



Representing Suffering: Testimony at Rwanda's Gacaca Courts

Laura Eramian

York University, Toronto

Abstract

In this paper, I examine dominant understandings of subjects of suffering, the witness, and testimony in Rwanda's local level courts for genocide crimes, called *gacaca*. I begin from the observation that, in the Western legal and ontological traditions, the primary subject of both testimony and suffering is presumed to be the bounded, autonomous, possessive individual. I suggest that this understanding of the subject of testimony overlooks a central attribute of state-sponsored political violence, namely, that it is targeted at groups rather than individuals. The paper concludes with a number of questions and cautions about what it might mean to understand the collective, rather than the individual, as the primary subject of suffering and testimony.

Introduction

In recent decades, social science scholarship on the politics of engaging with the ongoing effects of state violence has proliferated. In part this is a response to the post-conflict trials, truth commissions, and other

state strategiesⁱ for addressing/redressing violence that has sprung up with increasing frequency since the end of the second world war.ⁱⁱ But beyond this preponderance of such institutions are increasing academic concerns with the practical and theoretical limitations imposed by dominant understandings of subject-hood, the witness, and testimony. In this paper, I ask how both social scientists and those state officials charged with overseeing post-conflict trials and truth commissions understand the subject of survivor testimony and narratives of political violence. Who is a witness who can speak to experiences of violence, and by extension, who is not? For the most part it is individuals, rather than the collectives to which they belong, who are understood as the subjects of survivor testimony to experiences of violence. And yet, the target of political violence is not the individual per se, but the victim *group*.

[2] I discuss this incongruity between victim *groups* and *individual* subjects of testimony and suffering with reference to my fieldwork among Rwandan genocide survivors and Rwandan post-genocide judicial processes which exhort 'healing,' unity, and reconciliation. Rwanda's post-genocide processes of truth and justice seeking diverge somewhat from other systems of post-conflict tribunals and truth commissions. In addition to the International Criminal Tribunal for Rwanda (ICTR), which shares many of the legalistic attributes of other post-conflict judicial processes, the Rwandan state is employing a system of 'semi-traditional,' local-level courts called The *Gacaca* to try 'common' genocide criminals. 'Common' means 'ordinary citizens' who participated in massacres or destroyed property, rather than

those who planned and orchestrated the genocide; who are tried at the ICTR. Gacaca functions as a combination of a trial and truth commission. First, like a conventional post-conflict trial, gacaca aims to ascertain the guilt or innocence of the accused and hand down sentences where applicable. Second, its purpose is to uncover the truth of what happened during the genocide, particularly locations of mass graves, both to offer answers to survivors and to create an official public record of the events of April to July 1994. That Rwanda's approach combines elements of the so-called truth-justice opposition within a single institution makes it an engaging case in which to examine the possibilities and limitations of dominant forms of testimony which are attributed to individuals rather than groups.

The Victim-Survivor-Witness Figure

Post-conflict trials and truth commissions, as well as most of the academic literature about them, highlight the singular figure of the 'victim-survivor-witness.' This 'three-pronged' term draws out three central ways that the subjectivities of survivors of political violence are simultaneously understood in the social sciences. In Rwanda, these three overlapping and related subjectivities emerge with particular clarity.

[4] First, to be a "survivor" of the genocide denotes a very particular kind of person. "Survivors" are Batutsi, the primary targets of the genocide and, more specifically, those who remained within the country during the massacres rather than fleeing to neighboring countries. Sometimes, but not often, included in this category are politically moderate Bahutu who were

targeted for their non-participation and who managed to stay alive within Rwanda's borders during the genocide.ⁱⁱⁱ Those Batutsi who fled to neighboring countries are known as either refugees or returnees depending on whether or not they have since returned to Rwanda (Anacleiti 308).

[5] Second, in Rwanda, the survivor is by extension constructed as a witness. It is presumed, probably correctly, that having been present in the country during the genocide, survivors saw perpetrators participate in massacres, and thus can act as witnesses at *gacaca* by naming *génocidaires*. The link between being a survivor and being a witness is made very explicitly in the state discourse, as survivor attendance at *gacaca* courts is billed as a national duty in the interest of truth, justice, and, ultimately, 'reconciliation.' In other words, to be a survivor means to be a witness. In fact, so much does the *gacaca* process rely on survivors to come forward as witnesses, they collectively threatened to boycott *gacaca* in 2006 to protest against perceived corruption among *gacaca* judges.

[6] Finally, these survivor-witnesses are also constructed as victims in that all of them were intended targets of the violence by virtue of their membership in the victim group. Usually, 'victims' of political violence denotes the dead, but the notion that survivor-witnesses are also victims of the violence is widespread. This victimization may take a variety of forms. Some victim-survivor-witnesses were physically attacked, and perhaps left for dead, and still bear physical scars that are a permanent testament to their victimization. Rape victims are another notable category of victim-

survivor-witness, although due to cultural constraints, this is one crime to which almost all Rwandan women are extremely reluctant to testify. Still others, mostly women, describe the non-physical ways they have been victimized by the genocide. During my fieldwork, widows and young, unmarried women who were orphaned in 1994 emphasized the special challenges that women face in earning an income in the absence of male family members, and the way they become 'secondary victims' of the genocide. Many women were spared by the killers, and were told that they instead would have to "die a slow death of sadness."

[7] Thus, in Rwanda, as in other cases of political violence, it is the victim-survivor-witness figure who is deemed the subject of suffering and testimony, rather than the collective who comprise the victim group. While some of these individuated forms of suffering are pressing concerns to survivors and cannot be overlooked, taken alone, they pose limitations to a broader understanding of genocide survivors' lived experiences and the multiple ways that they suffer and attend to the past through testimony. I suggest that dominant understandings of the individual as subject of suffering and testimony eschew a fundamental attribute of political violence, namely that it is targeted at the collective rather than the individual, and the social and political relationships which comprise it. A focus on these relationships is central to understanding the ongoing effects of political violence on the victim group(s). What representations of testimony and suffering are (im)possible when writers take for granted that the subjects of testimony are the singular grammatical persons, "I," "you," "he," or "she"

(Ricoeur 93)? We may then ask, what if the group, not the individual body, is understood as the primary target of political violence?

Representing the Testimony of Individual Subjects

The tendency for witnessing and testimony to be associated with the individual speaker has not escaped the attention of scholars of political violence, memory, and post-violence state initiatives such as trials and truth commissions. Underpinning dominant, common sense understandings of the individual as subject of testimony are concepts central to the Western legal and philosophical traditions. Of particular interest are two foundational assumptions from Euro-American understandings of, first, personhood, and second, legal and moral philosophy.

[9] First, the Western ontological tradition is based on understandings of the social person as a bounded, individual subject—singular and unique (Williams 164)—who is possessive of his or her memories (Lambek 205). If memories are understood on a common sense level as ‘belonging’ to individuals,^{iv} then it follows that the individual can only bear witness to his or her “own” experiences—violent or otherwise. But as Lambek notes, not all cultural systems understand speaking subjects as bounded, discrete individuals. In other cultural contexts, personhood is understood in ways that do not necessarily see each speaking voice as corresponding to a unique, separate, individual body. Instead, a single body might provide expression for a number of different spirit “personages” (Lambek 212).

Might the voice of the witness to political violence not correspond to the experiences of a collective of the living and the dead, in non-Western, or even Western, contexts?

[10] Second, Western legal and moral traditions are predicated on understandings of discrete individuals as social actors (Krader 488). The monadic juristic person is a key figure in Western law. Individuals are by and large the bearers of rights and duties in the Western legal tradition.^v As such, Euro-American jurisprudence designates a witness, victim, or perpetrator of violence as an individual. Understanding the legal person as a choice-making individual makes it possible to assign responsibility for legal harm and punish perpetrators of crimes, practices which are central to Western criminal justice, and more broadly, morality. Similarly, a witness is a Western cultural and intellectual phenomenon (Douglass and Vogler 3); an individual to whom a single speaking voice is attached. This attests to the memories 'possessed' by the speaker. In other words, the individual testifying voice is usually equated with the juridical monadic subject of the West (Feldman 179). The courtroom witness can only attest to what he or she "knows" to be true through first hand experience (and attesting to others' experiences is dismissed as hearsay). Individuals' experiences are treated not just as truths, but the most authentic kind of truths (Williams 128). Most importantly here, legal practices are productive of meanings that reach beyond the explicitly juridical sphere (Merry 361). The figures of *individual* legal person, and by extension, *singular* witness, have developed cultural significance beyond the realm of legal discourse. Both have become

central to debates around the pragmatics and politics of truth commissions, and theoretical discussions of the politics of bearing witness and testimony. However, when the monadic subject of testimony is taken for granted, some forms of witnessing are permissible, while others are silenced.

Testimony at Gacaca Courts in Post-Genocide Rwanda

While it is not the primary purpose of post-conflict trials to 'heal' victims and address their suffering, dominant discourses surrounding the act of witnessing at a trial do not discourage the idea that they effectively assuage survivor hardship. Arendt has noted that trials are very limited in what they can accomplish, namely, determining individual guilt or innocence and meting out punishment where appropriate (253). Still, the act of bearing witness to the crimes of the accused and participating in the process of his or her punishment is widely understood as cathartic for victim-survivor-witnesses. Stover and Weinstein explain,

at the individual level, analogies to the psychodynamic model of psychotherapy suggest that emotional abreaction...will somehow "heal" survivors. They will leave the witness stand and, in the best evangelical model, walk unaided to a new and better life. An implicit assumption is made that, after a sufficient number of survivors have testified, a collective release will occur and that a society will be healed (12).

[12] These ideas about the process of 'healing' for survivors are possible only if the individual is taken to be the primary subject of both testimony and suffering. As Herman and other therapist-clinicians have argued, testimony will bring about individual psychological healing, as survivors

achieve catharsis by narrating their affective experiences. This process is multiplied as more and more people give their testimony, which is presumed to promote healing at the collective level.^{vi} Rwanda's National Service of Gacaca Jurisdictions has picked up on these dominant understandings, as evidenced by their slogan, *la vérité guérit*, "the truth heals". There is reason to be skeptical of this state rhetoric, as the extent to which narrating experiences mitigates suffering, if it does so at all, depends heavily on existing cultural precepts for engaging with memories of violence. Many Rwandans express skepticism of gacaca's ability to promote the 'healing,' unity and reconciliation that increasingly tenuous state discourses claim it will. Such doubts arise in large part, but not exclusively, from the gaps between testimony and the multiple ways that suffering is experienced.

[13] While gacaca is billed as an indigenous process of dispute resolution and trial proceeding which respects Rwandans' historical modes of solving problems and bearing witness, the changes that have been implemented to tailor these courts to genocide crimes cast doubt on this formulation. In many ways, the appeal to 'tradition' is a rhetorical device only, as bureaucratic structures, codified law, and recorded testimonies are hardly 'traditional' no matter how this slippery term is defined.

[14] While many sources which describe the 'old' gacaca system tend to take a predominantly structural-functionalist view of Rwandan customary law by emphasizing the "reestablishment of social harmony" (e.g. Digneffe and Fierens 15; *Université Nationale du Rwanda Centre de Gestion des*

Conflicts 30), they do provide important insights into the changes that have taken place over time. These changes are not superficial transformations in the operation of gacaca. On the contrary, they have fundamentally transformed this local institution, its process of settling grievances, the forms that testimony takes, and the ultimate purposes to which it is put.

[15] Rwanda's pre-colonial oral histories provide few certainties on the origins of The Gacaca Court (Molenaar 11). Still, it is generally thought to have originated as a dispute resolution mechanism organized among families to settle their disputes over land, cattle, or other grievances considered too trivial to be adjudicated by the *mwami* or other "political elites". The *inyangamugayo* (judges, or literally, "honest persons") in these courts were respected members of the neighborhood, usually elders, rather than 'professionals' in local law or rules of appropriate conduct. This practice of appointing non-professional judges continues today.^{vii} While the establishment of amicable social relationships was the preferred outcome of a gacaca hearing, but, sometimes irreparable schisms between families and the dissolution of marriages would result nonetheless (Digneffe and Fierens 15). Significantly, a fundamental assumption behind the gacaca process was that disputes adversely affected the entire society and that everyone had a vested interest in their peaceful settlement. Such an assumption suggests a keen awareness of how the collective is implicated in disputes and grievances. This awareness is largely eschewed in today's gacaca courts for genocide crimes, despite that the collective takes on even more significance as a subject of harm there than in other kinds of disputes.

[16] Drastic changes have taken place in the proceedings of gacaca in order to tailor them to trying genocide crimes, but most of these changes are beyond the scope of this paper. The change that I focus on here concerns the forms that testimony takes at today's gacaca, and I say "forms" quite intentionally. The new, direct involvement of the Rwandan state in the gacaca process has drastically transformed the methods of information gathering and bearing witness. In the past, neither the decisions rendered at gacaca nor the rules they followed were written down. Instead, outcomes became part of the local oral tradition. When they were recounted, it was to demonstrate collectively experienced hardships and the effects on social relationships when groups and individuals dispute (Digneffe and Fierens 18).

[17] By contrast, today's gacaca law is codified, and trial proceedings are recorded in writing. For each trial, a lengthy set of forms and charts must be completed. Witnesses complete these forms as part of the process of giving testimony. The charts require information such as the names of the perpetrators, their current residence, the location and nature of their crimes, the date and time at which they were committed, which tools or implements were used in the massacre, and where corpses were thrown. Space is allocated for four different crimes. Should someone have committed more than four crimes, the witness is requested to attach a separate sheet of paper detailing the rest. If they know the identities of victims, witnesses are requested to complete a chart with their names and addresses, and to check a box to denote whether the victim died a) instantly, b) later as a result of

his or her wounds, or c) is still alive (National Service of Gacaca Courts Appendix I).

[18] These “forms” of testimony are concerned first and foremost with establishing who wronged whom in terms of individual legal and bodily harm. The end result is a detailed (though not necessarily accurate, as the incidence of false testimony at gacaca is notoriously high), written public record of individual victims and perpetrators that is meant to stand as an archive of collective memory. But collective memory comprises much more than a record of who wronged whom. It is also fundamentally concerned with the relationships that have been affected by the genocide, and the debates about the past in the present. These forms of testimony are de-politicized and de-historicized, and thus fail to capture those important debates and ongoing concerns of the victim group. Wilson has leveled a similar critique at the process of bearing witness at the South Africa Truth and Reconciliation Commission. He argues that the emphasis on “methodological rigour” in gathering testimony had the effect of stripping down complex narratives into “perpetrator findings,” packages of information to be consumed by analysts (Wilson 38). As in gacaca, the bureaucratic process of information collection individuates and compartmentalizes the crimes that were committed and the collectively experienced harms that have ensued. As Ross, Feldman, and Oglesby have argued in other truth commission settings, individuated forms of witnessing constrain nuanced understandings of political violence as collectively experienced suffering. While the opportunity to testify to individual, physical injury should not be

dismissed entirely, too great an emphasis on it “flattens” and depoliticizes the complex histories and group power dynamics of political violence.

The Limitations of the Individual (Suffering) Subject of Testimony

The forms of testimony that are privileged by scholars and in state strategies for engaging with a violent past indicate that suffering due to political violence is understood primarily as an individual affliction. The discourse of legal rights and their violation is one of the predominant framing concepts that scholars of political violence use to understand survivor suffering. This understanding of legal harm relies on the individual as the primary site of suffering and subject of testimony. The prominence of this framing concept, coupled with hegemonic Western understandings of the social person, leads scholars of political violence to privilege strategies to mitigate suffering that focus on ‘healing’ the individual. Rwandans know that such interventions are too simplistic. Indeed, survivors do not express the desire to be ‘healed.’ They are surrounded by daily reminders of the violence, including places, people, and the absence of other people. Thus questions about the possibilities of individuated or collective ‘healing’ are misplaced. Survivors’ concerns are instead rooted in a failure by the gacaca process, and more broadly, the state, to *take seriously* the multiple ways that they suffer, and why ‘reconciliation’ cannot be accomplished through a simple, declarative act by the government. State practices strip down complex survivor testimony and render it merely a means to an end, namely, a hollow movement for national unity and reconciliation.

[20] The emphasis on individual subjects of testimony and forms of suffering obscures a fundamental attribute of political violence. Unlike other forms of violence, political violence is targeted at social and political groups rather than individuals. While individual bodies are necessarily victimized under state violence, it cannot be overlooked that they are targeted because of their *membership* in the victim group. As Green has argued, beyond the extermination of members of the victim group, another defining characteristic of political violence is the effort to undermine the social relationships and trust that tie group members to one another. This raises a central question for all scholars in the field of political violence: if the group is the primary target of state violence, why is it that individuals are understood as the primary subjects of testimony and suffering? Should we not shift our theoretical and political attention to the group as the primary site of suffering, rupture, and hardship if it is the central focus of strategies of state terror? What are the possibilities for and limitations on representing suffering when not singular, but plural grammatical persons, that is “we,” “you” (plural), or “they,” are the subjects of testimony?

The Collective as Subject of Testimony and Suffering

The shift to foregrounding the collectively experienced by the effects of violence returns the *political* to the discussion of political violence. By focusing on collective forms of suffering and testimonies to it, suffering is no longer framed in terms of individuated trauma and ahistorical legal harm (Antze and Lambek xxiv; Oglesby 80). By perceiving the victim group

targeted by state violence as a subject of suffering and testimony, what emerges is a more careful analysis of *multiple* forms of suffering, along with multiple ways of testifying to suffering. Viewed this way, suffering's nuances emerge with greater force and clarity, and with them, perspectives on why the gacaca process, and other 'truth-telling' venues, failed to achieve the healing, unity, and reconciliation that they seek to engender.

[22] In what ways can scholars of political violence make the collective a significant subject of testimony? Do experiences of violence not have to be accessed to a certain extent through individual speaking voices? What does it mean to say that the collective is the subject of testimony when the collective does not literally speak with a single voice, and when it is comprised of diverse, uneven experiences? According to Halbwachs, it is shared understandings and membership in a group that make it possible for individuals to conceptualize and formulate memories at all. The shapes of narratives, what witnesses include, exclude, emphasize, and downplay are all shaped by shared cultural precepts for remembering, forgetting, and thinking through lived experiences, both ordinary and extraordinary.^{viii} Individual and collective testimony to violence are thus inextricably related, but are still separated for analytic purposes when it comes to state strategies for engaging with past violence. The problems of representation that I have discussed arise because scholars of political violence are often too quick to frame their analyses in terms of individual subjects alone, and thus overlook the collective nature of the target of state violence.

[23] By paying attention to the ways that Rwandan genocide survivors narrate suffering *outside* of gacaca, the limitations and constraints on testimony imposed by this institutional setting become readily apparent. Rwandans' narratives as given in private, conversational settings demonstrate that suffering is collectively as well as individually experienced, and, moreover, that it is important to them to have the opportunity to express these overlooked dimensions of their hardships.

[24] During my fieldwork, I spent time with a close-knit group of survivors, both men and women, who volunteered stories to me about each other's suffering as much as they did stories of their own. For example, one person would point out to me a place where someone else's family members were killed, and would attest to the suffering felt by that other person, or would express empathy and suffering on the other person's behalf. Moreover, the speaker often emphasized that such stories were not unusual, unique or singular, as so many Rwandans have similar experiences. Other times they would speak in generalities, saying, "As Rwandans, we suffer because of..." or, "if you were Tutsi, this is what happened to you...". What was striking was the preponderance of the use of "we" rather than "I" in all aspects of informal testimony to suffering. The emphasis is put on the fact that these problems and events were experienced *together* rather than individually. Such narratives are not permissible in legalistic settings that are concerned with determining who wronged whom, and who witnessed which acts. Survivors often complained of the formulaic nature of providing testimony at gacaca. As one person once remarked, "it's the same process every week, in

every gacaca court, all over the country.” Rwandans expressed a lack of inclination to give testimony at gacaca because the narratives that they want to express are not taken seriously there. As another person put it, “we are being sacrificed to this process,” implying that gacaca proceedings select out certain portions of witnesses’ lived experiences, and fail to recognize the multiple and complex ways that people continue to experience suffering, and everyday challenges associated with it. Rwandans’ informal narratives demonstrate the multiple forms of suffering that genocide survivors continue to endure as *members of a group* formerly targeted by state violence, rather than as singular victim-survivor-witnesses. These are the nuanced ways that violence is experienced, and is excluded from testimony at gacaca and other formal, bureaucratic venues for bearing witness to political violence.

[25] But just as I have argued that there are problems with the individual victim-survivor-witness as singular subject of testimony, so there are tensions to note when the emphasis shifts to the group. First, I am indebted to my two anonymous reviewers for noting that, by beginning an analysis with the group, one risks reproducing the discourse of a collective, stigmatized, ‘Other’ which has been the source of so much unrest in Rwanda. As Agathangelou argues, scholars of political violence must take care not to objectify and homogenize the experiences of a victim group so as to eschew individuals’ roles as historical agents. This is perhaps the most difficult challenge that we face in the effort to draw out the ways that violence takes its toll on the social relationships that comprise the collective. The relationship between individual and collective suffering is one fraught

with tensions, and the effort to mitigate one problem of representation raises others of which we must also remain mindful.

[26] Second, and closely related, the notion of the collective as subject also invites the tendency to imagine that the group is analogous to the individual. I have already made brief reference to the problems arising from this erroneous move in the context of theoretical models which presume that collective 'healing' is the aggregate of individual 'healing'. In addition, when the collective is the focus of testimony, the group may be reified as an entity, one that shares a 'collective mind' outside and above the collection of group members. What follows from this view is that the perspectives and experiences of its members become homogenized and essentialized. In other words, commentators on these dimensions of suffering must be cautious not to allow 'archetypal' narratives to stand for the diverse, though collectively experienced, suffering of a group. Instead, it is both the competing and complementary dimensions of collective suffering that should constitute understandings and representations of the group as subject of testimony. It is worth paying closer attention to how one narrative of suffering necessarily invokes the hardships of others with whom the speaker shares affective ties or political bonds. Representations which are constituted by the collective as the subjects of testimony capture the unevenness of experiences of suffering, as well as the ways that it is enacted in social relationships, and their rupture. Such representations shed light on the multiplicity of ways that state campaigns of terror take their toll. In other words, while individual voices are necessarily key modes of narration, we need not individuate

suffering to the point at which a single voice can only correspond to the individual witness when the central questions, the lived experiences of political violence, necessitate a social approach to academic and institutional inquiry.

Acknowledgements

I would like to thank my two anonymous reviewers for their insights and comments that helped me to rework this paper for publication. I would also like to thank the editors for their support and encouragement for the submission and revision of this article.

-
- i By “other” strategies, I mean commemoration ceremonies, memorials, or lustration programs, but I do not discuss them here.
 - ii For a comprehensive list of truth commissions in the twentieth century, see Hayner. For a discussion of prominent international criminal tribunals of the twentieth century, see Schabas, Jones.
 - iii While Anacleiti includes politically moderate Bahutu in the ‘survivor’ category, during my fieldwork many individuals reported a tendency to exclude them, meaning that only Batutsi who remained within Rwanda during the genocide are ‘true’ survivors. In many people’s minds, any Bahutu who did survive must have been complicit in the genocide ideology if they were not killed. Likewise, Vidal and Hintjens note that the Rwandan government’s official position on the matter is that only Batutsi are considered ‘survivors’ of the genocide.
 - iv It is important to note that scholars of memory are transforming this common understanding of memories as things. Memory is increasingly understood as social practice, one with political and moral implications (e.g. Antze and Lambek; Casey).
 - v It should be noted that there is increasing discussion of collectively-held rights both in political movements and in scholarly writing. Questions center around the relationship between group and individual rights, and often aim to critique received understandings of rights for being too centered on Western understandings of the individual. For a discussion of the case for collective rights, see Thompson, Kymlicka.
 - vi For a discussion of the problems of assuming that group psychology is analogous to individual psychology, and the uncritical application of psychoanalytic terms to groups,

see Young.

- vii The practice of appointing non-professionals to the position of gacaca judge has caused much unrest. Many Rwandans are concerned that the judges are poorly trained in the gacaca trial process and make capricious judgments. Some have even been removed from their positions due to charges of corruption, or because they themselves have been implicated in massacres or other genocide crimes.
- viii There is debate among scholars of memory, trauma, and violence as to whether violence is ordinary or extraordinary, inside or outside the symbolic systems that people use to understand their worlds. For discussions of these issues, see Scheper-Hughes and Bourgois.

Works Cited

- Agathangelou, Anna M. "Nationalist narratives and (dis)appearing women: state-sanctioned sexual violence. Canadian Woman Studies 19.4 (2000):12(10).
- Anacleiti, Odhiambo. "The Regional Response to the Rwandan Emergency." Journal of Refugee Studies 9 (1996): 303-311.
- Antze, Paul and Michael Lambek. "Introduction: Forecasting Memory." Tense Past: Cultural Essays in Trauma and Memory. Ed. Paul Antze and Michael Lambek. New York: Routledge, 1996. xi-xxxviii.
- Arendt, Hannah. Eichmann in Jerusalem: A Report on the Banality of Evil. New York: Penguin Books, 1963.
- Bourgois, Philippe. "The Continuum of Violence in War and Peace: Post-Cold War Lessons from El Salvador." Violence in War and Peace: An Anthology Ed. Nancy Scheper-Hughes and Philippe Bourgois. Oxford: Blackwell Publishing, 2004.
- Casey, Edward S. Remembering: A Phenomenological Study. Bloomington: Indiana University Press, 1987.
- Digneffe, Françoise and Jacques Fierens. Justice et Gacaca: L'Expérience Rwandaise et le Génocide. Namur, Belgique: Presses Universitaires de Namur, 2003.
- Douglass, Ana and Thomas A. Vogler. "Introduction." Witness and Memory: The Discourse of Trauma. Ed. Ana Douglass and Thomas A. Vogler. London; New York: Routledge, 2003. 1-53.
- Feldman, Allen. "Memory Theaters, Virtual Witnessing and the Trauma Aesthetic." Biography 27(2004):163-202.

-
- Green, Linda. Fear as a Way of Life: Mayan Widows in Rural Guatemala. New York: Colombia University Press, 1999.
- Halbwachs, Maurice. The Collective Memory. New York: Harper and Row, [1925] 1992.
- Hayner, Priscilla B. Unspeakable Truths: Confronting State Terror and Atrocity. New York: Routledge, 2001.
- Herman, Judith. Trauma and Recovery. New York: Basic Books, 1992.
- Hintjens, Helen. "Post-Genocide Identity Politics in Rwanda." Ethnicities 8 (2008): 5-41.
- Jones, John R.W.D. International Criminal Practice: The International Tribunal for the Former Yugoslavia, the International Tribunal for Rwanda, the International Criminal Court, the Special Court for Sierra Leone, the East Timor Special Panel for Serious Crimes, the War Crimes Prosecutions in Kosovo. Oxford: Oxford University Press, 2003.
- Krader, Lawrence. "Person, Ego, Human Spirit in Marcel Mauss: Comments." The Psychoanalytic Review 55 (1968): 482-490.
- Kymlicka, Will. Multicultural Citizenship: A Liberal Theory of Minority Rights. Oxford, England: Clarendon, 1995.
- Lambek, Michael. "Memory in a Maussian Universe." Memory Cultures: Memory, Subjectivity and Recognition. Ed. Susannah Radstone and Katharine Hodgkin. Transaction Publishers, 2006. 202-216.
- Merry, Sally E. "Anthropology, Law and Transnational Processes." Annual Review of Anthropology 21 (1992): 357-369.
- Molenaar, Arthur. Gacaca: Grassroots Justice after Genocide: The Key to Reconciliation in Rwanda? Leiden: African Studies Centre, 2005.

-
- National Service of Gacaca Courts. Process of Collecting Information Required in Gacaca Courts. Kigali: Republic of Rwanda, 2004.
- Oglesby, Elizabeth. "Educating Citizens in Postwar Guatemala: Historical Memory and Genocide and the Culture of Peace." Radical History Review 97 (2007): 77-98.
- Ricoeur, Paul. Memory, History, Forgetting. Chicago: University of Chicago Press, 2004.
- Ross, Fiona. Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa. London; Sterling, VA: Pluto Press, 2003.
- Schabas, William. The UN International Criminal Tribunals: The Former Yugoslavia, Rwanda, and Sierra Leone. Cambridge: Cambridge University Press, 2006.
- Scheper-Hughes, Nancy and Philippe Bourgois, Ed. Violence in War and Peace: An Anthology. Oxford: Blackwell Publishing, 2004.
- Stover, Eric and Harvey M. Weinstein. "Introduction: Conflict, Justice and Reclamation." My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity. Ed. Eric Stover and Harvey M. Weinstein. Cambridge; New York: Cambridge University Press, 2004.1-26.
- Thompson, Richard H. "Ethnic Minorities and the Case for Group Rights." American Anthropologist 99 (1997): 786-798.
- Université Nationale du Rwanda Centre de Gestion de Conflits. Les Juridictions Gacaca et les Processus de Réconciliation Nationale. Kigali: Palloti-Press, 2001.
- Vidal, Claudine. "La Commémoration du Génocide au Rwanda." Cahier d'Études Africaines. 175 (2004).
- Williams, Raymond. Keywords: A Vocabulary of Culture and Society. New

York: Oxford University Press, [1976] 1983.

Wilson, Richard. The politics of truth and reconciliation in South Africa : legitimizing the post-apartheid state. New York: Cambridge University Press, 2001.

Young, Allan. The Harmony of Illusions: Inventing Posttraumatic Stress Disorder. Princeton: Princeton University Press, 1993.