



Looking Anthropologically at the Peoples of the Khumbu Valley and Rwanda

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Looking Anthropologically at the Peoples of the Khumbu Valley and Rwanda

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A Thesis in the Field of Anthropology and Archaeology
for the Degree of the Master of Liberal Arts in Extension Studies

Harvard University

May 2018

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Abstract

This paper looks anthropologically at the indigenous peoples of the Khumbu Valley and Rwanda. Specifically, my research examines the Sherpa, Twa, Tutsi, and Hutu peoples through the complex anthropological lenses of social cohesion, cultural ecology, and progress. This paper examines each culture and addresses three major questions: (1) How do these cultures achieve social cohesion; (2) How does the concept of cultural ecology play into each culture; and (3) Is the notion of progress even real?

Social cohesion is achieved through a combination of psychological and emotional unity. It requires common emotional reactions and makes an individual willing to sacrifice his or her own interests for the good of the group and society as a whole. Thus, making is critical to survival. Therefore, this necessary behavior is common among the Sherpa, Twa, Tutsi, and Hutu peoples. There is a basic homogeneousness between the individuals comprising each culture. However, social cohesion does not exist in a vacuum. It is directly intertwined with cultural ecology.

Cultural ecology plays an integral role in each culture. A culture is inexplicably linked to its surroundings. In order to understand this, culture and ecology must be examined separately and then applied to examines the Sherpa, Twa, Tutsi, and Hutu peoples. Culture deals with the shared ideologies, norms, and values. Ecology, on the other hand, is the study of the workings of ecosystems and the organisms living in them. Thus, cultural ecology is the study of the role of culture itself as a truly dynamic and critical component of any ecosystem in which humans are living. Cultures are actually directly shaped by their surroundings. Therefore, the mountainous isolation of the Khumbu Valley and the grassy highlands of Rwanda directly

shaped the peoples living in those regions. Geography, like culture, changes over time. Hence, the concept of progress needs to be analyzed.

The notion of progress is somewhat vague. Perhaps, it is not even real. Thus, the reality of progress certainly is doubtful and debatable. The Sherpa, Twa, Tutsi, and Hutu peoples endure and arguably show markers of progress. However, there is also an overwhelming sense of creative destruction. Ultimately, increasing specialization seems to increase survivability. Therefore, progress is likely real. Yet, through the process of increased specialization and survivability, comes a loss of culture and other negative effects. The process that revolutionizes the economic structure from within, perpetually destroying the old one, perpetually creating a brand new one. This leads into the language question.

Words are a form of verbal currency. Western vocabulary was forcefully introduced to societies in Nepal as well as in Rwanda. A simple example is a “computer”. Where there are not any computers nor use for them, there is typically no word for them. Thus, this was true of alpine mountaineering equipment in Nepal, prior to the mountaineering boom. This becomes more complicated when language is used to express ideas. For example, the fundamental legal concept of “due process” may get lost in translation. Kinyarwanda is different than English. Therefore, it stands that certain vocabulary could mean a myriad of things. Therefore, I also address the language question. After all, Africa is full of a massive range of language. Additionally, climbing expeditions in Nepal are very often comprised of people from a truly wide array of nationalities, backgrounds, and languages. Perhaps, this is a unique opportunity for anthropologists, especially linguists, to really make a difference.

Dedication

This thesis is dedicated to my biggest supporter and the person who always encouraged me to go after my dreams, my mom. She has always believed in me and never gave up on me. Thank you mom, for everything. I could not have become the man I am today without you mom. The hard work has paid off. I love you very much and I know that you and dad are proud of me. We did it.

Sincerely,

Jeffry A. Mulrain Jr., J.D., A.L.M.

Acknowledgments

I want to thank my thesis chair, Professor John Mugane. He taught me the importance of linguistics in anthropology. Dr. Mugane also fueled my deep desire to learn by participant observation. He was truly instrumental to my success at Harvard and I am forever grateful. Thank you for teaching me the importance of the language question and for your support sir.

I want to also thank Professor Jayasinhji. He taught me the importance of visual anthropology. Dr. Jhala also instilled in me a respect for ethnography as a skill. I am blessed. Moreover, I am proud to call you a friend Bapa. Thank you sir, for everything.

I would be remiss if I did not acknowledge Charles “Chuck” J. Houston III, A.L.M. and James “Jim” Morris, Ph.D. for their patience and guidance. This has been a long journey and I could not have made it without you two. I appreciate the input and assistance. Thank you.

Additionally, I must thank Professor Jon Van Patten. VP, you are a friend and a mentor. Undoubtedly, I could not have made it through law school at the University of South Dakota without your guidance. I will miss discussing anthropology and law over cigars very much.

This thesis represents a lot. My grandfather, Retired Colonel Sam Mulrain, attended Columbia University, but he left to go fight in World War II. He is 101. I am so grateful that he will be watching the very first Mulrain graduate from an Ivy League school. I want to give my little brother, John Wood Mulrain, a shout out as well; I love you. I also want to acknowledge Harvard alum, Uncle Kenneth K. Kolker, Uncle Mark Allen Mulrain, Nelle Rucker Wood, Mina Mulrain, John T. Wood, and all of my godparents. I hereby also dedicate this thesis to my late father, Jeffry A. Mulrain Sr., Esq.; this is for you. I miss you every day dad. I love you.

I want to take this opportunity to thank each and every person who donated time and money to help make my dreams come true. You all really made my dreams become my reality. Thank you: Janet Schmidt, Janna Sharp, David Doward, MD, Virginia Merriman, Jay Halcrow, Steven Newell, Deepti Pradhan, Suzanne Taylor, Phil Sharp, MD, Cathy Sharp, Al Weigand, Megan Rumble, Jeri Epstein, Anne Read, Janna Hardy, Aunt Jozette Cambell, Peter Sack, Pamela Henry, Diane Raines, DNP, RN, NEA-BC, John Ragsdale, and all of the generous people who donated anonymously.

I want to especially thank Robert Winslow III. Bob, you donated so much of your time and resources to help me go for my dreams. Thank you for investing in me and believing in me. You are a good guy. I am honored to call you my friend. You are the man.

Sincerely,

Jeffry A. Mulrain Jr., J.D., A.L.M.

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Introduction

Death on Mount Everest and genocide in Rwanda are globally important. Therefore, they require careful analysis. The origin of looking anthropologically at the indigenous peoples of the Khumbu Valley region and Rwanda stems from a great curiosity and organic sense of adventure. I have always been fascinated by cultural anthropology. My research reflects that fascination by examining the Sherpa, Twa, Tutsi, and Hutu peoples through the anthropological lenses of social cohesion, cultural ecology, and progress. I first became interested in learning about the Sherpa people when I read the book *Into Thin Air* by Jon Krakauer.¹ Krakauer describes the deadly and infamous 1996 disaster on Mount Everest in which eight climbers were killed, including famous mountaineering legends Scott Fischer and Rob Hall.² This incredible true story led me to works by esteemed anthropologist, Sherry Ortner.

Ortner looked at the perils³ and rituals⁴ of the Sherpa on Mount Everest. Her works truly inspired me. So, in 2007, I headed off to Mount Everest on an expedition of my very own. I engaged in participant observation and studied Sherpa people living in the Khumbu. My methodology was quite similar to the 20th century anthropologist, Bronislaw Malinowski⁵. I stepped off the veranda and immersed myself.⁶ I suddenly found myself as a young anthropologist in the field. Yet, I needed more tools in my tool belt. I began to take more

¹ Krakauer, J. (1997) *Into thin Air*. Villard Books.

² Id.

³ Ortner, S. (2001). *Life and Death on Mount Everest: Sherpas and Himalayas Mountaineering*. Princeton University Press.

⁴ Ortner, S. (1978). *Sherpas Through Their Rituals*. Cambridge University Press.

⁵ Malinowski, B. (1959). The Group and the Individual in Functional Analysis. *American Journal of Sociology*, 44, 275.

⁶ Malinoski, B. (1922). *Off the Veranda*. Films Media Group. 1985.

cultural anthropology classes and learn how to properly perform ethnographic work.

Additionally, I found my sense of adventure and yearn to explore growing. I decided to go on my first expedition. I was off to the Khumbu Valley in Nepal to study the Sherpa and walk on Mount Everest.

I ventured to Khumbu Valley to learn about the Sherpa and to apply the anthropological theories that I had been studying. I witnessed what I can describe simply as creative destruction. The process of industrial mutation by westerners that incessantly revolutionizes the economic structure of the Sherpa people from within, incessantly destroying the old one, incessantly creating a new one. The effects of this phenomenon appeared to be twofold: (1) a more specialized middleclass was emerging along with a new economy; and (2) the loss of both life and tradition was taking place in the Khumbu. This paper examines anthropologically the Sherpa culture found in the Khumbu, the peoples of Rwanda, and addresses the three main questions: (1) How do these cultures achieve social cohesion; (2) How does the concept of cultural ecology play into each culture; and (3) Is the notion of progress even real?

Many years after my expedition to Nepal, I ventured to Rwanda to perform ethnographic work. I studied the Twa, Tutsi, and Hutu peoples. I became originally interested in Rwanda from a legal point of view. I studied the genocide and the Gacaca Courts while I was attending law school at the University of South Dakota. I enjoyed learning about legality of genocide from a United Nations perspective⁷. This led me to explore Rwanda from a legal perspective,

⁷ The Convention on the Prevention and Punishment of the Crime of Genocide (United Nations General Assembly Resolution 260 A (III), approved December 9, 1948, entering into force January 12, 1951) defines the crime of genocide as: "... acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such"

ultimately to a series of law review articles by Mark Drumbl⁸ as well as by Maureen Laftin.⁹ However, there was an underlying complexity about the Rwandan genocide that still required proper exploration.

I needed to understand the deeply cultural and complicated history of the Rwandan people in order to understand the brutality of genocide. This required the reading works by Gregory Stanton¹⁰ and Jean-Pierre Chrétien¹¹. Rwandan genocide was truly horrific tragedy. However, I wanted to explore what led up to it and what modern day Rwanda is like post genocide. So, I began to really study the cultures and histories of the peoples of Rwanda. During March 2017, I left for Rwanda. I interviewed a plethora of Rwandan people about the genocide, ranging from victims to perpetrators. This will be discussed further in the methods section. Finally, I address the paramount language question and explore the crucial related implications.

⁸ Drumbl, Mark, Note, Rule of Law Amid Lawlessness: Counseling the Accused in Rwanda's Domestic Genocide Trials, 29 Colum. Rts. L. Rev. 367 (2004).

⁹ Laftin, Maureen. Gacaca Courts: The Hope for Reconciliation in the Aftermath of the Rwandan Genocide. 46 May Advocate 19. Idaho State Bar. 2003.

¹⁰ Stanton, Gregory. The Rwandan Genocide: Why Early Warning Failed. Journal of African Conflicts and Peace Studies. Vol. 1: No.2. September 2009.

¹¹ The genocide received important support particularly from Radio Television des Milles Collines (RTL), a quasi-private radio station set up by extremist Hutu with close ties to the highest levels of state power. On the role of the media in the genocide, see Article 19, *Broadcasting Genocide: Censorship, Propaganda, and State-Sponsored violence in Rwanda 1990-1994*, London: Article 19, 1996, and Jean-Pierre Chrétien, ed., *Rwanda: Les Médias du Génocide*, Paris: Karthala, 1995.

Part I: The Khumbu Valley

Chapter 1.

The Sherpa and the Khumbu Valley

The Khumbu Valley region of Nepal is home to the Sherpa people. Understanding the Sherpa requires understanding the Khumbu and vice versa. The Khumbu is immense and can be rather unforgiving. I spent a month hiking the Khumbu and trekking through the Himalayas. I hiked from the Tenzig-Hillary Airport to advanced base camp on Mount Everest and back. However, it would take decades to fully navigate and explore the mighty Khumbu.

The Khumbu is an extraordinarily serene and breathtakingly beautiful region. It resembles a massive valley. According to cultural anthropologist Sherry Ortner, “Khumbu literally means “higher valley” (Ortner 2001, p. 8). Anthropologist Sherry Ortner has spent several decades studying the Sherpa people in great detail. According to her, “The Sherpas are indeed, first of all, an ethnic group who live in northeast Nepal, in the mountains and valleys surrounding the Everest Massif” (Ortner 2001, p. 12). This rather unforgiving and secluded landscape yields somewhat of a unique, closed off society. Socially, the Sherpa are a close-knit society. The Sherpa are almost uniformly Buddhist. They are a very strong, truly resilient, and capable people. Politically, Sherpa society is quite egalitarian in nature. It can, however, be considered ranked (on a small scale) due to the prestige of acclaimed climbers and expedition leaders. These great expedition leaders, as well as porters, bring in wealth to their villages. Economically, the Sherpa do not, obviously, occupy fertile area. Therefore, large scale growing of any type of crop high above sea level in the cold and unforgiving Khumbu Valley is quite difficult. Ortner explains, “Solu-Khumbu was (and still is) very beautiful, but agricultural labor is hard,

the terrain is rough, and there are no roads and no wheeled vehicles” (Ortner 2001, p. 5). In addition to the extremely hash terrain and lack of basic roadways, the growing season itself is rather short. This makes it difficult to be successful in farming and supporting villages on agriculture alone in the Solu-Khumbu. Ortner elaborates, “Khumbu has only one short growing season, and relies to a much greater extent on herds, trade, and labor as guides and porters for mountaineers and trekkers” (Ortner 1978, p. 15).

Sustainability is challenging in the Khumbu. With the exception of extremely dangerous mountaineering ventures, the Sherpa economy consists mainly of simple agriculture and some forms of animal husbandry. Ortner delineates, “The Sherpa economy may be characterized as one of mixed agriculture and animal husbandry, supplemented by cash and trading ventures” (Ortner 1978, p. 15). Versatility and raw endurance is an integral part of the Sherpa story. Therefore, the key to the very survival of the Sherpa people is their uncanny ability to adapt and specialize. Mountaineering became the answer. Sherpa men in the Khumbu gained money and respect by risking their lives guiding Westerners up Everest. According to an article in the National Geographic Magazine by Reid (2003), “tourism has made the Sherpas of Khumbu rich” (The Sherpas section, para. 7). Like the Kachin, the Sherpa follow kinship. However, the Sherpa tend to do something rather unique. They usually tend to use their ethnic name in place of their surnames. According to a popular article in the National Geographic Magazine by Reid (2003), “Sherpa isn’t just an ethnic identification; like other minority groups in Nepal, Sherpas often use their ethnic name as their last name as well” (The Sherpas section, para. 6). The Sherpa, like the peoples of Highland Burma, exhibit a high level of social cohesion.

Chapter 2.

Social Cohesion in the Sherpa

Social cohesion is absolutely essential to survival in the Khumbu. A culture survives by doing what it must. Without meeting basic needs, a society would undoubtedly perish. Cultural anthropologist Bronislaw Malinowski believes that there are seven basic human needs. According to Malinowski, "...there are seven basic human needs: nutrition, reproduction, bodily comforts, safety, relaxation, movement, and growth" (Malinowski 1959, p. 276). Consider the mountaineering expeditions led by the Sherpa. Furthermore, a basic homogeneousness between the individuals comprising the society is necessary for both societal and cultural cohesion. It is absolutely necessary for social, political, and economic success.

The *esprit de corps* must be wholly present in a society. Anthropologist Ralph Linton elaborates, "It is this psychological and emotional unity, the *esprit de corps*, which ensures common emotional reactions and makes the individual willing to sacrifice his own interests to those of the whole and to do the things which need to be done even when there is no one watching him" (Linton 1936 p. 93). Personalities of individuals are affected because psychological and emotional changes occur because of necessity.

Sacrifices are made. Simply put, the individual makes changes to better fit in with the community for the overall good of the society. A clear example of this is the Sherpa risking their lives on mountaineering tourism. Culture undoubtedly plays a critical role here. According to anthropologist Julian Stewart, "Human beings do not react to the web of life solely through their genetically derived

organic equipment. Culture, rather than genetic potential for adaptation, accommodation, and survival explains the nature of human societies” (Stewart 1990, p. 323).

A society is so much more than just a simple cluster of individuals. In other words, the Sherpa people are much more than a group of individual Sherpas. According to Linton, “A *society* is any group of people who have lived and worked together long enough to get themselves organized and to think of themselves as a social unit with well-defined limits” (Linton 1936, p. 91). Society, as defined by Linton, is comprised of individuals with integrated personalities. He states that a society is “...an organization of mutually adaptive personalities. Its integration takes place at the psychological level” (Linton 1936 p. 94). This is how a society can impact an individual’s personality. In order for an individual to be fully integrated into the society in which he or she lives in, the individual must have an adapted personality, due to the changes made at the psychological level. This is painfully obvious in the Sherpa culture in regards to Everest expeditions. The dangerous environment of the Khumbu is an integral part of the Sherpa identity. Culture and ecology are very much intertwined. Therefore, cultural ecology must be examined.

Chapter 3.

Cultural Ecology in the Sherpa

The Sherpa are inherently connected to the ecology and physical characteristics of the Khumbu. Therefore, cultural ecology must be carefully analyzed. In order to analyze the field of cultural ecology, definitions of both culture and ecology are imperative. Once these two words are both defined separately, I will examine what they mean when paired together in the context of this analysis of the peoples of Highland Burma and the Khumbu. I will begin with culture.

There are many definitions of culture, perhaps the most accurate and famous definition comes from the famous cultural anthropologist Sir Edward Tylor. Tylor (1871) defined culture as a "complex whole which includes knowledge, belief, art, moral, law, custom and any other capabilities and habits acquired by man as a member of society" (p. 1). This definition requires some context. According to James L. Peacock (2001), "in Tylor's definition, culture is 'acquired by man as a member of society'" (p. 3). Although Tylor's longstanding definition of culture is quite excellent, I now prefer Harvard Professor Theodore Macdonald's succinct definition of culture. According to Macdonald (1999), "*culture*—the shared ideas and sentiments that generate norms and values" (p. 6). With a strong understanding of culture in place, one can now define ecology. There are several strictly biological definitions of ecology. However, Charles Frake provides a useful definition. According to Frake, "ecology is the study of the workings of ecosystems, of the behavioral interdependences of different kinds of organisms with respect to one another and to their nonbiotic environment" (Frake 1962, p. 53). Human beings are unquestionably organisms.

Therefore, human beings are related to ecology. Thus, so is culture. The Khumbu Valley holding religious significance, economic significance, and ultimately survival significant illustrates this point clearly.

Now that both culture and ecology have been clearly defined and examined separately, they can now be examined together. Frake defines cultural ecology, “*Cultural ecology* is the study of the role of culture as a dynamic component of any ecosystem of which man is a part” (Frake 1962, p. 53).

It makes sense to include man or humankind in the definition. Julian Stewart explains why.

Stewart illustrates, “Although initially with references to biotic assemblages, the concept of ecology has naturally been extended to include human beings since they are part of the web of life in most parts of the world” (Stewart 1990, p. 322). Therefore, the Kachin, Shan, and Sherpa are unquestionably part of this.

Even though Charles Frake’s definition lays a solid foundation for understanding cultural ecology, more clarification is certainly needed. Frake elaborates, “If the social system be envisioned as a network of relationships among persons of a *social* community, then the ecological system is a network of relationships between man, the other organisms of his *biotic* community, and the constituents of his physical environment” (Frake 1962, p. 54). Frake appears to have reached the same conclusion that I reached. Human beings are related to ecology, and therefore, culture is also related to ecology. Frake goes on to state that, “In both cases, the net is woven of cultural threads, and the two networks are, of course, inter-connected at many points” (Frake 1962, p. 54). However, it is perhaps somewhat complicated. According to Julian Stewart, “Man enters the ecological scene, however, not merely as another organism

which is related to other organisms in terms of his physical characteristics. He introduces the super-organic factor of culture, which also affects and is affected by the total web of life” (Stewart 1990, p. 322). It is this complex super-organic factor that man introduces to his environment that is the key to understanding both how man reacts to the environment and how the environment reacts to man.

Living in the Khumbu Valley region is difficult and truly extreme. The Sherpa survive, despite geographic isolation and an unforgiving environment. A study in the prestigious geographical record elaborates, “Set in the high bowl-like valley of the Imja Khola, Khumbu is completely encircled by snow-covered peaks with a full view of Mount Everest, Nuptse, and Lhotse” (Karan & Mather 1985, p. 93). The snow validates the strong sense of total frigid remoteness. A study by Karan and Mather elaborates, “The small Sherpa settlements, nestled deep in the mountains and inhabited by a hardworking, hardy people, are isolated by snow...” (Karan & Mather 1985, p. 93). The ability of the Sherpa to be mobile in such an unforgiving place is an integral part of their history. Ortner elaborates, “Their ancestors migrated from eastern Tibet in the sixteenth century, and they remain closely related ethnically to native Tibetans” (Ortner 2001, p. 12). The Sherpa migrated from the Khams region of Tibet to the Khumbu region of Nepal hundreds of years ago. Ortner states, “It has been fairly well established that the Sherpa migrated into their present location in Nepal from the Khams region of eastern Tibet around 450 years ago” (Ortner 1978, p. 10). Thus, cultural ecology is part of the Sherpa story since its very beginning. Discussing cultural ecology, especially in respect to a culture’s past, is related to the notion of progress.

Chapter 4.

The Process of Creative Destruction in the Sherpa and Progress

The Sherpa have undergone a process of creative destruction in the and possibly even Progress. Creative destruction is essentially the powerful process of industrial mutation that incessantly revolutionizes the economic structure from within, perpetually destroying the old one, perpetually creating a brand new one. This process is brutal, but sometimes begins out of necessity. As new technology and jobs are created, old tech and careers become obsolete. However, to better understand this process, the notion of progress itself must be carefully examined.

Progress is somewhat vague and perhaps is not even real. The reality of progress certainly is debatable. According to Vere Gordon Childe, “doubts as to the reality of ‘progress’ are widely entertained” (Childe 1951, p. 9). Perhaps a simple concrete example will more clearly illustrate the potential relative validity as well as the application of progress. I prefer to use one of Childe’s famous examples. Consider the basic differences between a commonplace stone axe made during the Stone Age and a commonplace bronze axe constructed during the Bronze Age. Childe elaborates, “Moreover, the stone axe, the tool distinctive of part at least of the Stone Age, is the homemade product that could be fashioned and used by anybody in a self-contained group of hunters or peasants. It implies neither specialization of labor nor trade beyond the group” (Childe 1951, p. 14). The Bronze Age, which unquestionably occurred after the Stone Age, is far more specialized and so were its relatively complex metal tools. Childe

goes on to talk about the more specialized bronze axe replacing the stone axe, “The bronze axe which replaces it is not only a superior implement, it also presupposes a more complex economic and social structure. The casting of bronze is too difficult a process to be carried out by anyone in the intervals of growing or catching his food or minding her babies” (Childe 1951, p. 14).

This transition from the Stone Age to the Bronze Age embodies progress, evolution, and specialization. Childe speaks to this specialization in regards to the Bronze Age axe, “It is a specialist’s job, and these specialists must rely for such necessities as food upon a surplus produced by other specialists” (Childe 1951, p. 14). This implies that the axe builder from the Stone Age can gather or hunt his own food and build a stone axe, no specialization is needed. However, in the case of the bronze axe maker in the Bronze Age, he is unable to hunt or gather his own food because he is so specialized. He is a professional axe maker and is therefore able to build a paramount axe. This is like a professional Sherpa. Examples include skilled communication expert, chef, navigator, etc. Therefore, a society, such as the Sherpa living in the Khumbu, stands a better chance of survival with specialization. This surely implies that the controversial notion of progress is real.

It is arguably more favorable for cultural survival and sustainability if a member of society is an expert in one task, but cannot do most tasks, than if all individuals can perform all of the tasks poorly. The expert, for example, can make a far more superior axe; the less culturally evolved axe maker creates, in this context, an inferior axe. It is better to have a doctor

or medicine man that is specialized, then to have no expert in the discipline. It is better to have a skilled hunter, chief, or a rice-cultivating guru. It is preferable to have a Sherpa who is an expert in communication than not to have any Sherpas able to operate such complex technological devices.

The odds of survival of the society, and perhaps even dominance by a society, increase considerably with specialization. Although specialization yields sociopolitical complexity, it also yields socioeconomic opportunity, stability, and sustainability. Consider the ranked society of the Shan and their more complicated wet rice farming in the valley. Thus, understanding specialization, whether it in regard to complex tool-making (such as an axe) or complex tool use (such as a satellite phone), is fundamental to comprehending cultural evolution and the motion of progress.

Many Sherpas work in mountaineering. It is perhaps the clearest example of the dark side of creative destruction and progress. Sherpas lead expeditions up Mount Everest and throughout the Khumbu to earn money. Thanks to the influence of westerners and the rise of adventure tourism, many people are dying. The Sherpa communities are especially at risk for this type of peril and negative outcome because they put their lives on the line for money and glory.

During my expedition, altitude sickness was a very real threat, as were avalanches. Danger truly lurked around every bend. In order to illustrate how hazardous and truly unsafe the

Himalayas really are, data can be useful. The following two pages have two graphs to illustrate this unfortunate truth. Additionally, I show a few photos from my expedition to show the danger as well as the respect.

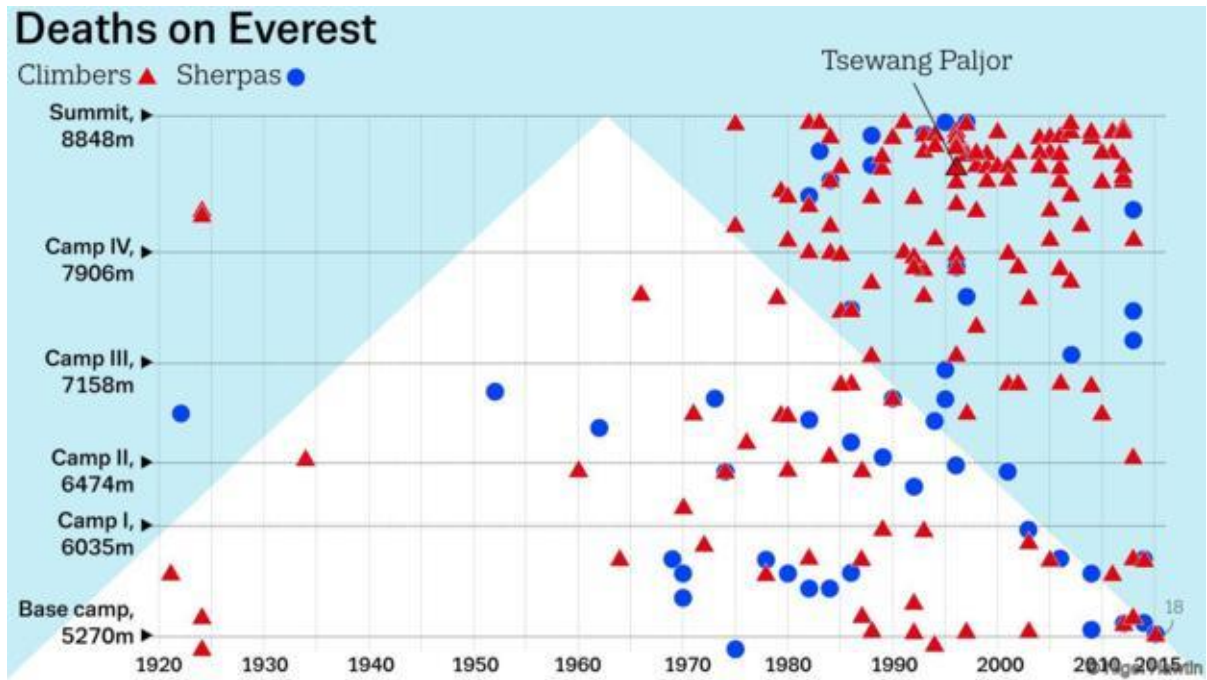


Figure 1. This scatter plot illustrates the deaths on Mount Everest from 1920 to 2016. Source: Richard Salisbury and Elizabeth Hawley, Himalaya Database. Note: In some cases, multiple deaths in one location e.g. in 2015 an earthquake killed 18 (Credit: Nigel Hawtin).

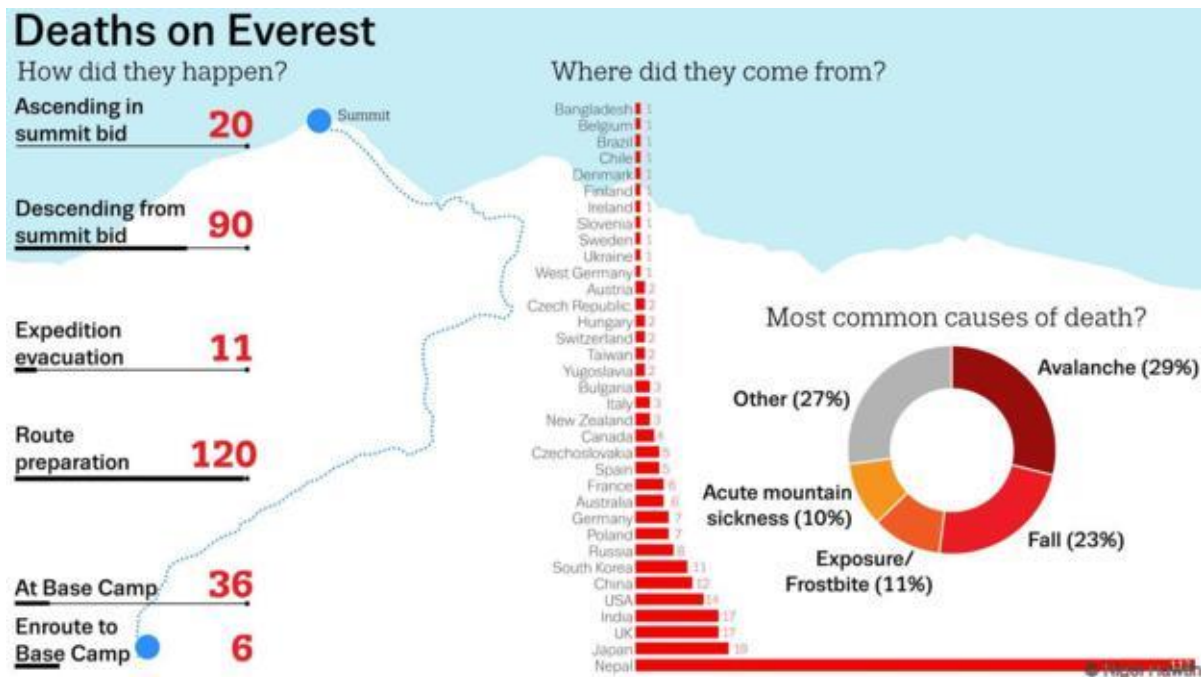


Figure 2. This shows how deaths on Mount Everest typically occur. Note, the majority of the deaths occur in route preparation. This indicates that Sherpas primarily die fixing routes for foreign climbers.

Source: Richard Salisbury and Elizabeth Hawley, Himalaya Database (Credit: Nigel Hawtin)

From time-to-time,

The Khumbu





Limitations on Ethnographic Work in Nepal

Nepal is such a beautiful country. I wish I had more than a month to spend in the Khumbu. The Sherpa people are very wise, friendly, and resilient. I had to deal with unforgiving weather and a tremendously brutal climate. Learning about the Sherpa and their culture is a wonderful endeavor. One day, I will return to the Khumbu and attempt to reach the summit of Mount Everest.

The brutal danger and deceptive tranquility of the Khumbu is truly unfathomable. It is a beautiful and terrifying place. The Sherpa has the uncanny ability to adapt and to sustain. Moreover, they endure. This concludes the first half of this thesis. I will now discuss the Tutsi, Hutu, and Twa peoples. Although Rwanda is arguably safer and more developed than Nepal, it is still very much a dynamic place. However, Rwanda is deeply rooted and rich in culture. It is a gorgeous place.

Part II: Rwanda

Chapter 5.

The Hutu, Tutsi, and Twa

Rwanda is truly a tale of tragedy and reconciliation. Furthermore, it is a wonderful country with a rich cultural history. The Hutu, Tutsi, and Twa peoples require thoughtful anthropological analysis. This paper examines each culture and addresses three major questions: (1) How do these cultures achieve social cohesion; (2) How does the concept of cultural ecology play into each culture; and (3) Is the notion of progress even real? However, a major difference between the history of Nepal and the history of Rwanda is the infamous Rwandan genocide. However, Rwanda must not simply be written off as a tale of tragedy. Therefore, to add context, I begin my cultural analysis of Rwanda with three quotes.

“[F]or approximately 100 days between April 7, 1994, and July 1994, more than 800,000 civilians were killed in a genocide in Rwanda that targeted members of the Tutsi, moderate Hutu, and Twa populations, resulting in the horrific deaths of nearly 70% of the Tutsi population living in Rwanda.”¹²

“The thing about this is that we've got to recognize, in each one of us, that there is such a potential for good and there's such a potential for evil.”

-Carl Wilkens¹³

¹² 2013 CONG US RES 413.

¹³ Carl Wilkins was the only American that remained in Rwanda throughout the duration of the 1994 genocide. <https://www.mtholyoke.edu/~jenki20c/worldpolitics/quotations.htm>

“The world just didn't care.”

-Brent Beardsley ¹⁴

The purpose of this chapter is to investigate the commencement of the horrific genocide in Rwanda and examine the origins of the Hutu, Tutsi, and Twa in light of the tragic genocide. Beginning the any anthropological analysis of the peoples of Rwanda requires visiting the roots of the unique and culturally diverse Rwandan genocide. Therefore, that is where I begin my discussion.

Commencement of the Horrific Genocide in Rwanda

The genocide began on April 6, 1994 when the plane carrying the President of Rwanda as well as the President of Burundi was deliberately shot down as it prepared to land in Kigali, Rwanda. ¹⁵ The plane crash killed everyone onboard and within mere hours, the targeted killing began. ¹⁶ The terrible genocide was carried out against the Tutsi people living in Rwanda by the Hutu people, who were the dominant majority. The Tutsi people, on the other hand, were a minority people living in the area; the Tutsi composed only around a scant ten percent of the actual total population of residents living in Rwanda. ¹⁷ Hutu government and military officials

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¹⁴ Brent Beardsley was the military assistant to General Roméo Dallaire. General Dallaire was the **head of the** UN Belgian Peacekeeper unit in Rwanda in 1994. <https://www.mtholyoke.edu/~jenki20c/worldpolitics/quotations.htm>

¹⁵ Hollie Nyseth Brehm, Christopher Uggen, and Jean-Damascène Gasanabo (2014). Genocide, Justice, and Rwanda's Gacaca Courts. Journal of Contemporary Criminal Justice 2014, Vol. 30(3) pp. 333–352. SAGE Publications.

¹⁶ Id.

¹⁷ Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999). See also Gerard Prunier, *The Rwanda Crisis* (New York: Columbia University Press, 1995, 1997), Timothy Longman, "Rwanda: Chaos from Above," in Leonardo Villalon and Phil Huxtable, eds., *Critical Juncture: The African State in Transition* (Boulder: Lynne Rienner, 1997); and Timothy Longman, "Democracy and Disorder: Violence and Political Reform in Rwanda," *Political Reform in Francophone Africa*, David Gardinier and John Clark, eds., (Boulder: Westview Press, 1996).

set in motion a ruthless, long-planned program to eliminate the political rivals to the president and his Tutsi supporters by utilizing the Presidential Guard, elite army troops, and trained civilian militia in a systematic genocide.

The Hutu began to hunt down opposition politicians, civil society activists, and other innocent Tutsi. The Hutu then focused on officials, soldiers and police, political leaders, and militia members attacked Tutsi and, to a lesser extent, members of the majority Hutu ethnic group who opposed the new authorities and their genocidal program.¹⁸ According to a 2012 study by the Center for Conflict Management of the National University of Rwanda, the final death toll was as high as 1,050,000.¹⁹ Yet, the genocide did not just randomly or arbitrarily occur. The origins of what led up to it must be examined for context as well as for comprehension.

The Origins of the Hutu, Tutsi, and Twa in Light of the Tragic Genocide in Rwanda

Visiting the origins of the tragic genocide in Rwanda requires looking back to the roots of the people inhabiting Rwanda. Rwanda has a rich history that needs to be examined culturally to be understood legally. This requires a discussion of the Twa, the Tutsi, and the Hutu. Moreover, a discussion of the precolonial and colonial influences is also paramount to understanding the cultural tensions which inevitable led up to the terrible 1994 Rwandan Genocide.

¹⁸ Id.

¹⁹ <http://www.ccm.ur.ac.rw/>

The Twa people resided in the area known today as Rwanda. The Twa were versatile pygmy hunter-gatherers.²⁰ They were originally a high-altitude forest people who inhabited the mountainous region of the Albertine Rift Area in Central Africa. Moreover, historical accounts and stories regarding the origin of the Twa indicate that the Twa were actually the first inhabitants of this area.²¹ The Hutu and Tutsi likely migrated and integrated much, much later.²²

The Tutsi people and Hutu people were distinguished primarily and originally by caste. The word “Tutsi” translates roughly into “person rich in cattle.”²³ The Tutsi were cattle herders and the Hutu were farmers.²⁴ Movement between being designated as a Tutsi and being designated as a Hutu was quite common prior to colonization.²⁵ There existed what I would characterize as a state of a dynamic cultural melting pot. Yet, the precolonial stage was less defined. Cultural lines between Tutsi and Hutu were permeable because rich Hutu became Tutsi and Tutsi who lost their wealth could become Hutu.²⁶ There was a sense of cultural dynamism.

²⁰ *Chrétien, Jean-Pierre (2003). The Great Lakes of Africa: Two Thousand Years of History. Cambridge, Mass.: MIT Press.*

²¹ Jackson, Dorthy (2003). Twa Women, Twa Rights in the Great Lakes Region of Africa. Minority Rights Group. “This report uses the stem ‘Twa’ in place of the Bantu nomenclature of ‘Batwa’ (plural) and ‘Mutwa’ (singular). In north and south Kivu, Democratic Republic of Congo (DRC), the term ‘Mbuti’ tends to be used by the upland Twa groups and ‘Twa’ by the groups living close to Lake Kivu. This report does not cover the indigenous hunter-gathers of the Ituri in north-eastern DRC who are also known as Mbuti, or other so-called ‘Pygmy’ groups in DRC, such as the Cwa in southern DRC and the western Twa in Equateur and Bandundu provinces. Information on these groups is given in Luling, V. and Kenrick, J., *Forest Foragers of Tropical Africa: A Dossier on the Present Condition of the ‘Pygmy’ Peoples*, London, Survival International, 1993. Further research is needed to clarify the relationships between Pygmy groups with similar names. 2 The origin stories of non-Twa ethnic groups.”

²² *Chrétien (2003).*

²³ *Human Rights Watch. "History (HRW Report - Leave None to Tell the Story: Genocide in Rwanda, March 1999)" www.hrw.org.*

²⁴ *Chrétien (2003).*

²⁵ *Id.*

²⁶ Drumbl, Mark, Note, Rule of Law Amid Lawlessness: Counseling the Accused in Rwanda’s Domestic Genocide Trials, 29 Colum. Rts. L. Rev. 367 (2004).

However, soon cultural fluidity became static. In the pre-colonial period, the Tutsi developed into an aristocratic elite.²⁷ The division between the groups was based much more on social status and background than actual lineage and ethnicity.²⁸ There was lots of intermarriage and physical differences between the two peoples became more apparent than real over time.²⁹ The peoples living in the area known today as Rwanda were largely undisturbed until the forceful introduction of European colonization in the late 1800's.³⁰ The cultural erosion, destabilizing effects, and damage inflicted by the pervasive European influence is absolutely undeniable.

The Europeans imposed colonial rule over Rwanda. Although the Germans were the first to colonize the area, the Belgians took over in 1916 after World War I.³¹ The Europeans heavily favored the Tutsi initially.³² Understanding this cultural favoritism and the inherent divide it subsequently cause is critical to understanding why genocide was a foreseeable consequence. Tutsi people were placed into positions of power and leadership.³³ Their relative superiority grew throughout the first half of the twentieth century as the socioeconomic gap between the Hutu people and the Tutsi people widened. The dynamic situation was becoming more and more volatile.

²⁷ Id.

²⁸ Id.

²⁹ Id.

³⁰ Id.

³¹ Id.

³² Id.

³³ Id.

Tensions with Europe grew and greatly exasperated the situation. Moreover, as the privileged Tutsi ruling class steadily grew increasingly uneasy, tensions mounted because of the Tutsi ruling class was actively seeking independence from Belgian domination.³⁴ Tensions and division grew. Identification cards emerged.³⁵

The Belgians introduced a calculated system of population registration in 1933 which required adult Rwandans to carry an identity card denoting that person's ethnic group affiliation.³⁶ It is my contention that the forceful introduction of these cards cemented the division and froze the fluidity which had previously existed between Hutu people and Tutsi people. Ironically, the same identity cards that initially guaranteed privileges to the Tutsi eventually became the means of selecting them for genocide.³⁷ After gaining independence in 1960, the tensions grew for decades as Hutus disenfranchised and killed Tutsis.³⁸ The Tutsis responding by forming a myriad of political and military groups, which eventually came to be the Rwandan Patriotic Front (or RPF).³⁹ Tensions continued to escalate and killings continued until when I believe a critical mass was reached when President Habyarimana's plane was shot down. The genocide began the next day.⁴⁰

³⁴ Id.

³⁵ Id.

³⁶ Id.

³⁷ Id.

³⁸ Id.

³⁹ Id.

⁴⁰ Id.

Chapter 6.

Social Cohesion and Cultural Ecology in Rwanda

The purpose of this chapter is to investigate social cohesion and cultural ecology in Rwanda. I believe social cohesion is absolute essential to survival and stability. This is but a truism. It is accurate in the case of the Sherpa, but also in the case of Rwandans. Moreover, it is especially true with the peoples of Rwanda post genocide. A culture survives by doing what it must. Without meeting basic needs, a society would undoubtedly perish. Anthropologist Bronislaw Malinowski believes that there are seven basic human needs: "...there are seven basic human needs: nutrition, reproduction, bodily comforts, safety, relaxation, movement, and growth"⁴¹

Consider the cow herding in the mountains or the farming of the valleys in Rwanda. The Hutu and Tutsi must be analyzed through the lens of cultural ecology pre and post genocide. I find that there is a sense of homogeneousness and cultural pride for one culture, while simultaneous disdain exists for the other. This basic homogeneousness between the individuals comprising the society is necessary for both societal and cultural cohesion. I think that it is necessary for social, political, and economic success. Moreover, I believe it also is quite necessary to achieve overall stability. Thus, I think the *esprit de corps* must be wholly present in a society. Linton elaborates, "It is this psychological and emotional unity, the *esprit de corps*, which ensures common emotional reactions and makes the individual willing to sacrifice his own

⁴¹ Malinowski, B. (1959). The Group and the Individual in Functional Analysis. American Journal of Sociology, 44, 275.

interests to those of the whole and to do the things which need to be done even when there is no one watching him/her.”⁴² Personalities of individuals are affected because psychological and emotional changes occur. Sacrifices are made. Simply put, the individual makes changes to better fit in with the community for the overall good of the society. A clear example of this is the Hutu killing Tutsi. I think that the Hutu believed that they were doing the right thing by committing the ethnic cleansing and brutal atrocity. Therefore, I find that culture certainly plays a role here.

According to Stewart, “Human beings do not react to the web of life solely through their genetically derived organic equipment. Culture, rather than genetic potential for adaptation, accommodation, and survival explains the nature of human societies.”⁴³ I believe the Hutu took this to a dangerous place and illustrated the destructive and brutal potential of humanity. I think the Hutu and Tutsi must be understood as distinct societies even though they are living in the same communities. According to Linton, “A *society* is any group of people who have lived and worked together long enough to get themselves organized and to think of themselves as a social unit with well-defined limits.”⁴⁴ Society, as defined by Linton, is comprised of individuals with integrated personalities. He states that a society is “...an organization of mutually adaptive personalities. Its integration takes place at the psychological level.”⁴⁵ This is likely how a society can impact an individual’s personality. For an individual to be fully integrated into the society in which he or she lives in, the individual must have an adapted personality, due to the changes made at the psychological level. I think it was due to this psychological unity the Hutu

⁴² Linton, R. (1936) *Status and Role*. Appleton-Century Company.

⁴³ Stewart, J. H. (1990) *Theory of Culture Change*. University of Illinois Press.

⁴⁴ Linton, R. (1936) *Status and Role*. Appleton-Century Company.

⁴⁵ Id.

were able to recruit each other and act as a people to brutally attack their neighbors. According to Macdonald, “*culture*—the shared ideas and sentiments that generate norms and values.”⁴⁶ Cultural differences between the peoples of Rwanda are vast. Yet, perhaps they are simply invented. I argue that the differences were mainly social constructs established by outsiders, like the colonialists. Post genocide, cultural unity is by country instead of by culture or ethnicity. The Hutu and Tutsi cultural division that erupted into the genocide is not allowed to be publicly pontificated in present day Rwanda.



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⁴⁶ Macdonald, T. (1999). *Ethnicity and Culture amidst New “Neighbors”*. Pearson Education Company.

⁴⁷ Photo Credit: Jeffry Mulrain

Chapter 7.

The Rwandan Genocide and the Response It Elicited

Anthropologically analyzing the Rwandan genocide and the response it elicited requires examining the crime of genocide, the legal response of the world and of Rwanda, the Gacaca Courts, the three Gacaca categories of genocide perpetrators, and the International Criminal Tribunal for Rwanda

The Crime of Genocide

The slaughter in Rwanda constituted genocide on its face.⁴⁸ Malicious Hutu leaders and organizers intended to carry out mass murder, destroy, and ultimately eliminate the Tutsi people as a group entirely or to at least eliminate the maximum number of Tutsis and to inflict as much damage on the Tutsi population as they possibly could. It was a fundamental gross violation of jus cogens and international law principles that must be adhered to and never set aside.⁴⁹ Furthermore, jus cogens refers to peremptory norms and customs of general international law defined as:

- (1) norms;
- (2) accepted and recognized by the international community of states as a whole; and
- (3) from which no derogation is permitted.⁵⁰

⁴⁸ The Convention on the Prevention and Punishment of the Crime of Genocide (United Nations General Assembly Resolution 260 A (III), approved December 9, 1948, entering into force January 12, 1951) defines genocide as: "... acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such"

⁴⁹ https://www.law.cornell.edu/wex/jus_cogens

⁵⁰ Article 53 of the Vienna Convention.

Moreover, jus cogens comprise the worst and most unacceptable crimes that are possible to Commit against other humans or humanity itself.⁵¹ Therefore, the Rwandan genocide must be examined under the light and scrutiny of international law. Consider the 1948 Convention on the Prevention and Punishment of the Crime of Genocide Adopted by the General Assembly of the United Nations.

The United Nations defines the horrific crime of genocide in the Convention on the Prevention and Punishment of the Crime of Genocide as:

Article I: The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.⁵²

Article II: In the present Convention, genocide means any of the following acts Committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

⁵¹ See paragraph 5 of the Commentary to Draft Article 26 in which the Commission, in fairly unequivocal terms, states that those “peremptory norms that are clearly accepted and recognized include the prohibition of aggression, genocide, slavery, racial discrimination, crimes against humanity and torture, and the right to self-determination”.

⁵² Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by Resolution 260 (III) A of the U.N. General Assembly on 9 December 1948.

Article III: The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.⁵³

While often portrayed as a spontaneous mass slaughter by machete-wielding peasants, the Rwandan genocide was, in fact, both highly planned and remarkably modern in its organization, making extensive use of the administrative structure of the state. The genocide is often portrayed as a spontaneous, free-for-all slaughter by chaotic and unorganized, machete-wielding peasants. However, the genocide was actually highly planned, carefully organized, and methodically carried out due to making extensive use of the administrative structure of the state and the Hutu organizers. Hutu organizers used the radio to order people throughout Rwanda to hunt down Tutsi and to kill them or hand them over to authorities for elimination.⁵⁴

The United Nations defines the crime of genocide in the Convention on the Prevention and Punishment of the Crime of Genocide was adopted from the 1948 Convention on the Prevention and Punishment of the Crime of Genocide Adopted by the General Assembly of the United Nations.

⁵³ Id.

⁵⁴ The genocide received important support particularly from Radio Television des Milles Collines (RTLM), a quasi-private radio station set up by extremist Hutu with close ties to the highest levels of state power. On the role of the media in the genocide, see Article 19, *Broadcasting Genocide: Censorship, Propaganda, and State-Sponsored violence in Rwanda 1990-1994*, London: Article 19, 1996, and Jean-Pierre Chrétien, ed., *Rwanda: Les Médias du Génocide*, Paris: Karthala, 1995.

The U.N. preamble states: “Recognizing that at all periods of history genocide has inflicted great losses on humanity. Being convinced that, in order to liberate mankind from such odious scourge, international co-operation is required.”⁵⁵

Genocide is perhaps the most horrific act human beings are capable of throughout the history of our species. It is a large scale, unforgiving darkness upon the world. The genocide in Rwanda took the lives of over 800,000 civilians and was carried out mostly by everyday citizens against their neighbors and friends.⁵⁶ Through a series of roadblocks and brutal machete killings, much of the killing was up close and personal.⁵⁷ This matters because it illustrates how it really was neighbors slaughtering neighbors. However, machetes were not the only brutal weapons utilized. The use of guns as well as rape were used to commit the heinous atrocities. This cleansing was calculated, savage, and quick. The Tutsi people were being eliminated by participating and passive Hutu people. In fact, any Hutu who rejected the propaganda about Tutsi and who chose not to participate in the genocide were subjected to admonishment and reproach on the radio or in public meetings.⁵⁸ Many Hutu people that chose not to participate faced humiliation, fines, imprisonment, and death.⁵⁹ I consider the Rwandan Genocide to be one of the most horrific failures of humanity to date. The world responded accordingly, yet the world responded too late.

⁵⁵ No. 1021.

Australia, Bulgaria, Cambodia, Ceylon, Czechoslovakia, etc.
Convention on the Prevention and Punishment of the Crime of Genocide.
Adopted by the General Assembly of the United Nations on 9 December 1948.

⁵⁶ 2013 CONG US RES 413.

⁵⁷ *Id.*

⁵⁸ Nyakizu in Des Forges, *Leave None to Tell the Story*, 352-431.

⁵⁹ *Id.*

The Legal Response of Rwanda and the World

The United Nations played a rather anticlimactic role. Although there was plenty of warning and evidence that mass death was imminent, the world seemed unconcerned and the UN had their hands somewhat tied. The genocide was not a surprise. After all, the UN became actively involved in Rwanda in 1993 when Rwanda requested the deployment of military observers along the common border to actively prevent the military use of the area by infamous Rwandan Patriotic Front.⁶⁰ In June 1993, the UN Security Council established the United Nations Observer Mission Uganda-Rwanda (UNOMUR) on the Ugandan side of the border to verify that no military assistance reached Rwanda in hopes of preserving relative peace.⁶¹ The stage was set for violence as tensions reached the tipping point and the United Nations appeared powerless to stop it.

On January 11, 1994, General Roméo Dallaire faxed UNAMIR in New York the following:⁶²

6. PRINCIPAL AIM OF INTERHAMWE IN THE PAST WAS TO PROTECT KIGALI FROM RPF. SINCE UNAMIR MANDATE HE HAS BEEN ORDERED TO REGISTER ALL TUTSI IN KIGALI. HE SUSPECTS IT IS FOR THEIR EXTERMINATION. EXAMPLE HE GAVE WAS THAT IN 20 MINUTES HIS PERSONNEL COULD KILL UP TO 1000 TUTSIS.

7. INFORMANT STATES HE DISAGREES WITH ANTI-TUTSI EXTERMINATION. HE SUPPORTS OPPOSITION TO RPF BUT CANNOT SUPPORT KILLING OF INNOCENT PERSONS. HE ALSO STATED THAT HE BELIEVES THE PRESIDENT DOES NOT HAVE FULL CONTROL OVER ALL ELEMENTS OF HIS OLD PARTY\FACTION.

8. INFORMANT IS PREPARED TO PROVIDE LOCATION OF MAJOR WEAPONS CACHE WITH AT LEAST 135 WEAPONS. HE ALREADY HAS DISTRIBUTED 110 WEAPONS INCLUDING 35 WITH AMMUNITION AND CAN GIVE US DETAILS OF THEIR LOCATION. TYPE OF WEAPONS ARE G3 AND AK47 PROVIDED BY RGF. HE WAS READY TO GO TO THE ARMS CACHE TONIGHT-IF WE GAVE HIM THE FOLLOWING GUARANTEE. HE REQUESTS THAT HE AND HIS FAMILY (HIS WIFE AND FOUR CHILDREN) BE PLACED UNDER OUR PROTECTION.

⁶⁰ <http://www.un.org/en/peacekeeping/missions/past/unamirS.htm>

⁶¹ *Id.*

⁶² <https://nsarchive.wordpress.com/2014/01/09/genocidifaxdeconstructed/>

Yet, it seems the United Nations and the world at large ignored General Dallaire, the civil unrest, and the warning signs by seemingly leaving Rwanda to collapse inward:

“Early warnings of the Rwandan genocide were ignored because policy makers perceived it as a “civil war”, denied the facts, and decided not to intervene, preventing U.S. and UN lawyers from calling the killing “genocide.” Early reinforcement of United Nations Assistance Mission for Rwanda (UNAMIR) could have saved hundreds of thousands of lives, but “group-think” precluded consideration of direct military intervention by the US and allied forces, though they were near Rwanda and rescued their own nationals. Unwilling to financially and militarily support a reinforced UNAMIR, the U.S., U.K. and U.N. Security Council ordered UNAMIR to leave Rwanda, because they did not consider Rwandan lives worth saving at the risk of their own troops.”⁶³

Furthermore, before the horrific and merciless killing began, evidence of preparations for mass slaughter had been readily available to the United Nations and the United States, France, and Belgium for several months.⁶⁴ Additionally, a United Nations deployed a peacekeeping force in Rwanda to facilitate implementation of the Arusha Accords was reduced from 1,700 soldiers to a few hundred soldiers because none of the major international players wanted to risk financial resources or human capital to protect the Rwandan civilians from the looming slaughter.⁶⁵

⁶³ Stanton, Gregory. The Rwandan Genocide: Why Early Warning Failed. Journal of African Conflicts and Peace Studies. Vol. 1: No.2. September 2009.

⁶⁴ On the role of the United Nations, see Michael Barnett, Eyewitness to a genocide: The United Nations and Rwanda (Ithaca: Cornell University Press, 2002). Barnett was on leave from his academic position at the time of the genocide working for the United Nations. See also United Nations, The United Nations and Rwanda, 1993-1996 (New York: United Nations Department of Public Information, 1996).

⁶⁵ Id.

The U.S., unfortunately, certainly played a large role by simply choosing not to play a role. The Clinton administration turned a particularly blind eye to what was happening by choosing not to jump into the crisis. The U.S., along with much of the Western world, chose not to act. The Clinton administration instructed its spokesmen not to describe as “genocide” the hundreds of thousands of brutal and organized killings in Rwanda, despite the secretary general of the U.N. and distinguished experts, condemned those deaths as the deliberate and calculated extermination of a specific ethnic group.⁶⁶ Many UN officials and activists around the world believe that the U.S. actually prevented intervention by the UN due specifically to inaction by the Clinton administration.⁶⁷ Africa was likely too far removed for the Clinton presidency. According to *The Guardian*, the United States chose to ignore the genocide.⁶⁸ In fact, there are even classified papers that show President Clinton was aware of the Hutu’s “final solution” to eliminate the Tutsi people living in Rwanda.⁶⁹ Rwanda was nearly destroyed by the genocide. In order for Rwanda and the Rwandan people to move forward, the following three things needed to be established: (1) the Gacaca Courts; (2) the International Criminal Tribunal for Rwanda; and (3) unifying social changes.

The Gacaca Courts

I believe that after a genocide, reconciliation and justice are required. Rwanda and its people were devastated. In the wake and melancholy of the tragedy, the aftermath posed certain critical problems. I find that accountability and relief was required before rebuilding could

⁶⁶ UNITED STATES SHOULD RATIFY TREATY FOR INTERNATIONAL CRIMINAL COURT. Hon. Francis T. Murphy New York State Bar Journal.

⁶⁷ *Id.*

⁶⁸ <https://www.theguardian.com/world/2004/mar/31/usa.rwanda>

⁶⁹ *Id.*

commence. There was somewhat of a legal vacuum and some type of new and innovative court system was desperately needed. In response, Rwanda set up somewhat of a makeshift alternative dispute resolution court system known simply as the Gacaca Courts. In total, 1,958,634 genocide related cases were tried.⁷⁰ I view the Gacaca Courts as an attempt to heal the deep wounds cut by years of ethnic, cultural, and religious conflicts that ultimately led to the horrific atrocity. The Gacaca Courts were likely the best temporary solution to a complex problem during the uneasy aftermath and fallout of one of the greatest horrors in all of human history. In June 2002, Rwanda embarked upon what President Paul Kagame has described as “the only way forward Healing requires creativity and compassion. Rwanda is making a creative, simple, and promising attempt to adapt its traditional community-based dispute resolution method to punish and hold accountable the perpetrators of the genocide and to bring resolution, reconciliation, and justice to the country and its citizens.”⁷¹ The contemporary Gacaca Courts became legally sanctioned in January 2001.⁷² In June 2002, Rwanda embarked upon what President Paul Kagame has described as “the only way forward.”⁷³ Gacaca is actually Kinyarwanda for “lawn” or “lawn justice” which is where the local community traditionally gathered to settle disputes.⁷⁴

⁷⁰ <http://gacaca.rw/about/achievements/>

⁷¹ Laftin, Maureen. Gaca Courts: The Hope for Reconciliation in the Aftermath of the Rwandan Genocide. 46 May Advocate 19. Idaho State Bar. 2003.

⁷² Id.

⁷³ Interview with Paul Kagame, President of Rwanda (July 16, 2002) (cited in **Gacaca** Jurisdictions: Interim Report of Observations June 10 - Aug. 8, 2002), available at http://www.fas.harvard.edursocstud/rwanda/introduction.html#_ftn4

⁷⁴ Laftin, Maureen. Gacaca Courts: The Hope for Reconciliation in the Aftermath of the Rwandan Genocide. 46 May Advocate 19. Idaho State Bar. 2003.

The small Gacaca trials actually took place on the lawns of neighbors in the hearts of grief stricken communities most impacted by the genocide.⁷⁵ I believe the courts were set up to heal quickly. It simply was not possible to jail such a truly massive portion of a tiny country's population. Rwandans elected approximately 255,000 people to act as judges in the new "Gacaca" courts.⁷⁶ I believe that it was important to heal from the basic homes, neighborhoods, and communities outward. Involving the elders was also crucial to the relative success of the courts. In the Gacaca Courts, the elders in a community presided over informal, temporary, ad hoc proceedings to address conflicts within the community.⁷⁷ Rwanda is a very poor and rural country. Thus, I find that the Gacaca Courts are really a difficult compromise and a best possible means to find justice considering the sociopolitical and economic state of Rwanda and its lacking justice system. The goal of the Gacaca Courts is to restore social order, after sanctioning the violation of shared values, through the re-integration of the perpetrators and offenders back into the community which they harmed.⁷⁸

Since their inception and implementation, some 12,100 grassroots Gacaca Courts, inspired by onetime village gatherings in which elders would adjudicate disputes, have tried the vast majority of suspects in the 1994 genocide that killed about 800,000 people, mostly ethnic Tutsis. The tribunals convicted 65% of the two million people tried by them.⁷⁹ In total, an astonishing 1,958,634 genocide related cases were tried through the Gacaca court system.⁸⁰

⁷⁵ Id.

⁷⁶ United Nations Integrated Regional Information Networks (U.N. IRIN), Gacaca Genocide Trials

⁷⁷ Laftin, Maureen. Gacaca Courts: The Hope for Reconciliation in the Aftermath of the Rwandan Genocide. 46 May Advocate 19. Idaho State Bar. 2003.

⁷⁸ Id.

⁷⁹ <http://www.aljazeera.com/news/africa/2012/06/201261951733409260.html>

⁸⁰ <http://gacaca.rw/about/achievements/>

Officially, 1,681,648 people were tried and found guilty; 178,741 people appealed their conviction.⁸¹ The courts are credited with laying the necessary foundation for peace, reconciliation, and unity in Rwanda.⁸² The Gacaca Courts officially closed down for good on the 18 June 2012.⁸³ The Gacaca Courts were likely as effective as they could have been in the aftermath of such a tragedy. The fallout will certainly last for generations. The world stepped up to assist in the quest for justice and reprieve. While these courts represent a “home-grown” Rwandan solution in many ways, their blending of punitive and restorative aims and traditional and contemporary elements holds important insights for justice pursuits around the world. To the extent that a hybrid model such as Gacaca can address the “crime of crimes,” it should encourage other innovative approaches to lesser offenses in wide-ranging social contexts. However, the Gacaca Courts were certainly not without controversy, due to a myriad of important external factors

Political pressure and biases affected the impartiality of the Gacaca Courts. Military and government officials regularly sought to influence the outcome of trials.⁸⁴ Moreover, political considerations unduly influenced the trials of genocide suspects.⁸⁵ Some due process violations were due to intimidation and weak evidence. Military and government officials harassed and

⁸¹ Hollie Nyseth Brehm, Christopher Uggen, and Jean-Damascène Gasanabo (2014). Genocide, Justice, and Rwanda's Gacaca Courts. Journal of Contemporary Criminal Justice 2014, Vol. 30(3) pp. 333–352. SAGE Publications.

⁸² <http://gacaca.rw/about/achievements/>

⁸³ Id.

⁸⁴ Centre CDIPG, *Quatre Ans de Procès de Génocide*, 19-54; Lawyers Committee for Human Rights, "Prosecuting Genocide in Rwanda."

⁸⁵ Cf., Ligue des Droits de la Personne dans la Région des Grands Lacs (LDGL) *Entre la Violence Impunie et la Misère: Rapport sur la situation des droits de l'homme: Burundi, RDC et Rwanda* (Kigali: LDGL, 2002), 144-154; Centre de Documentation et d'Information sur les Procès de Génocide (CDIPG), *Quatre Ans de Procès de Génocide: Quelle Base pour les "Juridictions Gacaca?"* Kigali: LIPODHOR, 36-38; Lawyers' Committee for Human Rights, "Prosecuting Genocide."

intimidated prosecutors and other judicial officials.⁸⁶ Higher up officials pressured lower level officials into arresting and even convicting individuals based on flimsy evidence.⁸⁷ In the aftermath of the genocide, unlawful arbitrary arrests particularly targeted Hutu people.⁸⁸

Due process is paramount.⁸⁹ Unfortunately, many of the Hutu defendants were not afforded due process of law. In the initial trials of the genocide suspects, the defendants had very few rights, no legal representation, and limited access to their own case files.⁹⁰ The Rwandan government put on a show of force by carrying out public executions of some of the convicted Hutu people found guilty of the crime of genocide. Despite a sense of overwhelming international condemnation, on the date of April 24, 1998, the Rwandan government executed 22 people convicted of genocide by firing squad.⁹¹ Government and military officials carried out the executions in several stadiums around the country in front of massive crowds of spectators, emphasizing the political purposes of implementing the sentence in this way.⁹² Again, the Gacaca Courts and the response of the Rwandan government was undoubtedly flawed. However, it was needed and the best solution to a very bad situation.

⁸⁶ Centre CDIPG, *Quatre Ans de Procés de Genocide*, 19-54; Lawyers Committee for Human Rights, "Prosecuting Genocide in Rwanda."

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ "Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safeguards for the protection of individual rights as those maxims prescribe for the class of cases to which the one in question belongs." Cooley, Const. Lira. 441.

⁹⁰ Centre CDIPG, *Quatre Ans de Procés de Genocide*, 19-54; Lawyers Committee for Human Rights, "Prosecuting Genocide in Rwanda."

⁹¹ *Id.*

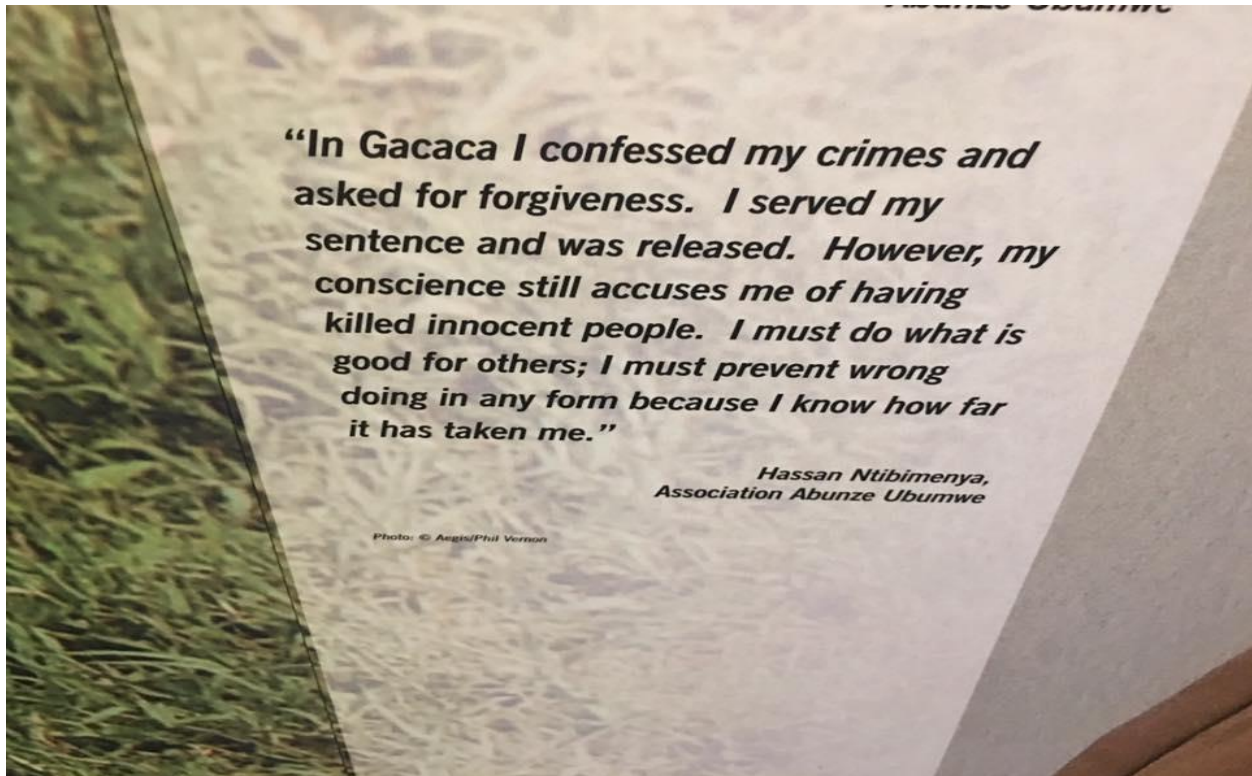
⁹² *Id.*

The Gacaca Courts

After the genocide, the challenge was to deliver justice and punish perpetrators while restoring the fabric of society. After serious deliberation, the government initiated Gacaca (meaning 'grass'), a community restorative justice system which evolved from a mix of traditional and modern approaches. Officially launched in 2002, Gacaca brought together survivors, perpetrators and witnesses before locally-chosen judges to establish truth about what happened in the genocide and to determine consequences for perpetrators.

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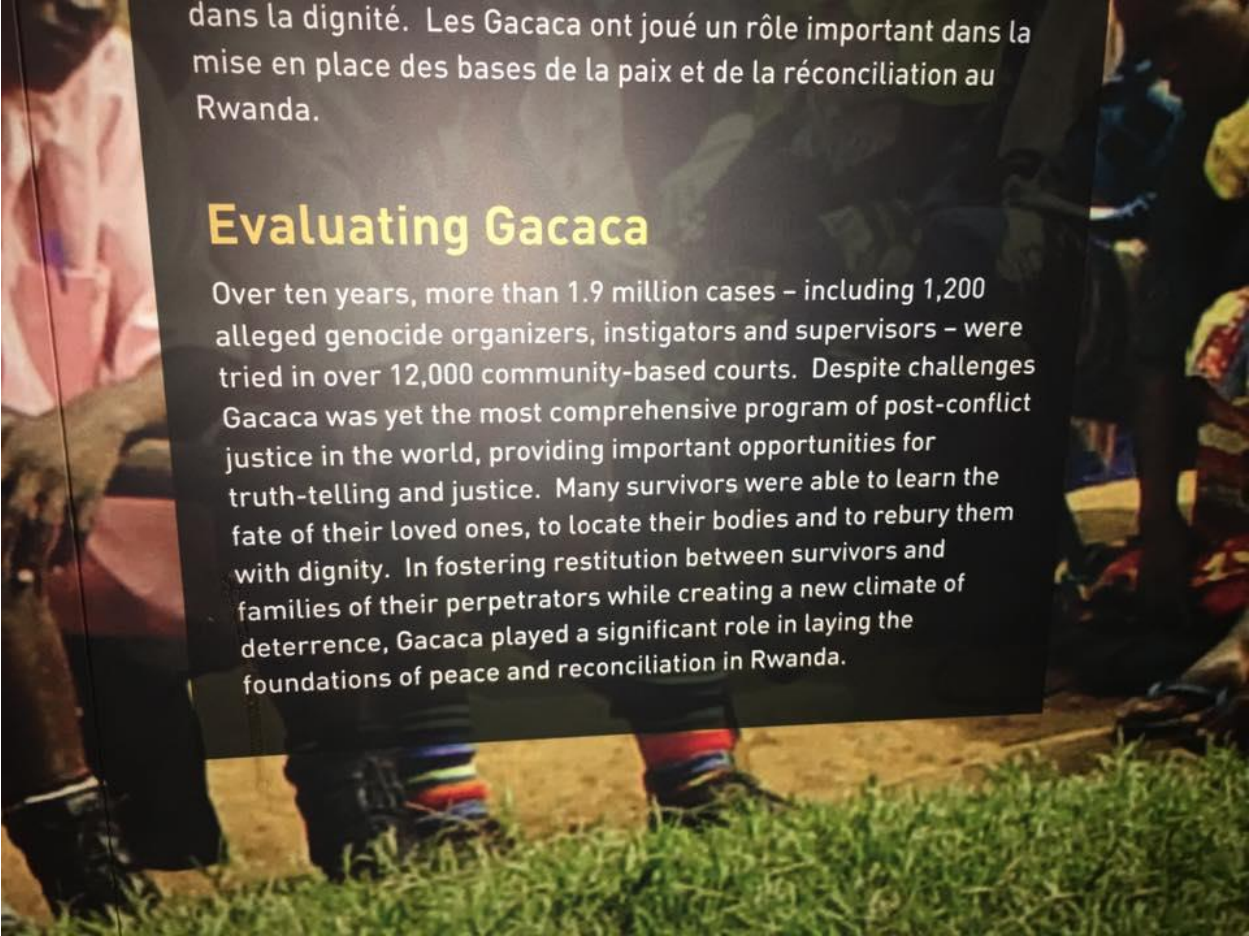
The Gacaca Courts was about reconciliatory justice and moving forward as Rwandans. They were as much about justice as they were about forgiveness. Accountability went hand in hand with healing. Neighbors were still, for the most part, neighbors. The genocide was horrific and deplorable. However, it was not a static event insofar as its repercussions and wounds went deep. Rwanda had a sense of duty to prevent such a tragedy from ever taking place on its soil again.



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Ultimately, evaluating the Gacaca Courts is a doubled edged sword. The Gacaca lacked many semblances of due process, impartiality, and fairness. However, they allowed neighbors to keep on being neighbors. The Gacaca allowed grieving and airing grievances. The Gacaca allowed healing. Healing, no matter how forced, eventually yielded to reconciliation and a more homogenized sense of peace and belonging. Locating and burying loved ones allowed genocide survivors to bury the past along with their deceased. Viewing and evaluating the Gacaca Courts under this lens, I find it to be an imperfect, but necessary success. The Gacaca Courts provided a unique vehicle forward and were integral to the hope of stability and unity in post genocide Rwanda.

⁹⁴ Photo Credit: Jeffry Mulrain



dans la dignité. Les Gacaca ont joué un rôle important dans la mise en place des bases de la paix et de la réconciliation au Rwanda.

Evaluating Gacaca

Over ten years, more than 1.9 million cases – including 1,200 alleged genocide organizers, instigators and supervisors – were tried in over 12,000 community-based courts. Despite challenges Gacaca was yet the most comprehensive program of post-conflict justice in the world, providing important opportunities for truth-telling and justice. Many survivors were able to learn the fate of their loved ones, to locate their bodies and to rebury them with dignity. In fostering restitution between survivors and families of their perpetrators while creating a new climate of deterrence, Gacaca played a significant role in laying the foundations of peace and reconciliation in Rwanda.

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The Gacaca Categories of Genocide Perpetrators

Category 1:

1. Any person who committed or was an accomplice in the commission of an offense that puts him or her in the category of planners or organizers of the genocide or crimes against humanity;
2. Any person who was at a national leadership level or that of prefecture (state) level— including those serving in public administration, political parties, army, gendarmerie, religious denominations, or a militia—who committed crimes of genocide or crimes against humanity or encouraged others to participate in such crimes, together with his or her accomplice;
3. Any person who committed or was an accomplice in the commission of offense that puts him or her among the category of people who incited, supervised, and were ringleaders of genocide or crimes against humanity;
4. Any person who was at the leadership level at the sub-prefecture and commune (municipality)— including those serving in public administration, political parties, army, gendarmerie, communal police, religious denominations, or a militia—who committed any crimes of genocide or other crimes against humanity or encouraged others to commit similar offenses, together with his or her accomplice; and
5. Any person who committed the offense of rape or sexual torture, together with his or her accomplice.

Category 2:

1. A notorious murderer who distinguished himself or herself in his or her location or wherever he or she passed due to the zeal and cruelty used, together with his or her accomplice;
2. Any person who tortured another even though such torture did not result into death, together with his or her accomplice;
3. Any person who committed a dehumanizing act on a dead body, together with his or her accomplice;
4. Any person who committed or was an accomplice in the commission of an offense that puts him or her on the list of people who killed or attacked others resulting in death, together with his or her accomplice;
5. Any person who injured or attacked another with the intention to kill but such intention was not fulfilled, together with his or her accomplice; and
6. Any person who committed or aided another to commit an offense against another without an intention to kill, together with his or her accomplice.

Category 3: A person who only committed an offense related to property.⁹⁶

Note: Despite the relative success of the Gacaca Courts, the careful organization of the three categories of genocide perpetrators, and the resolve of Rwandans, the establishment of the International Criminal Tribunal for Rwanda was necessary.

⁹⁶ Hollie Nyseth Brehm, Christopher Uggen, and Jean-Damascène Gasanabo (2014). Genocide, Justice, and Rwanda's Gacaca Courts. Journal of Contemporary Criminal Justice 2014, Vol. 30(3) pp. 333–352. SAGE Publications.

The International Criminal Tribunal for Rwanda

The world responded to the Rwandan genocide by seeking to bring restorative justice. The International Criminal Tribunal for Rwanda (ICTR) was established based upon the findings of the United Nations Security Council.⁹⁷ It was set up on a global scale to assist the people of Rwanda, specifically, the United Nations Security Council established the International Criminal Tribunal for Rwanda to "prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and neighboring States, between 1 January 1994 and 31 December 1994".⁹⁸ The United Nations Security Council determined the terrible crimes that were brutally committed in Rwanda "constitute a threat to international peace and security" and "that the establishment of an international tribunal ... will contribute to ensuring that such violations are halted and effectively redressed."⁹⁹

I believe that the Rwandan genocide was a crime against all humankind and the world felt as if it had suffered a truly savage indignation. The world seemed to agree that the horrific tragedies of this scale and nature must be prevented at all costs. The world community of States would not allow the authors and orchestrators of such gross violations of human rights to go unpunished.¹⁰⁰ Moreover, the resolution called upon the ICTR to help bring peace and reconciliation to Rwanda.¹⁰¹

⁹⁷ United Nations Security Council, "Resolution 955," S/RES/955 (1994).

⁹⁸ <http://unictr.unmict.org/en/tribunal>

⁹⁹ United Nations Security Council, "Resolution 955," S/RES/955 (1994).

¹⁰⁰ "The preamble to the resolution states, "Convinced that in the particular circumstances of Rwanda, the prosecution of persons responsible for genocide and other above-mentioned violations of international law would enable this aim [bringing effective justice] to be achieved and would contribute to the process of reconciliation and to the restoration and maintenance of peace," UN Security Council, "Resolution 955."

¹⁰¹ Id.

The ICTR was also effective in achieving what it set out to do, given the scale of what it had to do. After all, 93 individuals have been sentenced. However, after 21 years, 93 cases and \$2 billion, the International Criminal Tribunal for Rwanda (ICTR) is effectively closing down.¹⁰² I find the legal problems to be complex and melancholy. Yet, they require cultural understanding and a social scientific understanding. The appointed a human rights fact-finding team in August 1994, which found evidence of grave violations of international law, including genocide.¹⁰³

¹⁰² http://www.nytimes.com/2015/12/15/world/africa/last-days-for-un-court-trying-suspects-in-rwanda-genocide.html?rref=collection%2Ftimestopic%2FRwandan%20Genocide&action=click&contentCollection=world®ion=stream&module=stream_unit&version=latest&contentPlacement=3&pgtype=collection&_r=0

¹⁰³ Payam Akhavan, "The International Criminal Tribunal for Rwanda: The Politics and Pragmatics of Punishment," *The American Journal of International Law* 90 (1996): 501-510; Lawyers Committee for Human Rights, "Prosecuting Genocide in Rwanda: A Lawyers Committee report on the ICTR and National Trials" (Washington: Lawyers Committee for Human Rights, July 1997), 3-4.

Chapter 8.

Unification, Informants, and Progress

Out of tragedy, there is always hope. Thus, it is necessary to examine unification, informants, and progress in Rwanda. Unification comes from social and psychological unity. Moreover, hard work helps. Rwandans really have come together. President Paul Kagame decreed that for one morning, every single month, in Kigali as well as all over Rwanda, to be a formally ordered public clean-up day¹⁰⁴. On the last Saturday of each month, from homeless people to dignitaries, even the president and his personal cabinet, joyously participate in the mandatory litter collection and countrywide cleanup¹⁰⁵. This community effort yields clean streets and true cooperation.

During my ethnographic work and time in Rwanda, I was very impressed with the cleanliness of the country, the friendliness of its people, and the resolve of all Rwandans. Moving forward, I discuss some perspectives of present day Rwandan people on reconciliation by summarizing the five informants I interviewed in Kigali, further explore the unifying social changes as well as present day Rwanda, and then analyze Rwandans through the anthropological lens of progress.

Perspectives of Present Day Rwandan People on Reconciliation

The following is a recount and reflection of the five-main people I interviewed about the

¹⁰⁴ <https://www.goodnewsnetwork.org/rwanda-litter-law/>

¹⁰⁵ Id.

1994 Rwandan genocide, my experience at the Kigali genocide Memorial, and my personal thoughts about present day Rwanda.

Informant #1

I met Informant #1 boarding my plane from Addis Ababa, Ethiopia to Kigali, Rwanda. He was wearing nearly the same pair of Sperry boat shoes that I was wearing. So, I casually mentioned, "I like your shoes." I showed him mine with a smile. It was a strange icebreaker. He thanked me then lifted his pant leg. His leg was wooden below the knee. I did not know what to say. I simply said, "You are very brave." He asked me where I was from and I told him that I was from the United States. He told me how it was cut off in 1994. I expressed my sorrow and tried to ask him questions as best I could waiting for the tarmac bus. I did not want to make anybody else uncomfortable and I certainly did not want to make him uncomfortable. I asked him what he thought of the Gacaca Courts. He just simply said, "They were needed."

Informant #2

I met Informant #2 outside the airport in Kigali. He was a cab driver I hailed. However, it was not a cab. It was more like a very, very light car, probably under a thousand pounds. He was smiling and very friendly. I paid him \$10-\$15 as soon as I entered. I started asking him about the genocide almost immediately, I just felt rather comfortable with him. He was maybe 35, whereas my first informant was at least two times that age. He told me how it was horrible. He lost lots of friends' family. I asked him if he was Tutsi. He said, "Yes, of course." When I asked him what he thought of the Gacaca Court system, his response was short. He said, I am glad they (the Gacaca Courts) were here. He went on to talk about how Rwanda today is much better and much more unified. There is no crime. At least three times, he told me "There is no crime."

Informant #3

This was just another driver. I decided that paying anywhere from \$5-\$15 for little rides around Kigali was the best way to interview people. I was one on one. But, I also thought it would give me a fighting chance if something went wrong. Informant #3 was a young Muslim kid that I gave \$5 to for a short tour of the city. I knew, or at least assumed he was Muslim due to his overall appearance and the music, he was playing. We talked about hookah for a few minutes. Then, I said “Asalamakum” and he smiled and started shaking my hand. I am not Muslim, but he embraced me, and we spoke for about thirty minutes. He told me how locals, including himself, described Gacaca as “something”. Meaning, at least there was something. “Rwanda is united now”, he told me. I asked if he was Hutu or Tutsi. He told me it is illegal to ask or to declare being Hutu or Tutsi. He told me how young people just want to live in peace. It was very cool and refreshing.

Informant #4

Informant #3 scared the hell out of me. He told me how he “chopped up” some of his neighbors. He was not joking. It was just the two of us in a car and I was interviewing what I believe to be a full-on genocide perpetrating serial killer. It was deeply unsettling. He was very detached. He was just so matter of fact. I do not remember how we got onto the topic. I just remember thinking about how can I get away from this man if I need to. It was rather scary. Here is the strangest part of what I remember out of the interview, he said “Gacaca was needed.” Here is a guy, admitting and freely talking about participating in genocide and *he* described the Gacaca Courts as needed. It really blew my mind. He talked about how everybody was just simply moving forward. He then talked about no crime in Rwanda.

Informant #5

Informant #5 was a middle-aged man who worked behind the front desk at the famous Hôtel Des Mille Collines. The hotel was a famed safe haven for many Tutsi people during the Genocide.¹⁰⁶ The apparent assistant concierge was a middle-aged gentleman who had helped me with my stomach issues (severe food poisoning) by getting me a ride to the local pharmacist/doctor (a 14-year-old boy) who was the doctor on call and the pharmacist at the local pharmacy. He told me how present-day Rwandans were not supposed to discuss whether they were Hutu or Tutsi. He was also present at the hotel during the genocide. He described the event as “terrifying”. He then grew very quiet and seemed extremely distant, deep in thought. He too, just like the four informants before him, thought the Gacaca Courts were “needed” and praised them because they were at least “something”. He just wanted to “move forward”. Today, the hotel stands as a beautiful paradise, with a bone chilling past.



Unifying social Changes and Present-Day Kigali

Today, Kigali, Rwanda could be any major city in any country in the world. It is so vibrant and booming. There are skyscrapers, business opportunities, and massive development.

¹⁰⁶ Mwai, Collins. "Mille Collines snaps ties with Kempinski Hotels". The New Times Rwanda.

¹⁰⁷ Photo Credit: Jeffry Mulrain

The Chinese are investing heavily in Rwanda as well. Kigali is a budding metropolis. It is so full of life, energy, and opportunity. The massive buildings and skyline speaks for itself.



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Moreover, Rwanda is observant of the United Nations Millennium Development Goals (MGDs).¹⁰⁹ Rwanda's net primary school attendance is actually at over 91%.¹¹⁰ Rwanda was so proactive and forward-thinking post genocide, that it became the first country in the world to legislate an outright ban on plastic bags.¹¹¹ Unbelievably, out of the five informants which I interviewed, I spoke with at least five more people, but I did not formally interview them, each informant mentioned (with a sense of pride) the community service and trash clean-up that each

¹⁰⁸ Photo Credit: Jeffry Mulrain

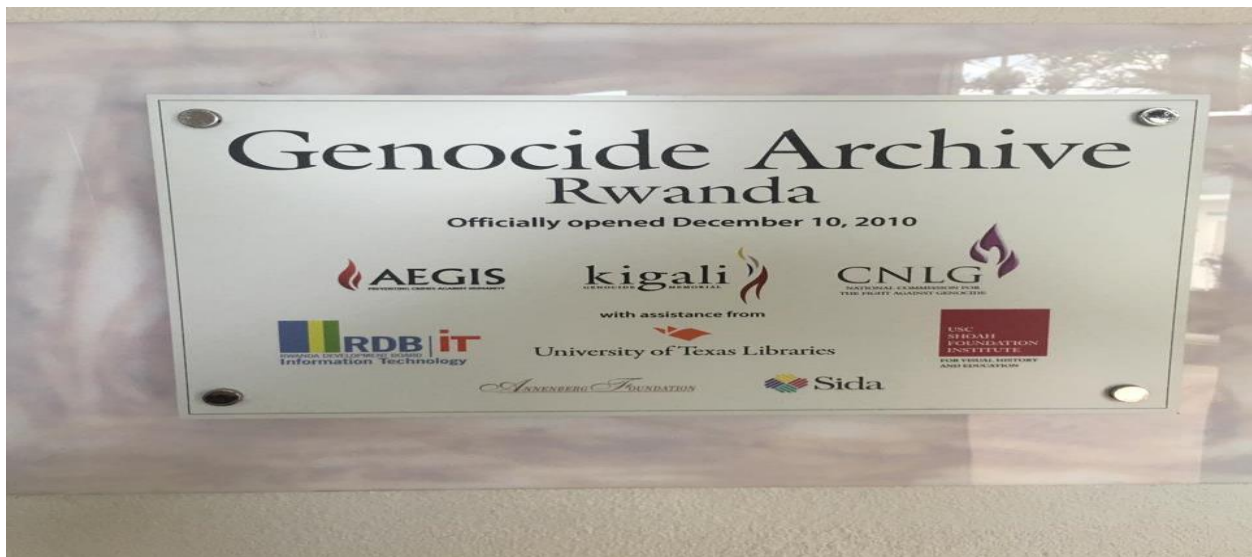
¹⁰⁹ <http://www.un.org/millenniumgoals/>

¹¹⁰ <http://africabusiness2020.com/2015/07/21/10-interesting-facts-about-rwanda/>

¹¹¹ Id.

Rwandan must do. On the last Saturday of every month, every Rwandan, including with the President, participates in Umuganda.¹¹² Umuganda is a Day of Reconciliation, progress, and national community service. Kigali is easily one of the absolute cleanest cities that I have ever seen in my life.

Rwanda, however, always had an undercurrent of tension. There was an uneasy feeling. Soldiers, bomb dogs, inspectors, and genocide commemorative remembrance plaques and sites were abundant throughout greater Kigali.



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The Rwandan genocide was likely preventable. The world simply chose not to act. Moreover, the world chose to ignore or refuse to attempt to comprehend any semblance or basic understanding of how the different peoples of Rwanda interacted with each other culturally and turned a blind eye to the peoples of Rwanda as the cultural divides began growing. The West just did not care to understand the roots and the cultural differences of the Hutu and Tutsi peoples. The world to step up and help before, not after the chaos ensued. I believe that

¹¹² *Id.*

¹¹³ Photo Credit: Jeffrey Mulrain

cultural anthropology can be a valuable asset to the law. It is important to immerse oneself in the culture and talk with the people. Nowhere is there a better example than in the Rwandan genocide. Healing takes time. There is such a strange feeling in Rwanda. There is peace and reconciliation. Business is booming and the Kigali, Rwanda is extremely developed. There is zero crime and zero trash. But, it is an uneasy place to be. It is a place that has been extremely deeply wounded.

Limitations on Ethnographic Work in Rwanda

Rwanda still needs the world's help and compassion. Some major limitation of my work was a lack of more funding and more time. I had to pack a lot into a short time frame, and I did so while having food poisoning and a very high fever. I really want to go back. I also would have liked to have interviewed a much larger group. Having a N value of 5 is extremely low. I also would have liked the interviews to have been in a more controlled place. But, hey, I was interviewing on location in Kigali. I survived interviewing a genocide perpetrating serial killer one on one in a car.

I include a graph, a table, and some photos of the mass graves I visited in Rwanda to add context. The genocide was so large and horrific. The graph and table illustrate the magnitude of the atrocity. The graph shows the Rwandan population over time. The table displays the survivors of the genocide. Additionally, the photos display the quiet solemnness and resolve. Rwanda is truly a humbling, amazing, powerful place. The Hutu, Tutsi, and Twa peoples simply endure.

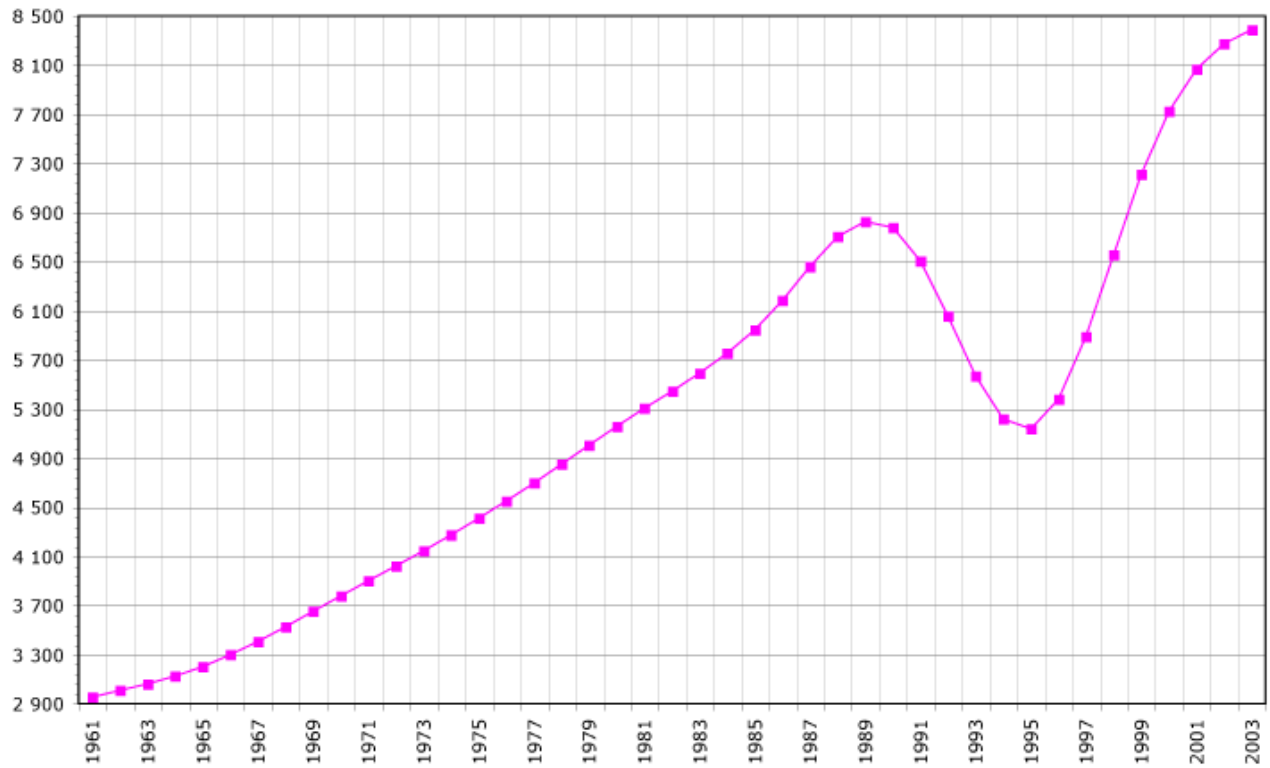


Figure 3. This scatter plot illustrates the Rwandan population from 1961 to 2002.

Source: Graph showing the population of Rwanda from 1961 to 2003. (Data from U.N. Food and Agriculture Organization)

Category	Number of survivors
Very vulnerable survivors	120,080
Shelter-less	39,685
Orphans living in households headed by children	28,904
Widows	49,656
Disabled during the genocide	27,498
Children and youth with no access to school	15,438
Graduates from high school with no access to higher education	8,000

Figure 3. This scatter plot plainly illustrates the Rwandan population from 1961 all the way to 2003. There are an estimated 300,000 survivors or so of the horrific Rwandan genocide. The above chart is from the 2007 report on the living conditions of survivors conducted by the Ministry in charge of Social Affairs in Rwanda.

Source:

"Jacqueline's Human Rights Corner". Jacqueline's Human Rights Corner. 2008. Retrieved 2008.

Mass Graves and Memorials



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¹¹⁴ Photo Credit: Jeffry Mulrain



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¹¹⁵ Photo Credit: Jeffry Mulrain



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¹¹⁶ Photo Credit: Jeffry Mulrain

“Genocide, like slavery, is caused by human will.
Human will – including our will – can end it.”¹¹⁷

¹¹⁷ <http://www.genocidewatch.org/howpreventgenocideic.html>

The Language Question

The language question is a paramount question in anthropology. Moreover, it is an integral part of my thesis. Language is a form of control. According to Brock, “The language question is all about power.”¹¹⁸ Furthermore, language is erected by culture. Brock elaborates, “The forms of knowledge fostered is knowledge built on European culture and tradition and delivered in European languages.”¹¹⁹ “The forms of knowledge that could have empowered the underprivileged would have to be built on African culture and tradition and be delivered in African languages.” Therefore, because of the control and power language asserts, it has the ability to act as an influence and shape the democracy of a society.”¹²⁰ This is why it is important to analyze the language question. It impacts social justice, social cohesion, and even may weaken the integrity of a society. Brock elaborates, “A genuine concern for social justice and democracy would lead African political leaders to work for a strengthening of the African languages.”¹²¹ This can occur due to outside pressure and exertion of somewhat of economic imperialism; it could even be termed soft colonialism. Therefore, donor pressure matters. Brock finds, “Donor pressure, as well as the impact of the capital led market economy, often called globalization, however work to retain the Euro languages.”¹²² The question of what exactly language is must inevitably be asked.

I chose a lexical definition due to its widespread adoption. According to the Cambridge dictionary, language is defined as “[A] system of communication consisting of sounds, words,

¹¹⁸ THE LANGUAGE QUESTION IN AFRICA IN THE LIGHT OF GLOBALISATION, SOCIAL JUSTICE AND DEMOCRACY. Birgit Brock-Utne. *International Journal of Peace Studies* Vol. 8, No. 2 (Autumn/Winter 2003), pp. 67-87.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Ibid.

and grammar, or the system of communication used by people in a particular country or type of work.”¹²³ As a legally trained academic, I fully understand the importance of definitions and the words that comprise them. This is true of the languages spoken in Rwanda as well as the languages spoken in the Khumbu. Kamanga states, “African languages seldom find any legally meaningful protection under national laws.”¹²⁴ However, I cannot overstate the importance of using language as a tool and as a colonial means to an end. According to Brock, “Economic domination and penetration have taken place during ages, varying in forms from mutually beneficial trade to violent robberies.”¹²⁵ To put it bluntly, Europeans use language in a rather evil process. Brock explains, “The process took an especially sinister form during the times of European colonization and transatlantic slave trade.”¹²⁶ The system of imperial colonization occurs early, at the age of children.

The process begins in schools. According to David Klaus, “There appears to be general agreement that students learn better when they understand what the teacher is saying.”¹²⁷ This form of imperialism is a form of globalization. Brock elaborates, “Today’s globalization is due to two particular changes, one technological and the other one political.”¹²⁸ Two African attorneys explain. Ailola and Montsi note the following, “[T]here can be no doubt that the exclusive by-passing of indigenous languages in enacting laws and conducting legal proceedings

¹²³ See <https://dictionary.cambridge.org/dictionary/english/language>.

¹²⁴ Kamanga. 2001. “Globalization and Its Legal Implications on Higher Education in Africa.” Paper presented on November 12 at the African University Day at the University of Dar es Salaam.

¹²⁵ THE LANGUAGE QUESTION IN AFRICA IN THE LIGHT OF GLOBALISATION, SOCIAL JUSTICE AND DEMOCRACY. Birgit Brock-Utne. *International Journal of Peace Studies* Vol. 8, No. 2 (Autumn/Winter 2003), pp. 67-87.

¹²⁶ Ibid.

¹²⁷ Klaus, David. 2001. “The Use of Indigenous Languages in Early Basic Education in Papua New Guinea: A Model for Elsewhere?” Paper presented at the Annual Conference of the Comparative and International Education Society, 17 March, Washington DC.

¹²⁸ THE LANGUAGE QUESTION IN AFRICA IN THE LIGHT OF GLOBALISATION, SOCIAL JUSTICE AND DEMOCRACY. Birgit Brock-Utne. *International Journal of Peace Studies* Vol. 8, No. 2 (Autumn/Winter 2003), pp. 67-87.

create enormous obstacles for the native speakers of those languages. In spite of the formal recognition of the eleven official languages in the Constitution, there is to date little evidence of actual court processes or proceedings taking place in all these official languages.”¹²⁹ Harvard Professor John Mugane adds further insight to this terrible problem. According to Professor Mugane, “Oh Africa, our country no longer resonates in the current challenging economic and political realities of the continent, but its premise is maintained in the idea of a common language.”¹³⁰ However, language can also have benefits and good effects. Language can promote unity. Professor Mugane elaborates, “The feeling of unity, the instance that all of Africa is one, just will not disappear.”¹³¹ Language is has deep meaning. According to Professor Mugane, “Languages are elemental to everyone’s sense of belong, of expressing what’s in one’s heart.”¹³² Language is the essence of life. Language is currency. Language is survival.

¹²⁹ Ailola, D.A. and F.L.Montsi. 1999. “Language, Law and Power in South Africa: The Alienation of the Majority from the Legal System.” In Kwesi Kwaa Prah, ed., *Knowledge in Black and White. The Impact of Apartheid on the Production and Reproduction of Knowledge*, pp.133-143, CASA BOOK SERIES, No.2. Cape Town: CASAS (The Centre for Advanced Studies of African Society).

¹³⁰ John Mugane. *The Story of Swahili*. Ohio University Press, Athens Ohio. 45701. 2015.

¹³¹ Ibid.

¹³² Ibid.

Conclusion

Looking anthropologically at the indigenous peoples of the Khumbu Valley and Rwanda was a truly enriching experience for me. I learned a lot about cultural anthropology and a great deal about myself along the way. Studying cultures and societies will be a lifelong pursuit for me. I learned that there is never enough time or financial resources to fully examine the Sherpa, Twa, Tutsi, and Hutu peoples through the complex anthropological lenses of social cohesion, cultural ecology, and progress. But, I did my best and I achieved a lot. I honestly believe that I more than adequately answered all three of the major questions: (1) How do these cultures achieve social cohesion; (2) How does the concept of cultural ecology play into each culture; and (3) Is the notion of progress even real?

Studying at Harvard and around the world has been a life changing experience for me. For the rest of my life, I will be thankful and reflective of my ethnographic work. I hope to return to Nepal as well as to Rwanda with my future children one day. Thank you again to everybody who helped me turn my dreams into a reality. I cannot express how thankful I am. Moreover, I know my dad is looking down from heaven and that he is extremely proud of me.

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