

## THE INFLUENCE OF ADVERTISING ON CONSUMER PREFERENCE: A STUDY OF GUINNESS FOREIGN EXTRA STOUT AND WILFORT DARK ALE

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### ABSTRACT

This study examines the influence of advertising on consumer preference for Guinness Stout and Wilfort Dark Ale. The survey method of research was adopted and 200 literate consumers of the brands under study who reside in Ibadan were purposively selected and sampled. Data collected were analyzed using percentage grade tabulation and correlation analysis. Results show that consumers perceive Guinness Stout adequately advertised and Wilfort Dark Ale under advertised. In terms of quality, consumers rated Guinness Stout adverts higher than that of Wilfort Dark Ale. The study also revealed that advertising influences consumer preference, however, quality (taste) and availability in that order, have greater influence on consumer preference than advertisements. The study concludes that advertisements alone cannot bring about brand preference. It is in this regard, that the following among others were recommended: That producers should ensure that their products are of very good quality and are made available to the people where and when needed. Specifically, Guinness Nigeria. Plc, producers of Guinness Stout should sustain Guinness Stout's advertisement in terms of quality, reach and frequency, while, Sona Breweries, producers of Wilfort Dark Ale should consider it important to increase its advertisement of Wilfort and extend the advertisement to other media such as radio and television if and when they are ready to expand their market.

**Keywords:** Influence, Advertising, Consumer, Preference

### INTRODUCTION

Making goods and performing services are production activities that are sometimes overrated. It is often presumed that a good product will sell itself. However, industrialization and advanced technology replaced animal power with machines which in turn brought about mass produced goods with uniform quality. With improved and increased production, coupled with the proliferation of products, the producers needed mass consumption to match their mass pro-

duction. Arens (2004) notes that this situation naturally increased the need for mass marketing techniques such as advertising to inform new markets of the availability of products/services.

The role of advertising has however moved forward from mere informing, to persuading and motivating the target market. Advertising has over the years proved to be one of the major tools of marketing communication which many organisations use to initiate and

maintain contact with their customers, clients and prospects. Mass production on one hand and the competitiveness of the market on the other, makes it imperative for the advertiser to distinguish and register its product in the market and in the minds of its buyers and users. Advertising, in addition to informing, persuading and motivating customers and prospects to purchase a product, also provides the users or buyers the opportunity of choice. This is why Doghudje (2004:25) reasons that: "Next to having a quality product is having adequate advertising... It is worth noting that most successful manufacturers spend heavily on advertising". Arens (2004:139) however warns that; "when the amount spent to attract a customer exceeds the amount that a customer contributes to revenue, the business will not be around for long". An advert is considered effective if it achieves the purpose for which it was packaged.

From the foregoing, therefore, among the most important decisions advertisers have to grapple with, determining the most effective and efficient means of expressing their message (getting the right appeal) to their target customer and prospects seems most challenging considering the emotions, attitudes and motives that drive particular customers among their target audience. It is important that advertisers must invest in locating and understanding their customer and prospect's needs, wants and desires; create products to satisfy those desires; and finally communicate that information in a way that connects and resonates with them. In a developing economy like Nigeria, it will be worthwhile to study how the consumers of Wilfort Dark Ale and Guinness Foreign Extra Stout react to the various advertising strategies of Sona Breweries and Guinness Nigeria PLC.

### ***Statement of Problem***

Advertising is an aspect of marketing communications. Its ultimate objective is "to sell". It does this through persuasive information at a cost paid by an identified sponsor. A good advertisement must gain attention, hold interest, arouse desire and obtain action. The decision of a customer or prospect to purchase a product or service is dependent on the customer/prospect's perception of equity: belief in the products' ability (value) to satisfy their perceived wants or needs (utility). In communicating this utility, some adverts promote how well a product works; others tout glamour, sex appeal or status. It has, however, been observed that between the period of exposure to an advert and the actual purchase of a product or service, the consumer is also influenced by some non-personal factors such as time, place, and environment, etc.

Guinness Stout and Wilfort Dark Ale are brown bottled alcoholic drinks. In terms of quality and taste, many consumers consider them similar. Despite the observed similarity of the two brands, there is a price difference. Guinness sells at almost two times the price of Wilfort Dark Ale. So, what informs the choice of the consumer? Why does the consumer prefer one brand to the other? Does advertising influence consumer's preference for Guinness Stout and Wilfort Dark Ale? These are some of the problems to be investigated in this study alongside with the following research questions.

1. What factor(s) influence consumers' preference for Guinness Stout and Wilfort Dark Ale?
2. How do consumers perceive Guinness Stout and Wilfort Dark Ale's advertisements?
3. To what extent does advertising influence consumers' preference for Guinness

Stout and Wilfort Dark Ale?

Basically, this study is set out to determine the influence of advertising in the consumer decision-making process. It also aims, at identifying the factor(s) that influence consumer preference for Wilfort Dark Ale and Guinness Foreign Extra Stout, determine how consumers perceive Wilfort and Guinness adverts and investigate the extent to which these advertisements influence consumer preference for Wilfort Dark Ale and Guinness Stout.

### LITERATURE REVIEW

Albert Lasker, who today is generally regarded as the father of modern advertising is reported to have defined advertising as “salesmanship in print, driven by a reason why” (Arens 2004:6). In a similar view, Jefkins and Yadin (2000:14) define advertising simply as “the means of making known in order to sell”. From these simple definitions, one can understand what advertising was, when stallholders displayed and shouted their products to passers-by. That was before the advent of radio, television and the internet. The nature of business has since changed. The Industrial revolution of the early 19th century brought about mass production, and mass-production must be complemented with mass-sales. The market hence became highly competitive with similar goods contesting for the mind and pocket of the consumer. If factory outputs are to be maintained profitably, advertising must become powerful and continuous.

Taking the above into cognizance, Arens (2004:7) defines advertising as: “The structured and composed non-personal communication of information, usually paid for and usually persuasive in nature, about products (goods, services and ideas) by sponsors

through various media”. The implications of this definition are that: the print alone cannot serve the current market; it must be complimented with other various media. Similarly, advertising has gone beyond mere information (making known) to become persuasive in nature.

### *Objectives and Benefits of Advertising*

One of the challenges advertising has had to face and is still facing is the challenge of differentiating products and services for the target consumer. Pierre (1957: IV) reasons that; “actual difference in quality, price and packaging have disappeared almost to the varnishing point”. Today, this argument is flawed because in modern advertising, the positioning and the Unique Selling Proposition (UPS) strategies are getting stronger. Hence, when we talk of bread, we have; whole wheat, butter bread, bromate free etc. The same applies to Banking, Telecommunication, Airline service and indeed other industries. There is a conscious effort by marketing and advertising experts to create an identity and position their products and services for their target customer. For instance, while Gulder is positioned as the “Ultimate in Beer”, UBA in the past, identified itself as the Wise Men and Women’s bank. Daniyan (2005:14-15) submits that; The first and most basic function of advertising is to identify products and differentiate them – “the first function of advertising is branding, creating an identity for a product, that sets it apart from others in its category”. In addition to its branding task, advertising also provides information about a product or service, educates consumer on its usage, creates awareness, induces trial purchase and stimulates increase in a product’s use and acceptance.

Reichet (1972:31-32) believes that advertising

promotes quality. Nicholl (1978:2) opines that advertising lubricates commerce. Inyang (2006) submits that in addition to using advertising to sell products and services, it can also be used to promote causes, market political candidates and deal with societal problems such as the AIDS crisis and alcohol and drug abuse. This perceived strong effect of advertising on a brand success encourage companies and organisations to invest heavily on advertising annually (Arens, 2004).

It is equally fundamental to note that some people see advertising as a burden on the consumer. Their argument is that the lavish spending on advertising adds to the production cost and that the consumer is always the unfortunate person to pick the bill. Mohammed (2019) describe the assumption of some that advertised products are better products for the public as a myth. He also concedes to the notion that advertising results in materialism, especially in children. This notwithstanding, advertising should be seen as a major aspect of any business because it provides information on the product or service to the target market. It must however be noted, that advertising is not just about making noise, but it is a strategic communication geared towards a business goal.

### ***Types of Advertising***

Advertising can be classified along various dimensions. It can be by the media type, target audience, purpose or function of the advert, geographical area or the product stage. Hence, we talk of Radio, Television, Newspaper, Magazine, Billboard/Outdoor, Transit, Internet advertisements etc. depending on the media used in conveying the message. Adverts are classified; consumer advert, trade advert, industrial adverts and

professional adverts when target audience is the defining factor. Adverts are also classified as commercial adverts if the purpose is to make money. There are equally the non-commercial, political, social and corporate adverts. So also, there are the reminder, educative and informative adverts. When the area covered by the advert is put into consideration, then it is either local, regional, national and international or global adverts.

From another perspective, Perreault and McCarthy, (1999:445-446) identify two basic types of adverts; product and institutional adverts. They explain that product advertising tries to sell a product. It may be aimed at final users or channel members. Institutional advertising on the other hand tries to promote an organisation's image, reputation, or ideas rather than a specific product. Its basic objective is to develop goodwill or improve an organisation's relations with various groups. Its key message is "remember our name" – it focuses on the name and prestige of an organisation or industry. The choice of any of these advertising types is largely dependent on the advertising objective(s). The focus of this study is 'product advertising'.

### ***Advertising Strategies***

Strategy refers to a plan that is intended to achieve a particular purpose, the process of planning something or carrying out a plan. Just as houses are built on plans drawn by architects, so is great advertising based on solid and well-defined advertising strategy drawn by the copywriter on the account of the creative director. An advertising copy strategy is a one-page document that clearly enumerates the objective of the advertising, the target audience, tone of the advert, benefit of the brand as well as the message of the advert (Ajimah, 2001). Oruwari (2004) also sees the creative strategy as consisting four

elements; the target audience, the product concept, the communication media and the advertising message.

By implication, the advertising strategy is a simple, concise, easy to understand document (plan) which states; “Who” (target audience defined in terms of geographic, psychographic, demographic and/or behavioural qualities) “Why” (consumers’ specific wants or needs that the advert should appeal to) “What” (the product features that satisfies the consumer’s needs; defining the unique selling proposition. (USP) or positioning strategy) “Where” and “When” (state the medium, the time and the area of the country. Finally, “How” (stating the form the message will be communicated – what will the advert say, how will it say it, what tone will be used.

Arens (2004) argues that advertising strategy is a blend of the advertising objective (where the advertiser wants to be with respect to consumer awareness, attitude and preference) and advertising strategy (how to get there). Arens’ argument is that advertising strategy is a product of the advertising objective, while the advertising objective is a response to the review of the existing marketing plan’s situation analysis (internal strength and weakness and external opportunities and threats). In this context, advertising objective is the “desired destination”, and advertising strategy the “road map”. The advertising copy strategy is so important that at times, it is a contractual agreement between the client and the agency as to the direction the advertising should take. The copy strategy is thus the platform upon which the advertising campaign is built. Advertising managers and creatives must constantly remember that advertising is not just

putting information together like writing cookbooks and railroad time-table. It is a communication tool and the measure of its effectiveness or otherwise can be determined by the goal(s) or objective(s) for which it was packaged. There seems to be a general consensus among scholars that a good advert must gain Attention, arouse Interest, create Desire and obtain Action (AIDA).

### ***Consumer Behaviour and Preference***

One of the primary functions of advertising is to affect attitude and influence purchasing behaviour. It has, therefore, become pertinent that advertising practitioners understand why or what makes customers or prospects behave as they do. Gone are those days when competition was weak and advertising cost much lower. Today, the cost is higher and prospects are being overwhelmed by a vastly increased number of products being promoted on an ever-increasing number of channels. To overcome what some experts call the “over-communicated society”, it is only wise that advertising practitioners painstakingly study consumer behaviour towards the product and the company. Belch and Belch (2001) describe consumer behaviour as the process and activities people engage in when searching for, selecting, purchasing, using, evaluating and disposing of products and services so as to satisfy their needs and desires.

Perreault and McCarthy (1999) identify Motivation, Perception, Learning Attitude and Lifestyle as some of the variables that should be of special interest to marketers and advertising practitioners in understanding consumer behaviour. Arens (2004) however, list Perception, Learning and Persuasion, and Motivation as the three personal processes that guide consumers’ feelings, thoughts, beliefs and actions. People are usually moti-

vated by the benefits of satisfying some combinations of needs, which may be conscious or unconscious, functional or psychological. It must be appreciated, that when a customer buys a product, it is not an act but a process. The stages a buyer passes through in making his or her choice about which product/service to purchase are explained through the Purchase Decision Process (Adeyeri, 2000), Consumer Problem Solving Processes (Perreault & McCarthy, 1999) and Consumer Decision Process (Arens, 2004).

At the point of making a purchase decision, consumers typically search, consider, and compare alternative brands hence, “a product that one person see as a good value – and is eager to buy – is of no interest to someone else” (Perreault & McCarthy, 1999:155). Preference is the resultant effect of the buyer’s decision process. Hence, advertisers’ study to know what makes their products, services and ideas the preferred for the current customer and why the prospective customer is not purchasing their products. Research in advertising has become a crucial element in all aspects of planning, assessment and evaluation. One of the main objectives of advertising research is to understand the correlation between advertising and its effects on the consumer. The question of what motivates a consumer to buy, challenges the imagination and ingenuity of the seller and presses research specialists forward into new fields of investigation.

For Guinness Stout and Wilfort Dark Ale, these are brands in the brown bottled alcoholic drink category, through various advertising appeals; consumers are presented with certain characteristics of the product that differentiate them, both visible and

imagined. This helps the consumer to make a choice. Choice is a result of preference. “Preference – is a greater interest in or desire for something/somebody than something or somebody else” (Oxford Advanced Learners Dictionary 2000).

Whatever motive(s) that guide(s) the customer in determining his/her buying behaviour, in as much there exists an alternative in the choice of product, service or idea, preference comes into play. Whether the purchase is done on impulse, motivated by curiosity, whether it has become a routine or it is just a response to a new product, service or idea, whether the purchase was made after a personal or collective evaluation, the point is that a choice has to be made. The product, service or idea thereby chosen is the “preferred”.

#### ***Theoretical Framework***

Some theories relevant to this study are: Klapper’s Limited Effect Theory of 1960 and Rogers’ Adoption of Innovation Theory of 1962.

#### ***The Limited Effects Model (Klapper, 1960)***

Severin and Tankard (1987) cites some of the research studies upon which the limited effects model rest, these are: Hovland *et al* (1950) studies which showed that the orientation films were effective in transmitting information but not in changing attitude. Cooper and Johoda (1947), research of Biggott Carton which indicated that selective perception could reduce the effectiveness of a message, and Lazarsfeld and Associates (1944, 1954) election studies which showed that only few people were influenced by Mass Communication media campaigns. Klapper, therefore, reasons that Mass Communication is not solely capable of causing

audience effect, but that it functions among and through other mediating factors and influence, that the mediating factors typically render Mass Communication as a contributor, and not the sole cause. The mediating factors Klapper was referring to are the selective processes: Selective perception, exposure, retention, group process, group norms and opinion leadership.

If Klapper's arguments are anything to go by, one can then appreciate why most marketing managers now compliment advertising with other marketing communication tools such as; sales promotion, public relations, personal selling and direct mail to push their products and services in the market. It will not, therefore, be wrong to reason that the dynamic nature of the modern market, coupled with the heterogeneous nature of the target customer, have made advertising inadequate for causing audience effect.

The import of Klapper's theory is that advertisers should understand and appreciate that advertising is a communication process and that its success or otherwise depends on the response (feedback) the message elicits from the target audience. It is, therefore, expedient, that advertisers from the onset have a clear understanding of their target customer: who they are; what their needs and wants are, what, when, where and how to communicate with them. A thorough advertising plan is more likely to bring about that desired maximum success.

#### ***Adoption of Innovation (Rogers, 1962)***

Rogers (1962:79-80) cites Ryan and Gross as probably the first to recognize that the adoption of a new idea consists of stages. The duo distinguished between "awareness" of hybrid seed corn, "conviction" of its use-

fulness, trial "acceptance" and "complete adoption". In a similar vein, he recalls that Wilkening described the adoption of an innovation as "... a process composed of learning, deciding, and acting over a period of time. The adoption of a specific practice is not the result of a single decision to act but of a series of actions and thought decisions". Wilkening proceeded to list four (4) adoption stages; awareness, obtaining information, conviction and trial and adoption.

Rogers, though acknowledge that there is no complete agreement as to the number of stages in the adoption process, yet he presents a five (5) stage adoption process; awareness, interest, evaluation, trial and adoption. At the awareness stage, the individual is exposed to the innovation but lacks complete information. The individual is aware of the innovation but not yet motivated. The interest stage is where the individual becomes interested in the new idea and seeks additional information about it. The individual favors the innovation in a general way but not yet sure of its utility in relation to his own situation. The function of the interest stage is mainly to increase the individual's information about the innovation. At the evaluation stage the individual mentally applies the innovation to his present and anticipated future situation and then decides whether or not to try it. At the trial stage, the individual uses the innovation on a small scale in order to determine its utility in relation to his own situation and determine its usefulness for possible complete adoption. This can also be referred to as "validity test" or "dry run". At the adoption stage, the individual decides to continue the full use of the innovation.

It is important to note that this theory focuses on the individual decision-making

process, it exposes the thought process leading to the eventual decision to purchase or consume/use a product (adoption). In making a choice from competitive brands, the consumer must have experienced some form of mental exercise; acknowledging the information, processing the information and making an informed decision. The adoption theory has a close semblance to the AIDA concept of advertising, which promotes that a good advert must “attract Attention” which is synonymous with “awareness”, “hold Interest”, “arouse Desire” which can be equated with the process of mental trial and evaluation. The last letter “A” stands for “obtain Action” which is definitely not different from “Adoption of innovation”.

From the above, it is expected that before a consumer gets to the point where he makes a particular product his preferred brand, he must be aware of the product, have interest in the product, try and evaluate the product in relation to his present and future situation before he finally adopts the product as his product of choice. This theory, therefore, becomes relevant in answering the question; does advertising influence consumer preference?

### **METHODOLOGY**

This study employed a descriptive research design method where no variable was manipulated. Two hundred literate consumers of Guinness Stout and or Wilfort Dark Ale who reside in Ibadan, the capital city of Oyo State constituted the target population.

The researcher chose to adopt the purposive sampling technique because of the nature of the study. A structured questionnaire was used for data collection. The 27-item questionnaire was administered on consumers of either/or both Guinness Stout and Wilfort Dark Ale. Section A, with 22 questions, sought information on the influence of advertising or consumer preference. These were made up of close ended questions with multiple choice options. Section B sought information concerning demographic variables. The researcher in company of two trained research assistants visited four different relaxation joints located at Molete, Ring Road, Mokola and Sango areas of Ibadan, Oyo State to administer questionnaire to willing respondents who take both or either of the two brands under study. Data collected were coded and analyzed using simple percentage and correlation analysis at 0.05 level of significance.

### ***Data Analysis and Discussion of Findings***

The tables and analysis presented below discuss the findings of this study particularly as they relate

to the following research questions:

- R.Q. 1. What Factors Influence Consumers' Preference for Guinness Stout and Wilfort Dark Ale?
- R.Q. 2. How do consumers perceive Guinness Stout and Wilfort Dark Ale's advertisements?
- R.Q. 3. To what extent does advertising influence consumers' preference for

**Table 1: Factors that Influence Consumers' Preference for Guinness Stout and Wilfort Dark Ale?**

Response	Packaging		Available		Adverts		Taste		Status Symbol		Price	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Great Extent	71	35.5	103	51.5	72	36.0	158	74.0	71	35.5	81	40.5
Little Extent	26	13.0	48	24.0	70	35.0	31	15.5	30	15.0	37	18.5
Very Little Extent	48	24.0	16	8.0	20	10.0	9	4.5	45	22.5	19	9.5
Not at all	51	25.5	29	14.5	34	17.0	-	-	50	25.0	59	29.5
No Response	4	2.0	4	2.0	4	2.0	2	1.0	4	2	4	2
Total	200	100	200	100	200	100	200	100	200	100	200	100

Guinness Stout and Wilfort Dark Ale? Table 1 above shows that taste is the number one factor that influences consumers' preference for the Guinness Stout and Wilfort Dark Ale with 89.5% of respondents agreeing to have been influenced to a great extent and little extent. This is followed by availability (75.5%) and advertisement (71.0%). Price, Status Symbol and Packaging had marginal influence on the prefer-

ence of the consumers. This is consistent with Kotler's (2002:608) submission that "sales are influenced by many factors, such as the product's features, price and availability as well as competitors' actions". In this case, the consumers consider the tick bitter taste of Guinness and Wilfort as the number one influencer of their preference. It is also not surprising that availability comes second amongst factors influencing consumer preference. Of what benefit is a product if it is

**Table 2: Consumers' Perception of how Guinness Stout and Wilfort Dark Ale are Advertised.**

Response	GUINNESS		WILFORT	
	Freq	%	Freq	%
Adequately Advertised	157	77.5	19	9.5
Under Advertised	6	3.0	157	77.5
Over Advertised	37	18.5	-	-
No Response	-	-	24	12.0
Total	200	100	200	100

Table 2 shows that majority of the respondents (77.5%) consider Guinness Stout adequately advertised, while the same number of respondents 157 (77.5%) consider Wilfort Dark Ale as under advertised. While majority of the respondents claimed to have been exposed to Guinness Stout radio and

television advertisement very often, often, and sometimes; a similar majority claimed they have never seen or heard Wilfort Dark Ale's television or radio advertisement. For print adverts, the trend is similar, majority of the respondents claimed to have been

exposed to magazine and newspaper adverts of Guinness Stout, while only a handful remember ever seeing a magazine or newspaper advert of Wilfort Dark Ale. For outdoor advertisement, the report is slightly different, a sizeable number of respondents claimed to have seen billboard adverts of

Wilfort Dark Ale in a few areas in Oyo and Ogun States. In summary, the submission of the majority of the respondents of this study is that Wilfort Dark Ale is under advertised, while Guinness Stout is adequately advertised.

**Table 3: Extent to which Guinness Stout Advertisements Influence Consumer Preference**

Parameters	N	Means	STD	Correlation	Probability	Remarks
Advertising	200	2.11	1.04	0.5**	<0.05	Significant
Consumer Preference	200	2.51	0.89			

The above table presents a correlation analysis showing the extent to which Guinness Stout advertisements influence consumer preference. The result of the quantitative analysis shows that the mean advertising is 2.11, while the mean consumer preference is 2.51 with a standard deviation of

1.04 and 0.89 respectively. The mean differences were significant at 1%, which is 99% confidence limit (interval). Also, the Pearson Product Moment Correlation value (PPMC) of 0.55 shows statistically that the advertisements of Guinness Stout influences consumer preference.

**Table 4: Extent to which Wilfort Dark Ale Advertisements Influence Consumer Preference**

Parameters	N	Means	STD	Correlation	Probability	Remarks
Advertising	200	3.03	1.48	0.81**	<0.05	Significant
Consumer Preference	200	2.92	1.40			

Table 4 shows that the mean advertising for Wilfort Dark Ale is 3.03, while the mean consumer preference is 2.92 with standard deviation of 1.48 and 1.40 respectively. The correlation value of 0.81 which is highly significant at 1% shows statistically that an increase in advertising will lead to an increase in consumer preference.

Ale) under advertised. The findings of this study revealed that advertising does influence consumer preference. However, taste of the product and its availability influences consumer preference more than advertisements. This is consistent with Klapper's (1960) submission that Mass Communication is not solely capable of causing audience effect but a contributor. Findings of the study, therefore, suggest that influencing consumer preference starts with having a quality product, made available to the target consumer at a convenient location and at a good price. The advertiser uses this information to appeal to the consciousness of the target audience to prefer and purchase his product/service as against that of the com-

**Summary of Findings**

Respondents of this study (consumers of Guinness Stout and or Wilfort Dark Ale) rated Guinness Stout's adverts very high in quality and considered the brand (Guinness Stout) adequately advertised. On the other hand, they rated Wilfort Dark Ale's adverts low in quality and the brand (Wilfort Dark

petitor. If the producer/marketer does not advertise, consumers may not be aware of the existence of the product and its features, and the question of preference may not arise in the first place.

### CONCLUSION

From the findings of this study, the following conclusions may be drawn:

- That advertising is not a wasted effort, as it has shown that it influences consumer preference greatly.
- That the taste (quality) of the product and its availability influences consumer preference more than advertising and that price, packaging and status symbol have the least influence on consumer preference in that order.
- That consumers rated Guinness Stout adequately advertised and Wilfort Dark Ale under advertised.

In summary, this study concludes that advertising compliments good quality and availability by creating awareness, holding interest, arousing desire and moving consumer to action (consumption). It is for this reason, that it is highly recommended that producers ensure that their products are of very good quality and are made available to the people where and when it is needed. There is no point advertising a product that is not available to the people.

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## ETHNIC PLURALISM, SOCIAL JUSTICE AND INTEGRATION POLICY IN POST CONFLICT RWANDA

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### ABSTRACT

Like every war ravaged country, the Republic of Rwanda is reawakening to grapple with the challenges of post-conflict reintegration and transformation. To scholars and observers of the trend, Rwanda is recuperating at a very high speed due to socio-economic reforms and the apparent commitment of the Government of the country to rebuild a new Rwanda from the rubbles of the devastation that greeted the 1994 genocide. Expectedly, the Rwandan government generated laws and codes which govern social interaction – former ‘enemies’ that must co-habit. There is public ban on all divisionism tendencies. In Rwanda there should be no ‘Hutu’, ‘Tutsi’ or ‘Twa’. All are Rwandans. Indeed, there are sanctions against defaulters irrespective of their nationalities. The drive for identity reconstruction is fierce and the government of Rwanda is determined to obliterate the ethnic ideologies which it believes, reinforced the 1994 Genocide against the Tutsi in Rwanda. However, the questions to ask are: will suppression of ethnic identity effectively obliterate natural affinity for group relations and the right to cultural identification and association? How does the government policy against sectarianism help in the reintegration programmes in Rwanda particularly the traditional judicial option called the Gacaca? This paper seeks to address these questions based on the data collected from a field-work conducted in Rwanda in 2011 and from the observations of scholars of ethnicity and the

### INTRODUCTION

Twenty six years later as the world focuses on Rwanda to make sense of the complex and tragic events of the 1994 genocide, a crucial debate in the country’s peacebuilding and social reintegration effort is the protection of democratic and cultural rights in the light of current policies to obliterate ethnic identity and ideologies. Like every war ravaged country, the Republic of Rwanda reawakened to grapple with the challenges of post-conflict reconstruction and transformation. The survivors of the genocide needed to be resettled, over 100,000 *genocidaires* had to be tried, and the prisons had

to be decongested. More importantly, institutions had to be reconstructed and relationships rebuilt. To foster reintegration, the Rwandan government generated laws and codes which govern social interaction between former ‘enemies’ that must co-habit. It placed a public ban on all divisionism tendencies. In Rwanda, there should be no ‘Hutu’, ‘Tutsi’ or ‘Twa’. All are Rwandans. Indeed, there are sanctions against defaulters be they nationals or foreigners. The official state policy is that there are no longer any tribes or ethnicities in Rwanda and it is illegal to use the words ‘Twa,’ ‘Tutsi,’ and ‘Hutu’ in public discourse. To this end, at the 15<sup>th</sup>

commemoration of the genocide, President Paul Kagame—in his speech on 7<sup>th</sup> April 2009, at the Amahoro Stadium, demonstrated the decisiveness of his government to eradicate ethnic references and discourses in Rwanda. Unlike a similar occasion in 1995, when posthumous homage was paid to Hutu and Tutsi victims (Lemarchand, 1998), this time, Kagame's discourse, though mournful and accusatory, made no mention of ethnic identities. The closest reference to it was when he stated that “*in this process of commemoration we always remember a number of things, all linked to the genocide that took place here in Rwanda, in which people were killed because of who they were born as*” (Kagame, 2009). While the ethnic dimensions of the Rwandan conflict might seem apparent, we question whether a ban on ethnic identity is an appropriate strategy for obliterating individual's natural affinity for group relations and association. Can such a policy erase decades of collective memory of cultural identity and rights? Can it prevent future ethnic clashes? What implication does it have on long-term socio-political stability and development in Rwanda?

There are no easy answers to the questions raised above, especially since the drive to outlaw ethnic diversity and ideologies comes with certain silences on the reconciliation process, including the failure to prosecute alleged Rwandan Patriotic Army (RPA) crimes, the lack of debate on the instrumentalisation of Rwanda's 'histories', maintenance of the RPA power structure, and the collective stigmatization of all Hutu as *genocidaires* (Zorbas, 2004; Takeuchi, 2011). In today's Rwanda, in order to be viewed as a survivor, a person must be Tutsi. According to the RPF-dominated government, no Hutu are survivors, even if

their Tutsi relatives, such as a spouse or child, were killed. Even those Hutu who have relatives who participated in the genocide, but did not participate themselves, can be labelled '*génocidaires*' (Bardswich, 2014). This sentiment, that only Tutsi are survivors, is also found in state laws, such as Law No69/2008 of December 30, 2008, regarding the establishment of the fund to assist survivors of the genocide (FARG). Throughout the law, and in its title, survivors are called 'survivors of genocide against the Tutsi.' This issue reveals a disconnect between the state's attempt to eradicate ethnicity from public life, and a discriminatory policy that only helps Tutsi survivors, but not Hutu or Twa. In this study, we explore and interrogate the Rwandan government policy against ethnic divisionism on the reintegration programmes in Rwanda particularly the traditional judicial courts called the *Gacaca*. We argue that the ban on ethnicity does not take into account the important underlying causes of the Rwanda conflict and the RPF-dominant politico-forces reluctance to share power and wealth within an inclusive multi-ethnic and multicultural society is a threat to the future stability and peace in the country.

This paper is divided into two sections. The first section discusses the theoretical framework, followed by a detailed historical exploration of ethnic pluralism in pre-colonial, colonial and post-independent Rwanda, and the context and methodology used. The second section discusses the role of ethnicity in the Gacaca adjudication and re-integration program.

## **THEORETICAL FRAMEWORK**

### ***Ethnic pluralism, nationalism and conflict***

The concept of ethnicity is both amorphous and socially constructed. Literature on eth-

nicity is filled with many vague definitions of this concept. For example, Kellas (1991 p.5) defines ethnicity as a state of belonging to an ethnic group while Schermerhorn (1970 p.12) defines ethnic group as a “collectivity within a larger society having real or putative common ancestry, memories of a shared historical past, and a cultural focus on one or more symbolic elements defined as the epitome of their peoplehood”. Such symbolic elements might be objective, a given, and subjective, a creation. The subjective factor is any particular combination (of endless possibilities) of the objective factors chosen by a group to assert its identity, and then used as a common resource to achieve a certain goal (Stavenhagen, 1986). Depending on the goal and the historical context, the set, or ‘package’, of objective factors which produces different levels of ethnic identities may differ.

Ethnic identity changes in intensity over time (ethnicization, de-ethnicization, re-ethnicization). It is a variable rather than a constant, and it can be altered, contested, or manipulated for political purposes and thereby transformed (Hettne, 1993). Certain markers such as physical characteristics, race, language, cultural practices, religious beliefs, or other distinctions such as class, may either cross-cut each other or reinforce each other – affecting the degree of integration or diversity in the society (UNRISD, 1994). Ethnic diversity is a feature of many societies; it can be defined as the coexistence of a variety of distinct ethnic and racial groups that exist in one society. It could also mean the presence of at least two, sometimes, more people within the same political space. Marger (2011) notes that ethnic groups follow one of two patterns; they either increasingly blend or remain seg-

regated. When they remain culturally distinct and socially segregated - this is pluralism.

The connection between ethnic pluralism and conflict has been a long-standing debate. Some theorists believe the more ethnically diverse a society is, the higher the chances of social tensions and political instability. Morrison and Stevenson (1972) in their statistical analysis of political instability in African nations from the beginning of independence in 1955 to 1969, argued that cultural pluralism increases the likelihood of conflict between members of communal groups in black African nations, and increases the probability of both communal and elite instability in these nations. This perspective too often leads to policy of ethnocide, which is, the willful destruction of cultural groups, in attempts to forge national integration (Stavenhagen, 2008 p. 43). Whereas, political instability is neither inevitable nor a random phenomenon on the African continent as many other underlying factors such as a history of colonial repression, underdevelopment, economic marginalisation, social inequality, unequal access to state resources, and exclusion from political participation, all play a role in the outbreak of ethnic conflict (Collier and Rohner 2008; Thoms and Ron, 2007; Le Billion, 2001; Allen, 1999).

Collier (2004), in a fairly recent empirical research of all the civil wars in the world between 1965 and 1999, using measure of social, economic, political, and historical conditions for each country in the world, showed that the most important risk factors were economic inequality. Other characteristics, such as ethnic and religious fractionalization do not show up as being important. Collier argues that, if anything, societies composed of many different ethnic groups are safer than homogenous societies. Where conflicts

exist along ethnic lines, often the rhetoric deployed may well be that of ethnic grievance in connection with economic or political resources, as opposed to ethnicity alone being the main source of conflict (Collier, 2004). Fearson and Laitin (2003) therefore advised policymakers and scholars against inferring that ethnic diversity is the root cause of civil conflict when they observe insurgents in a poor country who mobilize fighters along ethnic lines. Alternatively, steps should be taken to address the structural roots of social discontent across ethnic groups.

Evidence from around the world suggests ethnic pluralism and national identity are not necessarily mutually exclusive. These two ideas can co-exist where identity is not accorded a divisive recognition but one that could integrate and strengthen the polity (Kymlicka, 1995). Mutual recognition (Taylor, 1992) and equality and freedom between and among groups are vital in a social integration in a pluralist society (Kymlicka, 1995). In the municipal law of Rwanda, Article 9 of the 2003 Constitution states expressly that 'the Government shall be committed to fighting the ideology of genocide and all its manifestations, eradication of ethnic, regional and other divisions and promotion of national unity'. Therefore, in the new spirit of reconciliation and re-integration, ethnic identification is played (pegged) down against national identity.

### ***Ethnic pluralism in Rwanda: a political history***

Rwanda is populated by two significant groups- the Hutu and the Tutsi. The Germans possessed Rwanda till 1919 and the Belgians until 1962 when Rwanda gained its independence. Unfortunately, Rwanda did not fare well politically under the colonial

rules. Mills and Norton (2002:2) opined that it could be argued that Rwanda had gone from bad to worse in terms of colonial rule'. German and Belgian policies were based on the concept of indirect rule which sought to administer colonies through their local leaders. The colonial administrators mistakenly believed that power in Rwanda should be organised primarily along ethnic lines and thus they instituted policies that subjugated the Hutu and favoured the Tutsi whom they saw as natural rulers.

In a familiar European pattern, the colonial rulers (Germany and Belgium) introduced new notions of identity and preyed upon old tribal rivalries in order to solidify their rule and profit. The Tutsi minority was used by the European powers as local elite, holding power and favoured above the more numerous Hutu (Keane, 1995:16). As independence approached, the Hutu majority launched an armed rebellion in 1959 against the Tutsi. Thousands of Tutsis fled ethnic persecution into neighbouring Uganda, Burundi and the Democratic Republic of Congo (DRC). This political violence became a constant occurrence and more Tutsis fled Rwanda seeking refuge in neighbouring countries especially Uganda. Rwanda refugees in Uganda joined forces with Yoweri Museveni's rebel forces and won the government for him [Keane, 1995:19-20]. After Museveni's victory, his Tutsi allies came together to form the Rwandan Patriotic Front [RPF], which was committed to overthrowing the Rwandan government. The Ugandan government covertly supported the RPF by supporting it with weapons, ammunition, supplies, intelligence and safe havens [Miskel and Norton, 1996:222-223].

Another military attack was launched against Rwanda in 1990 by the RPF and this gener-

ated a number of proactive reactions from the Rwanda government headed by President Habyarimana. He agreed to negotiate a power sharing arrangement with the RPF, under conditions laid out in the Arusha Peace Agreement of 1993 (Jones, 1997:136). Although many of the Rwandan government top-notches did not accede to this agreement, President Habyarimana pursued it with vigour struggling against the pitfalls created by this aggrieved counterparts in government. However, in April 1994, an aircraft bearing both President Habyarimana of Rwanda and his Burundian counterpart, President Cyprien Ntaryamira was shot down at take off at the Kigali airport. The death of the Rwandan President in the crash opened fresh hostilities which so degenerated into a genocide, wiping of almost the total population of the Tutsis and hundreds of thousand for the Hutus in Rwanda. The Rwandan military launched an extermination campaign against defenceless and 'disorganised civil population'. In one hundred days, as many as a million people were shot, strangled, clubbed and burned to death [Keane,1999;28]. This include the prime minister, Agathe Uwilingiyimana who was killed by the Rwandan Presidential guard.

On 9<sup>th</sup> April, 1994, a new militant Hutu government was formed. Meanwhile, the RPF refused to accept the legitimacy of the new government, therefore, it announced a fresh start of civil war to stop the killings and restore peace to Rwanda. By June, the RPF forces had gained control of much of the country. As the RPF tightened its grip on Kigali, violence against civilians spread, and Hutu fearing RPF retaliation fled the country in droves, [Kurt Mills and Richard Norton, 2002;4]. More than two million Hutu fled Rwanda, more than half going to

Eastern Zaire, the majority of the rest going to Tanzania and some to Burundi.

On July 18, 1994, the Rwandan Patriotic Front [RPF] proclaimed victory, declared a cease fire and proceeded to form a new government. They implemented the Arusha agreement which ceded the Presidency to Habyarimana's MRNDD party. Pasteur Bizimungu was of the same tribe as Habyarimana was named President and Major General Paul Kagame became Vice-President. Kagame was a Tutsi raised in Uganda and a leader of the military offensive that overthrew the Government. According to the Encarta Microsoft [1993-2002], of the 21 ministerial posts, 12 went to Hutu and nine to Tutsi, even though 80% of Rwandans are Hutus.

#### ***Ethnicity in Pre-colonial Rwanda***

Edmund Burke reflecting on the French Revolution opined that 'A people will not look forward to posterity, who do not look backwards to their ancestry (Burke, 1987).' An understanding of ethnic diversity as well as its evolution in Rwanda is essential for understanding ethnic conflicts in the country and for developing a comprehensive and effective way of fostering social re-integration and national unity. Rwanda is a plural society with an estimated population of 11 million people divided into three ethnic groups: Hutu 84%, Tutsi 15% and the Twa 1% (CIA factbook, 2012). Though all Rwandans speak the same language-the *Kinyarwanda*, that is just as far as it holds. The people themselves have three distinct groups which however may not conform to the tribal representation of nation groups that had been imputed to the formations. The three groups are distinct to a reasonable extent physically.

The Twa, who were recognized as the origi-

nal inhabitants of the land, are an indigenous group well known in history as the pigmies of the Congo basin. They are spread across the East African countries with substantial representation in Burundi, DRC and Rwanda (Magranella, 2000). They live in the forest and were predominantly hunters and potters. Physically, these people are a member of a worn out and quickly disappearing race, with well-defined somatic characteristics: small, chunky, muscular and very hairy; particularly, on the chest (Rumiya, 1992).

The group called the Bahutu migrated and settled in Rwanda around the 5<sup>th</sup> to the 11<sup>th</sup> Century. They were farmers predominantly, and they settled in the land cohabiting with the Twa and practicing farming. In appearance, they were distinct from their hosts. They are general short and thick with a big head, a jovial expression, a wide nose and enormous lips (Harroy 1984). Harroy describes them as extroverts who like to laugh and lead a simple life (Harroy 1984 p.26).

The Tutsi on the other hand were a group of herdsmen who arrived later to Rwanda around the 14<sup>th</sup> Century but soon assumed a superior status than the Hutu and the Twa, because of their natural and economic endowments (Prunier 2010). In Harroy's word "the Mututsi of good race has nothing of the Negro, apart from his color. He is usually very tall and thin with thin nose and fine lips and gifted with a vivacious intelligence. He is a natural-born leader, capable of extreme self-control and of calculated goodwill" (Harroy, 1984). These perceived objective and subjective attributes of the three ethnic groups later became markers of class distinctions and social mobility in pre-colonial Rwanda.

Scholars writing on the historiography of Rwanda note that there are competing interpretations of the role of ethnicity in Rwanda's historical events. The version available to a stranger in Rwanda depends largely on the ethnic lineage of one's first contact in Rwanda – Hutu or Tutsi. The Tutsi narrative suggests that the people of Rwanda, called the Banyarwanda, were peacefully co-existing ethnic groups until they became subjects of colonial authorities (Corey, and Joireman 2004). Corey and Joireman (2004) commented that it was not surprising that the Tutsi version is the official position of the current Rwandan government since the government is trying to create a unifying historical narrative that will contribute to, not inhibit, political reconstruction and ethnic reconciliation. On the other hand, the Hutu account stresses that the ethnic discord among the people is rooted in the pre-colonial history of Rwanda and that these previously existing divisions were merely exacerbated by changes wrought by colonial domination. This version identified the existence of class tensions and ethnic hierarchy in the Hutu-Tutsi labour and social relations as early as the 15<sup>th</sup> century (Vansina, 2005; Takeuchi, 2000). During this period, the Tutsi, who were the minority, were said to have used their ownership of cattle and advanced combat skills to achieve economic, political, and social control over the Hutu majority. Land ownership was also taken away from the Hutu and became the property of the Tutsi King, *Mwami*. The labour relations between the groups over time took the form of a client-patron contract called the Ubugake, which was a feudal-type class system in which, land and cattle, and therefore power, were concentrated in the hands of the Tutsi minority while the Hutu indentured their labour and agricultural product to a Tutsi lord in exchange for the

use of land and cattle. It got to a stage that Hutus who probably through dint of hard work became successful and owned cattle were referred to as 'Tutsis'. 'Tutsification' or process of ennoblement (Magranella, 2000) implies the crossing or climbing of the social ladder by a Hutu. The 'tutsification' of the Hutu was a socio-economic contrivance which developed and thrived on the naivety and generally good nature of the Hutu which unwittingly subjugated its identity to the Tutsi (Magranella, 2000; Prunier, 2010). The 'Tutsified' Hutu jettisoned his ethnic identity in a bid to move to the 'upper rung' of the social ladder created by the Tutsi and later entrenched by the colonialists for their own benefit. This in itself was a confirmation of the consciousness of class divisions and the submission of the Hutu to the Tutsi in the pre-colonial days.

### ***Colonial influences***

Evidence from Rwanda's political history suggests the German and Belgian colonial rule polarised and entrenched ethno-politics and class structures in the society. In a familiar European pattern, the colonial rulers introduced new notions of identity in Rwanda and preyed upon old tribal rivalries in order to solidify their rule and profit. When they arrived in the 1800s, their encounter with the local population was shaped by imperialist ideas about race that assumed that all people of the world fit into distinct and clearly defined groups, and that these groups could be ranked hierarchically in terms of their capacities (Longman, 2001). They found the Tutsi physical appearance as having closer evolutionary link to the Europeans and considered them naturally superior to the other groups (Harroy, 1984). This mistaken interpretation of the Rwanda society was based on a Hamitic hypothesis that the Tutsi pastoralist

from the North brought civilization to the rest of the continent through conquest or infiltration (Appiah and Gates, 2005). This hypothesis persisted into the 1960s, as evidenced by the *information Bulletin on Ruanda Urundi*, issued by the Public Relations Office in Belgium in 1960 (Collins, 2014).

Members of the Rwanda and Burundi elites and intellectuals, who had been seeking to centralise and consolidate power, reinforced this myth about the Rwanda society and many of them worked with Catholic missionaries to develop a history that would conform to European racial expectations (Longman, 2001). With race as a stabilising ideology, the Germans administered the country through an indirect rule system based on existing political structures created by the Mwami and conducted military operations against Hutu Chiefs in the North that had not come under the Mwami control. When the Belgians gained control of Rwanda and Burundi in 1923, they also favored the Mwami and his chiefs, who were mostly a Batutsi ruling elite (Keane, 1995). The Belgians did not only maintain local power structures but centralised the political system, eliminating local political variations including abolishing autonomous Hutu chieftaincies. They also institutionalised Tutsi dominance and solidified these divisions through the issuance of ethnic identity cards in 1926 (Kuperman, 1996).

The impact of identity cards on ethnic identities in Rwanda was profound. While group membership had previously been flexible and there were many criteria for ethnic identification – birth, wealth, culture, place of origin, physical attributes and social and marriage ties, the Belgian documentation of each person's group identity made the possibility of changing identities through traditional

means extremely difficult (Longman, 2001). It was during this latter period that ethnic identities became politically salient category that was elevated above regional, clan, and other identities.

Mamdani (2014) notes, that for the Hutu peasantry, Belgian colonialism was harsher than previous forms of administrative experiences. To be Hutu in Belgian Ruanda-Urundi meant to be denied opportunities for employment, to completely lack political power, to pay heavy taxes, and to be kept in an economically marginalized position. This institutionalized racism was also practised in the school systems and administration. "The policy was to restrict admission to Tutsis, but where Hutus were admitted they were streamed into an inferior system. The Tutsis were taught in French and prepared for administrative positions in government, while Hutus were taught in Kinyarwanda and prepared for little more than manual labour" (Collins, 2014). These discriminatory colonial policies transformed Hutu, Tutsi, and Twa into relatively rigid ethnic categories of great political significance, making it a determinant of people's life opportunities (Longman, 2001). The economic, social, and political privileges accrued to the Tutsi minority over the Hutu majority culminated into civil unrest in 1959 with the Hutus launching a rebellion against the Belgian colonial powers and the Tutsi elites.

### **Post-independence challenges and the 1994 genocide**

Nationalist revolution against colonialism can be seen as a prelude to ethnic conflict over the economic and political spoils of independence. When the Hutus won the 1960 Belgian-run elections, its leaders under the administration of *Gregoire Kayibanda* saw

it as a pay-back opportunity to exclude the Tutsi from all governmental positions and to consolidate economic power. This action exacerbated existing conflict between the Hutus and Tutsi, with thousands of Tutsi's forced to flee to neighboring Burundi and Uganda.

In the face of the mounting insecurity, the army chief of staff, General Juvenal *Habyarimana*, seized power in a coup on 4 July 1973 and pledged to restore order. But instead set up a one-party state where a policy of ethnic quotas was entrenched in all public service employment. Tutsis were restricted to nine percent of available jobs and fewer political seats. This pattern of exclusion and structural violence became a constant occurrence throughout the 70s and 80s causing many more Tutsis to flee Rwanda to neighboring countries especially Uganda.

In 1986 in Uganda, Tutsi exiles were among the victorious troops of Yoweri Museveni's National Resistance Army who took power by overthrowing the dictator, Milton Obote. The exiles then formed the Rwandan Patriotic Front (RPF), a Tutsi-dominated organisation, which was committed to overthrowing the Rwandan government (Keane, 1995). A military attack launched against Rwanda in 1990 by the RPF generated a number of proactive reactions from the Rwandan government headed by President Habyarimana (Miskel & Norton, 1996). The president later agreed to negotiate a power sharing arrangement with the RPF under conditions laid out in the Arusha Peace Agreement of 1993 (Jones, 1997). Although many of the Rwandan government top-notches did not accede to this agreement, President Habyarimana pursued it with vigor struggling against the pitfalls created by this aggrieved counterparts in government. However, in April 1994, an

aircraft bearing both President Habyarimana of Rwanda and his Burundian counterpart, President Cyprien Ntaryamira was shot down at take off at the Kigali airport.

The death of the Rwandan President in the crash opened fresh hostilities which degenerated into genocide. In a period of only 100 days, an estimated 800,000 to 1 million Tutsi and moderate Hutus were murdered by their Hutu neighbours, and one-third of the Batwa community was also wiped out. People were subjected to acts of physical and emotional cruelty, rape, body mutilation, and coerced participation in the slaughter of loved ones (King, 2011). The genocide destroyed many other aspects of life including social networks, friendships, legal structure, and properties. On July 19, 1994, Kagame-led RPF gained control of the country, declared cease fire and proceeded to form a new government. Corey and Joireman (2004) noted that the violence did not quite end in the 1994 as some 6,000 civilians mostly Hutus were killed in 1997, three years after the official end of the genocide. The new government that was formed was initially led by Pastuer Bizimungu (a Hutu) but after his resignation in 2000, Paul Kagame (a Tutsi) took over the reins of power and has remained the president to date.

This historical account provides a broader context of the drive for identity reconstruction and elimination of ethnic ideologies which the Kagame-Government believes reinforced the 1994 Genocide against the Tutsi. The government's sensitivities to ethnic polarisation and divisionist ideologies are therefore understandable, but the manner in which it tries to foster national unity and reconciliation by implementing policies and laws aimed at entirely eliminating ethnic

identities and associations, has been critiqued. Of particular concern is the impact of such policies on traditional judicial reintegration programmes such as the Gacaca.

## CONTEXT AND METHODOLOGY

The analysis done in this paper is based on an explorative field study of the practicality and impacts of the government imposed nationalism policy vis-à-vis ethno-cultural mechanism of conflict resolution in Rwanda. Participant observation, case studies, in-depth interviews (n=34) and focus group discussions (n=3) were adopted during data gathering in Rwanda. The in-depth interviews were conducted with a variety of people including top government officials, director of NGOs, finance personnel, educationists, conflict resolution consultants, lawyers, professors, members of the Gacaca court, and ordinary Rwandans (men and women interviewed separately). The FGD sessions were organized in Kigali, Gitarama and Rulindo among cross section of citizens comprising both insiders and outsiders in the Rwandan conflict. The group selection comprised a Hutu-(male) a Tutsi (female) two representatives of international organisations, two Rwandan youths (female/male) and three other people of mixed interests. Prior consent of participants was obtained and their right to privacy was protected throughout the session. Participant's responses were tape recorded and noted taken by the research assistants. The data collected from the in-depth interview and case studies were crossed checked with FGD participants while comments from FGD groups were compared to existing literatures to eke out areas of agreement, contention and divergence; thereby ensuring triangulation in data gathering and analysis (Tomlinson, 2013).

The first author also enlisted as an intern with the National Service for Gacaca Jurisdictions where she was able to access formal documents on the activities of the *gacaca* courts. A limitation encountered in this study is that the Gacaca Courts were winding up at the time this study began. Hence the researcher was not able to witness a life proceeding of the Gacaca court. However, through video clips and newspaper reports, the researcher was able to pick a few useful scenes of different cases handled by the Gacaca courts at different cells and sectors of the country. These were used at appropriate points to illustrate relevant issues in this paper. Another limitation is that this study was not able to access information from any traditional institution as they were practically non-existent at the time of fieldwork. Traditional institutions were destroyed along with the political identities of the Rwandans in the 1959, the time of the first Hutu onslaught on the Rwandan Tutsis who were believed to have dominated the political environment to the detriment of the Hutus (Aloys, 2012; Melvern 2009). The study gained more by adopting an interactive approach which enhanced deeper penetration into the social-cultural fabrics of the Rwandan society, by eking out salient bits of necessary information. Such grounded research can reveal subtleties and complexities that could go undetected through the use of more sophisticated quantitative measures (Ndiyo 2005 p157). Data was subjected to thematic and content analysis.

#### ***Peacebuilding and social re-integration***

Since Rwanda's criminal justice system was decimated by the genocide, new judicial structures were set up to punish offenders and address victim grievances. The first legal mechanism in the Rwandan genocide context was the United Nations Interna-

tional Criminal Tribunal for Rwanda, the ICTR, which started work in 1995. This was a special court set up in neighbouring Tanzania to prosecute accused leaders of the genocide. Trials at the ICTR were extremely slow such that close to 10,000 people died in prison before they could be brought to justice (BBC, 2012). The Gacaca courts were therefore set up by the Rwanda government in 2002 to clear the backlog; giving hundreds of thousands of genocide suspects a chance at trial (Longman, 2010; UN, 2014).

Gacaca is a local, participatory legal mechanism that seeks to blend punitive and restorative justice. The *gacaca* courts was loosely based on Rwanda's customary legal institutions and the 2001 organic law. Judges are selected from local residents, and render judgment based on testimony provided by local residents. The hearings held gave communities a chance to face the accused and give evidence of what really happened, why, and how it happened. This is why the Gacaca is seen as a judicial strategy to achieve truth, justice and reconciliation among Rwandans (Rettig, 2008; Takeuchi, 2011). In fact, some scholars describe the Gacaca as a truth commission that combine the rule of law with psychosocial goals in the hope to break systemic cycles of violence and facilitate reconciliation (King, 2011). Usually the courts gave lower sentences if the accused was repentant and sought reconciliation with the community (UN, 2014). An estimated 2 million cases were tried in 10 years, and about 65% of defendants were found guilty (BBC, 2012). Some of whom received long jail sentences with hard labour, and other that confesses their guilt were released on conditions of community service. Although the courts were closed in June 18, 2012, it has not escaped criticisms and still to be fully understood was the import of the