctures in Rwanda's political history inform the choices of the ruling RPF to employ elections to legitimate its rule: The Social Revolution of the Tutsi monarchy by a Hutu counter-elite (1957-62), a military coup that installed a second Hutu president (1973-1994), and the civil war and genocide (1990-1994) that the then rebel RPF launched when it invaded Rwanda from Uganda. In addition, some eighty percent of the population is ethnic Hutu, the majority of who, like their non-elite ethnic Tutsi kin and kith, live in the rural countryside. The ethnic Tutsi-led RPF believes that they are governing a "mostly hostile, mostly Hutu country" (Prunier, 1998, p. 133). The fear of a return to genocidal violence informs all aspects of RPF rule, a legitimate concern given the magnitude of the violence of the 1994 genocide and the damage left in its wake. The RPF leadership thinks that ethnic Hutu will vote along ethnic lines, meaning that it could not win the votes from the majority in free and fair elections (Waldorf, 2014). Given this belief,

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<sup>2</sup> Desrosiers found, through careful archival work, that Rwanda's postcolonial regimes deployed anti-Tutsi violence in moments of crisis as a way to deflect their shortcomings. See also C. Newbury (1988).

the RPF has adopted and refined a strategy of political repression and mass reeducation to ensure loyalty to the government (Hayman, 2011; Reyntjens, 2013). Foreign observers and domestic critics who comment that the political system is entrenching RPF rule instead of building a democratic system of checks and balances are denounced as traitors.

The ruling RPF is not unique in coopting formal and informal democratic norms. Successive generations of postcolonial elites have used the promise of democracy to justify domestic repression at home while ensuring the continued flow of maximum international donor dollars (Uvin, 1998, pp. 40-50). Rwanda's current leadership is no exception: The RPF explains its domestic political repression to international audiences in two key ways. First, the average poor, rural Rwandan is not ready for Western-style, first-past-the-post democracy (Republic of Rwanda, 1999). Second, the RPF's ideology of good governance is committed to democracy without representation. The logic is straightforward: The Hutu majority needs to be taught democratic values that accord with Rwandan values of deference to authority to assure the country's genocide-free future (Thomson, 2018, pp. 133-4). The result is a political environment without opposition, controlled by the Tutsi-led RPF, who in turn oversees performative elections that require the full participation of the electorate.

### **Crafting the Narrative**

The RPF, the rebel group turned government credited with stopping the 1994 genocide, has used national and local elections to ensure its political dominance (Longman, 2011; Meierhenrich, 2006; Stroh, 2009). The legitimacy of the RPF rests on a social contract that is ultimately authoritarian, despite all its proclamations in favor of economic development as the basis of democracy (Abrahamsen, 2000). In exchange for supposed peace, security and devel-

opment, it governs with a degree of popular consent on terms and conditions that are ultimately set, and enforced, by the RPF in concert with the Rwandan Defense Force (RDF). President Kagame makes no apologies for his party's approach to governance, whose rules are constitutionally enshrined. As Jones notes, "the RPF is not [politically] dominant in spite of its constitution, but in part because of it" (2016, p. 344). Kagame rules with an iron fist, proclaiming loudly and often to international and domestic audiences that he is Rwanda's best bet against future rounds of civil war and genocide (Thomson, 2018, pp. 242-255). Rwanda's foreign donors have generally accepted this proclamation, thus offering feeble condemnation of the RPF's electoral politics despite their regular deployment of observers to monitor voting (Reyntjens, 2013).

Since July 1994, when the RPF took State House, the leadership quickly and strategically, with considerable success, dispatched both the military intelligence services and public relations machinery to craft a singular victor's narrative of Tutsi victims and Hutu killers (Pottier, 2002). Critically, the RPF produced a singular and hegemonic narrative that frames itself as Tutsi heroes who saved Rwanda from chauvinist Hutu elites with ethnic hatred in their hearts. Widely accepted in policy and popular circles, the narrative has provided the government with the moral authority, political means and military say-so to remake Rwanda in its vision of benevolent RPF leaders governing the largely uneducated and rural masses. As such, the RPF aims to govern through a uniquely Rwandan style of democracy: A political environment without voice yet with the appearance of full popular participation.

Recognition of the RPF's official narrative of who did what to whom during the genocide, and what is needed to never again allow genocide to unfold in Rwanda is, in the RPF's telling, a simple tale: The majority Hutu killed their Tutsi brethren as a result of ethnic hatred that was sharpened to the point of genocidal action by Belgian colonizers (1931-1962) and Rwanda's Hutu-led postcolonial

governments (1962-1994) (Republic of Rwanda, 1999). This framing erases the RPF's role in partially creating the conditions for genocide, as a rebel group that sought political power at any cost, including the loss of Tutsi lives (Kuperman 2004; Purdeková *et al.*, 2018). The official position that only Hutu killed also effaces the war crimes and crimes against humanity its troops committed before, during and after 1994 genocide (Thomson, 2018, pp. 23-24). A May 2003 constitutional amendment made formally illegal what was already an informal political norm: Public references to ethnic identity (article 33) as well as speech that promotes ethnic divisionism or trivializes the genocide (article 13) is illegal, punishable by up to 30 years in prison. This legislation has allowed the RPF to suppress the voices of those who question or criticize its policies and practice (Human Rights Watch, 2008).

The RPF has long targeted individuals with political aspirations, or those who express criticism. Real or perceived rivals are dead, in jail, or have fled the country. Domestic opposition politicians, the press, women's and religious groups, among other members of civil society also keep quiet (Reyntjens, 2013, pp. 124-162). The RPF have co-opted civil society, allowing it to operate only as the development branch of the government (Gready, 2011). Opponents and critics in exile also pose little threat to the RPF's electoral dominance, for operating outside the country mutes their local impact on the ground, for the electoral system is not designed for their participation (Jones, 2016). It is nearly impossible for political opponents to organize or campaign as the RPF-appointed National Electoral Commission manages elections while the Department of Military Intelligence also monitors the political activities of those in exile, making it a brave choice for them to return to campaign (Bouka, forthcoming).

## **Constitutional Re-Engineering**

Upon taking power, the RPF began to lay the groundwork for the 2003 constitution to be put in place. In mid-July 1994, the RPF named a 70-member transitional government called the Government of National Unity (GNU). The GNU was a product of the RPF's stated commitment to sharing political power, as outlined in the August 1993 Arusha Peace Accords.<sup>3</sup> The Accords, along with Rwanda's 1991 Constitution, formed the constitutional law of the land at the time.<sup>4</sup> Rwanda's foreign donors believed that the RPF would keep its promise of power sharing by including five opposition political parties that had not supported the genocide, namely the MRND government of then president Habyarimana and a Hutu nationalist splinter party, the CDR.<sup>5</sup> The main coalition partner was the Republican Democratic Movement (MDR), a Hutu-led party that was also the main opposition during the Habyarimana regime (Human Rights Watch, 1999, p. 96). By the end of 1995, it was plain to see that RPF Tutsi who had grown up in exile in neighbouring Uganda dominated the GNU (Burnet, 2011, p. 309). The effect was the consolidation of a consensual dictatorship that would pave the way for local-level elections in 1999 and national parliamentary and presi-

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3 The Accords were the product of peace negotiations held between the Habyarimana government and the then-rebel RPF, which resulted in an accord designed to facilitate an end to Rwanda's civil war via an internationally brokered power-sharing arrangement (Kuperman, 2004).

4 Rwanda's basic charter at the time was the Fundamental Law, an amalgam of the 1991 constitution, two agreements among various parties and groups, and the RPF's own 1994 declaration of governance. Since 2003, the revised constitution is the primary law of the land.

5 An extremist faction of the National Republican Movement for Democracy (MRND) called the Coalition for the Defense of the Republic (CDR) planned and implemented the 1994 genocide. Both were excluded from the GNU. The coalition parties were the RPF, the Republican Democratic Movement (MDR), the Democratic Christian Party (PDC), the Democratic Islamic Party (PDI), the Liberal Party (PL), the Social Democratic Party (PSD), the Socialist Party of Rwanda (PSR), and the Democratic Union of the Rwandan People (UDPR).

dential elections in 2003. The adoption of the 2003 constitution marked the formal end of Rwanda's transitional period. Under the new constitution, the appointed GNU was replaced by a bicameral parliament made up of a Chamber of Deputies (80 seats) and a Senate (26 seats). Deputies serve terms of five years while senators serve for eight.

In 1998, the RPF-controlled GNU made a formal declaration of democratization, in a nod to foreign donors who tied their aid to vague commitments to democratic governance (Zorbas, 2011). In the years since the genocide, the RPF has restricted political party activity (a violation of the Arusha Accords), coopted or suppressed civil society organizations, and curtailed freedoms of speech, press and association (Longman, 2011). Rwanda was at the time (and remains) home to almost a dozen political parties. International donors took their presence as a healthy sign of an emergent democracy; they failed to appreciate that the parties operated in a coalition with the RPF. Independent or alternative political platforms were (and are) forbidden (Longman, 2011, p. 31). Instead, in July 2003, the GNU created the National Consultative Forum of Political Organizations as a branch of the National Commission of Elections (NEC), established in 2000 as part of the preparations for the 2003 presidential and parliamentary elections. The constitutional task of RPF-appointed NEC was to observe electoral campaigns, manage the electoral infrastructure, register voters, regulate the nomination of candidates, accredit local and international monitors, and oversee civic and voter education in the countryside. The Consultative Forum provided an avenue for opposition party leaders to be vetted by the RPF in the name of ensuring ethnic unity and political consensus. Consensus meant adherence to RPF policies. Dialogue and debate were not encouraged, nor was their discussion of alternative policy proposals (Waldorf, 2014). Within this carefully ordered environment, the RPF could rest assured of its success at the polls it

stage-managed; with seats populated by party loyalists, Rwandan-style democracy could proceed.

### **Maintaining Electoral Hegemony**

Since the initial post-genocide transition to “democracy”, the RPF has staged 13 local and national elections, something that international and regional election observers have broadly praised as promising despite numerous procedural flaws.<sup>6</sup> RPF incumbent Kagame won the most recent August 2017 presidential elections once again, this time with 98.8 percent of the vote. Winning by such margins is Rwanda’s democratic norm. As RPF spokesperson explains, “People trust [Kagame]. If it were not democratic, he could even score 100 percent. There is nothing strange as to the high score in terms of votes” (quoted in Baddorf, 2017).

Wide margin electoral victories are also a form of political might in competitive authoritarian systems: “Manipulating elections excessively and blatantly [i.e. beyond what is necessary to win] can make the manipulating party appear stronger” (Simpser, 2013, p. xv). Kagame’s, and by extension the RPF’s, 2017 electoral victory is part of a longer strategy of maintaining power and extending authority through the ballot box. The electoral code is complex by design, being a mix of direct and indirect elections at the local and national levels. The result is “a near constant electoral cycle, the effect of staggering the elections to five-year positions (localities and Chamber of Deputies), seven-year Presidential terms and eight-year Senatorial terms” (Jones, 2016, p. 345).

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<sup>6</sup> The European Union oversaw the international monitoring of local elections in 1999 and national elections in 2003, hailing them as an important step in Rwanda’s national reconciliation (MOEEU, n.d.). Subsequent national elections have been marred by “excessive control” (HRW, 2018) and “long-standing concerns over the integrity of the vote-tabulation process” (US Department of State, 2017).

Obscurity is at the heart of Rwanda's complex electoral system. Encoded in the 2003 constitution, the processes and procedures for choosing candidates, campaigning, and voting is opaque, particularly as some government officials are appointed in the interests of national (not regional or local) representation. Being elected to represent Rwandans, rather than specific localities also means that legislators lack specific constituencies. The effect of appointed representatives is that they can be dismissed for non-performance, an undefined term that allows the RPF-controlled NEC to recall and replace parliamentarians. Between 2003 and 2008, dismissal without just cause affected 25 percent of the membership of the Chamber of Deputies (Stroh, 2009).

Electoral legalism allows the RPF to present vague commitments to democracy even as it has systematically entrenched a voting system that endorses political hegemony. This system of elections by constitutional coup is nothing new. Former president Habyarimana benefitted from a 1973 constitutional amendment that resulted in an extended presidential mandate (from four to five years) (Desrosiers, 2018). The local- and district-level elections held prior to 2003 constitutional revision were a dry-run for the RPF's plan of nation-wide consultations to revise the constitution in its militarized vision of pride, dignity and ethnic unity (Republic of Rwanda, Office of the President, 1999; Purdeková, 2016). With its primacy assured, the RPF could now make a symbolic gesture to elections as a sign of democratic commitment while also assessing the readiness of the population to vote for the RPF. Appointed local officials, often in the presence of armed military observers, lectured Rwandans in pre-election sensitization meetings about voting for the "right" candidate, meaning the RPF-vetted and NEC-approved individual (International Crisis Group, 2001, p. 7).

In March 1999, local-level elections were held up as a sign of the population's readiness for democracy, much to the relief of Rwanda's foreign donors (Freedom House, 1999). In their rush to

congratulate the RPF, donors failed to appreciate that the elections offered no contestation, with their observers instead offering words of praise for Rwanda's electoral effort (e.g., MOEEU, n.d., p. 3). All candidates stood under the RPF's banner and it was unclear how they were chosen (Jones, 2016, p. 345). Missing from the analysis of international monitors was the RPF's control of candidate lists, polling booths and voter rolls (International Crisis Group, 2001, p. 23). Throughout the country, RPF handlers roused sleeping Rwandans as early as 1 a.m. to vote as instructed by queuing behind sanctioned candidates at open-air community meetings. Elections were a public affair for which the RPF offered no apology. Its form of democracy was (and is) a top-down, highly controlled process.

Central to the RPF's electoral machinery is a civilian cadre of party loyalists, trained by the Department of Military Intelligence, known to Rwandans as *abakada* (a Kinyarwandan take on the French word 'cadre'). The *abakada* were first set-up during the civil war that preceded the genocide to mobilize and recruit those living in RPF occupied territory, and to spread its liberation ideology among Rwandans living in- and outside the country (Thomson, 2018, p. 37). From July 1994, members of the *abakada* were posted to all levels of the bureaucracy, in Kigali and the countryside, to monitor the work of local political and military officials and to report on activities of ordinary people. They also worked in UN agencies, local and foreign non-governmental organizations and the private sector to monitor attitudes towards the government, and to survey political activities, including electoral campaigning and voting (Rever, 2016). The *abakada* acts as the eyes and ears of the RPF regime, ensuring compliance with government directives, including when and for whom to vote. As Burnet (2008, p. 366), notes, the "orchestrated nature of elections is an open secret in Rwanda," performed to legitimate the RPF and appease the good governance requirements of foreign donors, notably the US and the UK.

Following the success of the 1999 local elections, measured by the NEC as the ability of the majority of Rwandans to vote as expected, district level elections were held in 2001, soon followed by the creation of an RPF-appointed Constitutional Commission. In May 2003, the RPF-controlled parliament approved a new constitution through a national referendum organized by the NEC. Foreign donors hailed it as a sign of democratic commitment, for 87 percent of four million eligible voters approved of the new constitution (Economist, 2003). True to form, the RPF had left nothing to chance. The *abakada*, along with local political and military officials, were deployed to ensure the result. The new constitution forbids political activity at the local level, a move that all but eliminates the presence of opposition parties in the countryside. The RPF is not affected having already established its grass-roots presence while proclaiming it needs a local level presence to oversee government development initiatives and poverty alleviation programs (Purdeková, 2011).

Just days after the new constitution was promulgated, the NEC announced new dates for the 2003 presidential and parliamentary elections. The news came as a surprise to many, for a November election had been planned. Bringing the elections forward to August 2003 significantly reduced the time for opposition parties to prepare. In July 2003, the NEC ordered the dissolution of the main opposition party, the MDR, on grounds that its leadership had minimized the significance of the genocide and mobilized support along ethnic lines (Meierhenrich, 2006, p. 629). The party was dissolved using constitutional provisions allowing for the disbanding of political organizations that do not “constantly reflect the unity of the people of Rwanda” (art. 54). The electoral playing field was now squarely tipped in favour of the RPF, and its presidential candidate,

the incumbent Paul Kagame.<sup>7</sup> Speaking in March 2003, Kagame challenged the opposition: "I can even say that the outcomes of the elections are known. Those elected will be individuals who are 100 per cent in line with the current political agenda, aimed at building the country. [...] Anyone who would bring in division—because I know the views of those who intend to come back are based on division—will not be elected" (quoted in Human Rights Watch, 2003, pp. 1-2).

Equating criticism to genocide denial has been an effective RPF tactic since 1994. The RPF adroitly denied all criticisms about the lack of political competition before international audiences and asserted to domestic ones that restrictions on party activity were necessary to assure national unity, given Rwanda's history of ethnic violence. When donors pushed the RPF to clarify its position, the government portrayed its authoritarian tendencies as benign, declaring that it was committed to a democratic transition. Opportunities for any political opposition to operate freely and on an equal footing with the RPF in both urban and rural areas evaporated.

Unsurprising then, were the results of Rwanda's first post-genocide national elections. Kagame won the presidency with 95.5 percent of the vote. His challenger, former MDR party president (and first post-genocide prime minister) turned independent candidate, Faustin Twagiramungu, an ethnic Hutu, garnered just 3.6 per-

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<sup>7</sup> Paul Kagame acceded to the presidency in March 2000. He was Rwanda's de facto leader from July 1994, in his role as vice president, head of the military and, from 1998, chairman of the RPF. The first post-genocide president was Pasteur Bizimungu, who served as a figurehead president from 1994 to 2000. An ethnic Hutu who has served in the pre-genocide government, Bizimungu was a founding member of the RPF who later spent time in prison, in solitary confinement, after a public falling out with Kagame. In 2001 he started a new political party that was banned almost immediately upon registration, on allegations of ethnic mobilization. In 2004, Bizimungu was found guilty of trumped-up charges of embezzlement, attempting to form a militia, and inciting public violence. Unexpectedly, Kagame commuted Bizimungu's sentence in 2007, but he was no longer a political force of any repute (Waldorf, 2009).

cent. The RPF read this meager support as a sign that some Rwandans were still voting on ethnic lines. In his acceptance speech, Kagame praised the NEC for its ability to ensure that 96.5 percent of the electorate turned out (Republic of Rwanda, 2004). Voting in the parliamentary elections lasted for three days, 29-30 September and 2 October, a full month after the close of the presidential elections. The vote was staggered to allow for enough time to sensitize the population on the proportional representation components of the newly revised constitution. Guaranteed seats for women, youth and the disabled were elected on the first day. On day two, the election for 53 seats of the Chamber of Deputies took place. Day three marked the election of the 24 seats allocated to women as well as all senate seats. The RPF and its coalition party allies won in a predictable landslide. The parliamentary elections resulted in 39 seats for women, accounting for almost 50 percent of the MPs in the Chamber. While certainly an impressive outcome, those women who stood did so following careful vetting by the NEC (Thomson, 2018, p. 164). While parliament is majority female, most of these women are card-carrying members of the RPF, or its coalition allies (Burnet, 2011, p. 310).

The presidency is elected by a relative majority of votes. The majority of parliamentary seats of the House and Senate are gained through a closed list system of proportional representation to allocate 53 of the 80 seats in the Chamber of Deputies (2003 constitution, art. 77). The remaining seats were reserved for special representations for gender (24 seats), youth (two seats) and the disabled (one seat). Twelve of 26 senate seats are allocated and then indirectly elected by an electoral college made up of the executive committees of sectors, districts, and municipalities (art. 86). The remaining 14 seats were said to be open for elections, being one representative for each of Rwanda's 12 provinces, and two seats designed to representation institutions of higher learning (art. 82). For the 2003 parliamentary elections, President Kagame and the Forum of Political

Organizations appointed twelve senators, as suitable candidates could not be found to stand for election. Samset and Dalby speculate that the lack of qualified candidates is likely a function of needing to have impeccable credentials that were verified by the Supreme Court of Rwanda, not the NEC (2003, p. 23). NEC officials violated electoral law they helped draft in asking the Supreme Court to approve senatorial candidates.

The shallow pool of vetted parliamentary candidate highlighted the extent to which the 2003 constitution and electoral laws were designed to formalize a single-party system, with the RPF at the helm (Longman, 2011). This mirrors the single-party system instituted at the end of colonial rule in 1962, a system that has deepened in scope and substance in subsequent parliamentary and presidential elections. Rwanda's 1978 constitution formalized single-party rule, mandating that all Rwandans become members of the National Republican Movement for Democracy (MRND) party (Desrosiers and Thomson, 2011). Critically, only the leader of the MRND could stand for president, resulting in personalized rule for the organs of the state and of the political party overlapped. Then, like today, the separation of institutional powers exists in name only.

The legacy of single-party rule is the enduring presence of weak political institutions designed to perform the governance duties set out in the constitution and legal system, including basic democratic norms such as judicial and legislative independence as well as checks on the power of the executive branch (Dahl, 1971). Belgian colonial rule undermined the possibility for a democratic system to evolve in Rwanda. Divide-and-rule policies instituted during the colonial period sharpened and politicized preexisting ethnic identities of the Hutu majority and the Tutsi minority, in turn paving the way for elite conflict.<sup>8</sup> Historically and today, elite power struggles are

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<sup>8</sup> Rwanda is also home to a politically marginal ethnic group, the Twa, who make up just one percent of the population (Newbury and Newbury, 2000, p. 836, fn. 11).

shaped by a winner-takes-all political culture, resulting in the exclusion of the losers in politics, the military and the economy.

For Rwandans, history is cyclical, meaning Hutu elites are to revenge the hurts and losses of all Hutu, while Tutsi elites are to do the same for all Tutsi (C. Newbury, 1998, pp. 9-10). The cycles of revenge that characterize the historical resolution of political conflict in Rwanda mean that those elites who employed violence to hold power fear later being targeted for death in response to the violence they ordered. The result is that, in Rwanda, political conflict is resolved on the battlefield, not institutionally. In the minds of the current RPF leadership, a fear of sharing power with Hutu is legitimate. Not only have Hutu political elites targeted Tutsi when under political pressure in the past, they have also demonstrated that they are more interested in maintaining their political primacy rather than sharing power. All too aware of this history, the political choices of the RPF are security-seeking, intended to contain what they think is a restive Hutu population while assuring the safety of politically loyal Tutsi as an ethnic minority. As the Rwandan proverb goes, "He who wishes for peace prepares for war" (Des Forges, 1999, p. 96).

The RPF has no intention of transitioning to a Western-form of liberal democracy of multiple political platforms represented by different parties, a free and open media as well as a capable and informed civil society, the minimum democratic standard theorized by Dahl (1971). Nor is there open political space to allow a broad range of civil society actors to act to limit and control the power of the state. Speaking in 2000, Johnston Busingye, secretary general in the Ministry of Justice, made the government's position plain: "When civil society sees itself as something different to government, as almost opposed, then it is a problem" (quoted in Gready, 2011, p. 89).

In post-genocide Rwanda, civil society is best understood as a development partner of the RPF, not a counterweight. Control, not criticism or confrontation, define the RPF's relationship with civil

society. Laws designed to control the political activities of civil society were introduced by 1998 (INCL, 2018). Subsequent revisions further entrenched control of the civil society sector, including provisions to monitor staffing, ensure their work reflects national development priorities and that they reach government-approved beneficiaries.<sup>9</sup> Even those parts of civil society, such as think tanks or the university that appear to produce critical research do so with the rubber stamp of government approval (Nylen, 2018). In Rwanda, the existence of ‘critical’ research centers and institutes allows the government to silence foreign critics as evidence of ‘independent’ voices that question government policy and elite behavior. The reality is such research is usually vetted by the government, and approved by the relevant line ministry before publication, as Ingelaere documents in his analysis of World Bank reports that were embargoed by the Ministry of Local Government (2010, pp. 49-51).

### **Structural Control and Electoral Outcomes**

The 2003 parliamentary and presidential elections did not result in democratic outcomes (Meierhenrich, 2006, pp. 633). The efficient administration of the elections gave the RPF leadership international legitimacy it craved, paving the way for continued foreign aid and good will as the government pushed its developmental credentials (Longman, 2011; Matfess, 2015; Reyntjens, 2013). International organizations failed to see that orderly electoral outcomes resulted in tighter authoritarianism. As such, the first national elec-

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<sup>9</sup> As a result, domestic civil society organisations struggle to form partnerships with international NGOs, human rights organisations, and other not-for-profit groups such as church groups, women’s coops and student clubs (ICNL, 2018). Not only are such partnerships mediated through the government, DMI monitors the speech of development workers, foreign journalists, and other internationals through an unspoken “24/20” rule. A health specialist living in Kigali explains: “You say something wrong and you get 24 hours to leave the country with 20 kilos worth of stuff” (Santoro and Thomson, 2014).

tions since the 1994 genocide inaugurated constitutional dictatorship dressed up as a Rwandan-style consensual democracy. By the end of 2003, the higher echelons of power were firmly in the hands of a few men, notably President Kagame and his inner circle of political, military and business advisors, most of whom were either founding or longtime members of the RPF. The parliamentary (2008 and 2013) and presidential elections held since 2003 (2010 and 2017) reveal a political system designed for control rather than dialogue (Waldorf, 2014).

Kagame, in consultation with a small inner circle of trusted intelligence, military and political aides from the ruling Rwandan Patriotic Front, sets government policy on practically all issues without involvement of cabinet, parliament or the senate, and without judicial oversight (Longman, 2017, pp. 135-186; Reyntjens, 2013, pp. 57-97). Indeed, 2015 saw the passage of an important constitutional amendment allowing the incumbent Kagame to potentially remain in power until 2034 (Thomson, 2018, p. 243). For the RPF leadership, the amendment is a uniquely Rwandan solution to the socio-political problems it inherited since the genocide. This narrow and self-serving approach to democratization rests on the RPF's belief that it is the sole political entity capable of ensuring Rwanda's genocide-free future (Thomson, 2018, pp. 141-142). As such, Rwandans from all walks of life must offer up unfettered support for RPF policies for as long as it takes for "democracy" to take hold in their hearts and minds (Straus and Waldorf, 2011, p. 16; Thomson, 2013, pp. 220). For the leadership, the rationale is simple: Since Belgian colonial rule sowed ethnic divisions among Rwandans that resulted in the 1994 genocide of ethnic Tutsi by ethnic Hutu, the RPF needs to first develop democratic political institutions and norms of political behavior, both among elites and the ordinary citizen, that will ensure a peaceful and prosperous Rwanda.

By the time of the 2008 parliamentary elections, the RPF had extended its reach, administratively to the grassroots through a poli-

cy of decentralization, and into the hearts and minds of Rwandans through citizenship reeducation and voter sensitization campaigns (Sundberg, 2016, pp. 183-217). This reach is a product of “clear hierarchies and an intricate organization” that appoints government officials to positions with overlapping administrative roles (Purdeková, 2011, p. 481). Official restructuring in 2006 decentralized state bureaucracy under the guise of better grassroots service delivery. Units of governance are divided into six levels: 5 provinces, including Kigali City, 30 districts, 416 sectors, 2,146 cells, 14,774 villages and *umukuru* (village committees). As of 2014, RPF-appointed local government officials represent fully half the government’s payroll (Chemouni, 2014, p. 246).

Paradoxically, rather than transfer power or devolve influence to ordinary people, decentralization has allowed the RPF to expand its authority and ensure obedience to the many rules and regulations instituted since 1994 (Thomson, 2018, pp. 203-220). Officials at the lowest level of the political system, the cell, look to Kigali for policy instructions as well. Working as the heads of cell committees, these unpaid, elected volunteer coordinators are responsible for the daily administration of the people in their jurisdictions (Ingelaere, 2011, p. 71). Together, the sector and the cell represent the immediate source of state power at the level of the individual. It is at these levels that the control and authority of government play out in daily life. Reports on individual behavior, as well as requests for benefits or privileges, start at the local level (Ingelaere, 2011, pp. 73-74).

Top-down administration is institutionalized and incentivized in the form of performance contracts known in the national language, Kinyarwanda, as *imihigo*. *Imihigo* requires local government officials, be they appointed or elected, to publicly swear under oath to implement national policy goals as instructed by government superiors in Kigali. These local government officials are charged with monitoring the population residents in their bailiwick for signs of political opposition, and ensuring that everyone turns out for RPF

campaign rallies and votes for the RPF candidate. Any deviation from these directives is a breach of contract, punishable by dismissal, imprisonment and in extreme cases, flight into exile (IPAR, 2016; Silver, 2009). The threat of breaking *imihigo* commitments intensified pressure on local government officials. As one local official sighed, "*imihigo* is the engine of everything," before lamenting, "it is killing us, no one can escape it" (quoted in Chemouni, 2014, p. 250).

A mixture of government incentive, demographic density and Rwanda's hilly terrain explain the impressive ability of the RPF-led government to command authority, mobilize the masses and prompt compliance. In 2016, population density had grown to 468 per square kilometer. Almost twice as many people live on Rwanda's rolling hills than in 1993, when 255 people occupied a square kilometer. In contrast to the vast expanses of open land that characterize most African countries, Rwanda's densely inhabited hilly landscape has a fishbowl quality. There is a feeling that anyone who wishes can see and know anything, placing considerable power in the hands of local officials, and providing incentives for friends, family and neighbors to betray them in exchange for favours or preferential treatment (Thomson, 2018, p. 153). Purdeková explains this "sphere of vision" as the "experience of being seen—whether real or suspected—[affecting] the performance of those under state watch" (2016, p. 62).

Many Rwandan citizens claim to feel watched, and they are, as the political system is designed for compliance. The government aims to produce individual compliance through its many legal rules and cultural codes, including a vast surveillance network. The RPF oversees local life through administrative presence. Respect for authority and hierarchy is everything. Political and military elites dictate policy, programs and practice down to local government officials, who then ensure that the rural masses carry out the orders as instructed. Local leaders, in turn, monitor the activities and speech

of individuals within their bailiwick (Thomson, 2013, p. 37). Compliance with government directives is paramount, as is knowing and respecting one's spot in the hierarchy. It is common to see poor, rural Rwandans supplicating before local officials in hopes of securing much-needed social benefits, and then to observe those same local authorities deferring to their higher-ups (Thomson, 2018, p. 154). Naturally, President Kagame is at the top of the pyramid. Rwanda's hierarchical political structure has its origins in precolonial monarchy: The pecking order has merely been refined by successive political leaders (Des Forges, 2011; Newbury, 1988). The RPF and President Kagame are but the most recent beneficiaries of this centralized and stratified system.

This structural reality goes some way to explaining why President Kagame and his RPF consistently garner so much of the national vote. It is unsafe to not vote for them, despite a fledging critical opposition that operates from exile. Although, opponents did come out of hiding to challenge Kagame during the 2010 and 2017 presidential elections, they were not able to participate on a level electoral playing field.

### **Eliminating Opponents**

Since 2003, the RPF handily controls the political realm, and by extension, electoral outcomes. The presidential contest is the most visible of these, and President Kagame has used his platform to praise his government's efforts at rebuilding Rwanda to international audiences while denying opportunities for an opposition to emerge, let alone participate. The exclusion of political opponents is, in Kagame's mind, easily explained: Anyone who questions RPF rule is preaching genocide denial or seeks to destabilize Rwanda with divisive politics (Reyntjens, 2013, pp. 187-194). The result is a non-existent domestic political opposition, despite the presence of a few parties willing to contest the hegemonic RPF. In the last two dec-

ades, waves of political dissenters have left the country, either by force or in self-imposed exile (Bouka, forthcoming). Many of them were critics of the government in the immediate post-genocide period, urging the RPF to allow space and resources for democratic institutions and norms to take root (Thomson, 2018, pp. 137-140).

By the time of the 2010 presidential elections, “almost all of Rwanda’s opposition figures were in exile,” unable to operate fair and square on the ground (Jones, 2016, p. 347). Despite the RPF’s near-total domination of the electoral realm, it sought to further tighten its electoral grip. Anyone who stands against Kagame is ruthlessly punished. Take for example the experiences of Victoire Ingabire in 2010 and Diane Rwigara in 2017. Both women sought to challenge Kagame’s preeminence, and both have paid dearly, imprisoned (at the time of writing) in their pursuit of standing for office.

Throughout the 2010 presidential campaign, Victoire Ingabire Umuhoza, of the United Democratic Forces–Inkingi party, along with other senior FDU members proposed that the genocide affected all Rwandans, not just Tutsi. This, unsurprisingly, drew the ire of the RPF. Both Ingabire and the party’s general secretary were arrested at different times early in 2010. Ingabire’s troubles began at her very first rally. In a January 2010 speech at the Gisozi Genocide Memorial Centre in suburban Kigali, Ingabire implored the government to recognize Hutu lives that were lost in 1994. Ingabire’s suggestion was politically tone-deaf, not because it was incorrect—indeed, her words resonated with many who were unhappy with how RPF-led reconciliation efforts were progressing—but because, by equating Hutu lives lost during the 1994 genocide with Tutsi lives lost, Ingabire essentially denied the RPF’s singular narrative of Tutsi victims and Hutu perpetrators (Jones, 2016). As such, she was charged with denying the 1994 genocide of Tutsi given its narrow legal definition.

In short order, Ingabire became the object of recognizable RPF tactics to control who can say what to whom and when about the 1994 genocide. The RPF stymied FDU efforts to register for the 2010

elections and aimed to weaken its appeal in the countryside without raising negative comment from donors. At first, the RPF engaged in subtle obstruction. Bureaucratic hurdles were raised to prevent party registration. RPF-controlled media outlets denounced FDU leaders. Party activities were placed under perpetual surveillance. In time, these tactics gave way to more direct forms of intimidation and harassment at rallies and organizational meetings (Reyntjens, 2013, pp. 187-211). Soon after, Ingabire was arrested on allegations of genocide denial, as well as for terrorism and having genocide ideology.<sup>10</sup> Following her trial, in 2012, Ingabire was found guilty of conspiracy to undermine the government and genocide denial, and sentenced to eight years in prison (Human Rights Watch, 2012). Her case was appealed before the Rwandan Supreme Court, whose judges increased her sentence to fifteen years. Despite international donor pleas for an impartial retrial, Ingabire remains in jail at the time of writing in mid-2018.

Diane Rwigara's presidential campaign was entirely different than Ingabire's. Diane's father, Assinapol Rwigara, a wealthy businessman and one of the original ethnic Tutsi funders of the then-rebel RPF, was killed in a car accident in 2013. Over the following twenty-four months, the government seized or destroyed his assets, including property in Kigali. Rwigara's wife and adult children claim the RPF murdered him to appropriate the family's sizeable wealth, and on suspicion that the family was funding political opponents, despite his impeccable political credentials (Thomson, 2018, p. 252). It is widely believed that the senior Rwigara had become disillusioned with the politics of the power hungry Kagame, in turn forging ties to the Rwanda National Congress, an opposition-in-exile party founded by former Kagame confidantes in 2010.

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<sup>10</sup> These charges stem from Ingabire's alleged political ties to armed rebel groups operating in neighbouring DRC, with the presumed intention of overthrowing the government (HRW, 2012).

As expected, Kigali police declared Rwigara's death an accident following a "professional" investigation (Times Reporters, 2015). In May 2017, Diane Rwigara announced her intent to stand in August's presidential elections. RPF-controlled news outlets promptly released doctored nude images of Ms. Rwigara following her announcement, claiming that she lacks the moral propriety to be president, a violation of the 2003 constitution (Kitungu, 2017). This gendered form of attack is common in Rwandan politics. It occurred before the genocide and it is still practiced today (Burnet, 2012, pp. 42-6; Jefremovas, 1991). Sexualized nude images of politically aspirant women such as Ms. Rwigara are published in government-sponsored outlets to both personally humiliate and politically sanction. Such images, along with a constitutional moral propriety clause, serve to remind women that politics is the domain of powerful men and that their rightful place is at home, not in the public sphere (Jefremovas, 1991, p. 380-382). Also at stake are Rwigara's honour and status as a young, educated and elite Tutsi woman. The nude images are likely a reminder of the gendered pitfalls of breaking with other elites.

Yet Rwigara's candidacy gained traction, particularly among Rwandans living in exile as young Rwigara chose to challenge President Kagame at the polls—something few others dared do.<sup>11</sup> Diane Rwigara's campaign ended before it could even start. The NEC declared Rwigara ineligible to stand as a presidential candidate, following the rejection of her nomination. Rwigara has been in prison since September 2017, on allegations of tax evasion and forgery (Economist, 2018).

The experience of both women offers important insights about how the RPF, under Paul Kagame, plan to rule Rwanda for the fore-

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11 Voters living outside of Rwanda are eligible to vote provided they register with the Diaspora Directorate, an office located in the Ministry of Foreign Affairs (<http://www.rwandandiaspora.gov.rw/>).

seeable future. As yet (openly) unopposed in its implementation of national unity and reconciliation policies, the RPF could govern Rwanda for another two decades. Such an assertion can be made with confidence since 2015. In a nationwide constitutional referendum, Rwandans voted to amend their constitution to allow president Kagame—and only Kagame—to stand for a third seven-year term, and then for two additional five-year terms. Following his reelection in August 2017, with 99 percent of the vote, in an engineered ballot that was neither free nor fair, the president is unlikely to be prevented from governing until he chooses to step down (Thomson, 2018, pp. 253-255). Absent are both domestic checks and balances on Kagame's unfettered rule, and international sanction for his government's entrenchment of dictatorship. President Kagame all-but-asserted as much in December 2016, a full nine-months before the 2017 presidential elections, saying that *his* RPF plans to run the country until at least the year 2050 (Kwibuka, 2016). We see no reason to disagree, given the lack of space for a political opposition to arise.

### **Conclusion**

Our analysis concludes that the RPF has used, with great success by its own measures, the promise of a specific Rwandan-style of democracy, inclusion and popular participation to ensure its political and military preeminence. The use of democratic tools to exclude those who question or criticize the government is at the heart of what the RPF considers a uniquely post-genocide style of democracy: Politics without representation and popular participation without voice at both the local and national levels. In addition, we find that the RPF has invested in deepening the reach of the Rwandan state system to serve its hegemonic role in society, as demonstrated by Kagame's continuous efforts to ensure the RPF is seen and felt at every level of society (Purdeková *et al.*, 2018). The goal is simple: To

assure the RPF's preeminence in the political, economic and military spheres of public life as the foundation for securing the country's stability and security. This security and stability is largely a mirage, rooted in a dense and decentralized administrative structure designed to ensure popular compliance (Ingelaere, 2001, pp. 69-71).

As a result, prospects for a post-genocide transition to democracy are non-existent. In highlighting the relationship between the quality of Rwanda's post-colonial political institutions and civilian rule by military leaders in the name of peace and security, Rwanda's legacy of ethnically-motivated civil conflict has produced weak elite commitments to political power-sharing, coopted political institutions and the overall militarization of the political realm. Historically and today, Rwanda's political leadership, whether Hutu or Tutsi, are prone to resolve political crises through force rather than compromise. The result is weak democratic institutions, a political culture characterized by repression, a co-opted civil society sector and low citizen trust in political leaders and military officials.

Though the RPF is dedicated to creating a façade of democratic elections, the international community has become increasingly aware of its intensely authoritarian electoral practices. Multiparty politics have virtually disappeared and the little that remains is thwarted by the RPF's control, minimizing chances for a peaceful change of power in the future. Victoire Ingabire and Diane Rwigara serve as a grave reminder to all Rwandans and especially to those with the determination to challenge the RPF of what obstacles remain in the political realm. Kagame's power hungry attitude was solidified through the 2017 constitutional amendment that allowed him to potentially serve as president until 2034. While there still remains an unpredictable nature to the RPF hidden behind this façade of democracy, one thing remains clear: Political elections will remain largely uncontested in an environment ridden with political fear.

Rwanda's top-down and centralized state system produces physical, emotional and economic violence that is intimately related to historical ethnic, class and gender hierarchies (Burnet, 2012, pp. 41-73). All societies harbor such cleavages. What matters is how they are defined and made real in people's lives. This is why voting, and by extension, civil and political rights matter; they provide recourse for people to seek redress for wrongs suffered at the hands of the government. No such custom is entrenched in Rwanda, and throughout its tenure, the RPF gone out of its way to prevent a culture of civic protection from emerging, using elections as a legitimating tool.

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