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- 1 In June 2012, Rwanda's community-based *gacaca* (ga-cha-cha) courts closed after processing almost two million cases for crimes of genocide. The courts are at the heart of government efforts to achieve national unity and reconciliation following the violence of the 1994 genocide. In just 100 days, ethnic Hutu militias orchestrated the deaths of their ethnic Tutsi kin and kith. The sheer size and scale of the violence of the 1994 genocide makes post-genocide justice a complicated affair, as the Rwandan Patriotic Front (R P F) government sought to hold accountable every individual accused of genocide crimes.
- 2 Rwanda put most of the population on trial – as perpetrator, victim, bystander, rescuer and judge – to make accusations and evaluate confessions. In opting for mass justice, Rwanda chose local, community-based justice over other post-conflict reconciliation mechanisms such as amnesties or truth commissions. In consultation with its foreign donors, the government made the *gacaca* courts its primary legal mechanism to generate a truthful record of who did what to whom during the 1994 genocide. While proponents of modern *gacaca* praise it as locally forged and culturally relative justice, such claims fail to distinguish the idea of *gacaca* from its implementation. Modern *gacaca* is part of the formal Rwandan legal system and its post-genocide operation is both politicized and rooted in local power dynamics. Proponents of the *gacaca* courts generally fail to distinguish their promise as a mechanism to deliver justice and reconciliation from the actual ability of the courts to do so. More critical observers understand the courts to be part and parcel of a top-down Rwandan government-led system of justice and reconciliation that favours retributive over restorative justice. The courts relied on perpetrator shame and survivor forgiveness to produce national unity and reconciliation. The government used the courts to target its political opponents and critics. *Gacaca* also produced a moral hierarchy in which genocide crimes committed by ethnic Hutu were tried while crimes committed by ethnic Tutsi, as well as a members of the now ruling-R P F, were not.
- 3 Through formalizing both the process of and participation in the *gacaca* courts, the post-genocide government made a traditional dispute resolution mechanism a formal

part of the Rwandan legal system. Such an approach not only forced participation in the countrywide *gacaca* process, it also resulted in a scripted reconciliation that largely failed Rwandans.

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