Where Have All the Women Gone?

The Production of Knowledge and Media Representation of Women’s Participation in the Gacaca Courts

Shannen Mae Young

Master Thesis in Holocaust and Genocide Studies
Supervisor: Roland Kostić
Submission Date: May 16, 2017
Credits: 45
Words: 26,030
Table of Contents

Introduction.............................................................................................................................................. 1
Research Problem ........................................................................................................................................ 1
Research Aim ............................................................................................................................................. 3
Research Questions .................................................................................................................................... 4
Lacuna ....................................................................................................................................................... 5
Why Study US and UK News Sources? ....................................................................................................... 5
Disposition............................................................................................................................................... 10

Theory and Methodology ........................................................................................................................ 11
Literature Review ....................................................................................................................................... 11
Gacaca Courts ........................................................................................................................................... 11
Studies of Media Representation ................................................................................................................ 16
Theory ....................................................................................................................................................... 19
Placing Transitional Justice and Women in Liberal Peace ........................................................................ 19
Knowledge Production ............................................................................................................................. 24
The Media and Liberal Peace ...................................................................................................................... 25
News Framing ........................................................................................................................................... 27
Methodology ............................................................................................................................................. 34
Data Collection ......................................................................................................................................... 34
Coding ....................................................................................................................................................... 36

Empirical Analysis .................................................................................................................................... 38
Historical Background: The Rwandan Genocide and Gacaca Courts .................................................... 38
Results: Frames .......................................................................................................................................... 43
Frame 1 ....................................................................................................................................................... 45
Frame 2 ....................................................................................................................................................... 49
Frame 3 ....................................................................................................................................................... 52
Discussion ............................................................................................................................................... 57
Comparison of Frames .............................................................................................................................. 57
Knowledge Producers versus Media Representation: A Place for Women? ........................................ 59

Conclusions............................................................................................................................................... 64
Summary .................................................................................................................................................... 64
Alternative Explanations ............................................................................................................................ 66
Further Research ...................................................................................................................................... 67

Appendices ............................................................................................................................................... 69
Appendix 1: Search Keywords ................................................................................................................... 69
Appendix 2: Bibliography of Primary Sources ........................................................................ 70

Bibliography .............................................................................................................................. 72
List of Figures

Figure 1: Entman’s Cascading Network Activation ................................................................. 30
Figure 2: Policymaking Cascading Network Activation .......................................................... 32
Figure 3: Crime Categories Table ......................................................................................... 41
Figure 4: Number of Frames Per Year .................................................................................... 44
Figure 5: Frame 1 Sub-Codes ................................................................................................. 46
Figure 6: Frame 2 Sub-Codes ................................................................................................. 50
Figure 7: Frame 3 Sub-Codes ................................................................................................. 53
Figure 8: Frames vs Policy Reports and Academic Articles .................................................... 61
Abstract

This thesis analyzes how newspaper articles in the United States and the United Kingdom represented women’s participation in the Gacaca Courts in Rwanda from 2004-2014. It examines how women’s participation and the Gacaca Courts are framed to the public in the New York Times, the Washington Post, The Guardian, and The Times (London). Moreover, it addresses how knowledge produced on women’s participation by policymakers, academics, and non-governmental agencies is transmitted to the media, and what the implications of this are. Using a combination of liberal peace theory and news framing theory, this research examines how the newspapers represented women’s participation and the Gacaca Courts as either positive, neutral, or negative. The findings demonstrate there was minimal coverage of women’s participation in the Gacaca Courts, and that there are positive and negative feedbacks in the production and dissemination of knowledge in regards to this topic. Framing of the Gacaca Courts as positive and neutral is correlated to a positive feedback in the dissemination of knowledge, while framing of the Gacaca Courts as negative is correlated to a negative feedback.
Acknowledgements

I would like to thank my supervisor, Roland Kostić, for providing me with numerous support and guidance throughout the process of writing this thesis. I would also like to thank my personal support network for providing continual encouragement, support, and welcomed distractions during times of self-doubt and frustration— you have helped me realize the beginning of my “dream line.”
“In every society the production of discourse is at once controlled, selected, organized, and redistributed according to a certain number of procedures, whose role is to avert its powers and its dangers, to cope with chance events, to evade its ponderous, awesome materiality.”

Introduction

Research Problem

What is the next step a society will take following the conclusion of conflict and a stable peace is wanting to be established? The international community has struggled to find a mechanism that consistently leads to reconciliation and stable peace once a society has undergone conflict. There are numerous roadblocks along the way: who will claim fault for atrocities, who will pay and receive reparations, what type of government will be established, or will other members of the international community be involved in the peacebuilding process? Transitional justice has come to be a central mechanism for ensuring a system of restoration, retribution, and reconciliation can be implemented in a society post-conflict. It also serves to satisfy the international standard to uphold values of equality and justice in the search for a lasting, stable peace. Part of the establishment of stable peace are policies of peacebuilding. Traditionally, knowledge has been produced by scholars, researchers, consultants, or experts for a given policy to ensure its empirical relevancy in the field of peacebuilding. Recently, however, there has been a shift towards policy-based evidence finding in the fields of policymaking and knowledge production. This places emphasis on producing knowledge that legitimizes a policy agenda already in place (or about to be) and showing a slight disregard for conflicting evidence. Mechanisms such as transitional justice are viewed as a positive thing—both for the locale it is being implemented in and for the international community—because it is a part of the liberal peacebuilding agenda.

News media is often influenced by policymakers to portray certain issues favourably or unfavourably to the public, and to set the frame for which the public shall discuss and interpret these issues. News media has been the source of

---

information for the public in Western nations for centuries, predominantly in the United States and United Kingdom, transmitting knowledge, ideas, and sway. Certain political candidates, foreign conflicts, health concerns, and economic trends are just a few examples of subjects which incur media sway, and which are mainstream topics of debate in public discourse. Naturally, the media may be motivated to sway the public’s opinion on certain policies related to peacebuilding given the political climate and what knowledge the media receives about these policies. This could include opinions on funding, monitoring, forms of aid given, and the strategy with which a society will emerge post-conflict. In terms of transitional justice, it is possible that the media may be used as an agent to transmit knowledge produced about transitional justice mechanisms to the public through framing.

However, there is an implication that knowledge produced and framed to the public through the media, is not necessarily “the whole story.” With regards to mechanisms of liberal peacebuilding in post-conflict societies, the development of policy-based evidence finding may limit the dissemination of empirical studies which conflict with the liberal peace narrative. Academic studies have found women’s participation in transitional justice mechanisms to be more harmful than beneficial to women, and to the societies in which it is undertaken in. Women’s participation can lead to psychological and physical stress, retraumatization in retelling events that took place, and threats to their physical well-being by other members of society. The harm incurred by women in their participation questions the success of transitional justice mechanisms in achieving transition from a society in which violence occurred, to one in which the hardships of the past can be addressed. However, the international community (predominantly Western liberal nations) is still promoting many transitional justice mechanisms as successful processes of reconciliation, and encourage women’s involvement in the peacebuilding process at every point in the procedure—regardless of the harm it may cause them.

Yet there is a discord in the production of knowledge concerning women’s participation in transitional justice mechanisms—between academia and policymakers, and by extension the liberal peace narrative. Numerous studies on post-conflict societies have found that women’s inclusion in transitional justice programs can often lead to psychological and physiological harm including retraumatization, post-traumatic stress disorder (PTSD), depression, stigmatization, and physical threats...
to their well-being. However, the international community is promoting a narrative of liberal peace which does not reflect the academic turn on women’s inclusion in transitional justice programs; namely that women’s inclusion may cause them physical and psychological harm. The liberal peace narrative still promotes transitional justice mechanisms as successful and fails to highlight the harms it may bring to women (and men) who participate in them. How is the knowledge produced by academia disseminated to the public or governments to form public policy in regards to gender concerns of transitional justice? What role does the media play in disseminating the knowledge produced from academic studies dealing with women’s participation in transitional justice? Is it possible for the media to frame transitional justice mechanisms in discord to scholarly findings, or does academia still inform the press of current developments in the field of transitional justice (rather than the policymakers)? This is the puzzle which fostered interest in the following research.

**Research Aim**

This thesis seeks to address the gap in research linking academia, media, and policy within the field of transitional justice. The current agenda of the international community can be stated to promote the inclusion of men and women in transitional justice, which may require alternative mechanisms to ensure a stable peace can be reached post-conflict. Various mechanisms of transitional justice are applied to localized issues of retribution and reconciliation. Some mechanisms of transitional justice may be truth and reconciliation commissions, international tribunals, local trials, amnesty, and lustration. One mechanism of localized transitional justice is the Gacaca Courts in Rwanda, which ran from 2001 to 2012 and served to try those accused of committing crimes in three categories during the 1994 genocide. Since their inception in 2001, scholarly publications and policy reports have generally presented the Gacaca Courts as a success for promoting a restorative, hybrid system

---


3 Please note that ’men’ is in parenthesis as this thesis is only discussing the effects of women’s participation in transitional justice mechanisms, and not men’s. However, this would be a topic for further research.
of justice in Rwanda that incorporates local practices with international support and recognition. Research that is available on women’s participation in the Gacaca Courts has been limited to a niche area, primarily focusing on law or psychology. However, there is a lack of research on how Western media presents women’s participation in the courts, especially the retraumatization they incur during their participation.

This thesis examines the representation of women’s participation in the Gacaca Courts in Western news media, (the United States and the United Kingdom) juxtaposed against the representation of women’s participation in these courts in academic articles. It will study how academic articles present women’s participation versus how the media presents it, through a comparison of different newspaper sources from four major news outlets in the United States and the United Kingdom. Furthermore, a reference to policy reports undertaken by non-governmental organizations will be done in comparison to the publications of the newspapers and academic articles. This thesis argues that in favour of promoting a liberal peace agenda, the success of transitional justice mechanisms is possibly overplayed in Western media. Policymakers influence academia within the liberal peace narrative to conduct policy-based evidence finding that supports transitional justice mechanisms, and disregards findings that are in discord with the conception of transitional justice mechanisms as successful. The media is influenced to frame transitional justice mechanisms (in the case of this study, the Gacaca Courts) positively in conjunction with the liberal peace narrative, and to possibly disregard the harm women’s participation may cause.

**Research Questions**

How is women’s participation in the Gacaca Courts portrayed in Western media? Is there a correlation between media framing and academic findings in this portrayal—suggesting women’s participation causes more psychological and physical harm than healing? Or is there a correlation between policy-based evidence finding and media framing—suggesting women’s participation does not cause harm and the Gacaca Courts are successful? What can this tell us about knowledge production relations and the changes in knowledge production about transitional justice in relation to liberal peacebuilding?
Lacuna
This thesis will add to the field of research on knowledge production, and on the Gacaca Courts in Rwanda. It will fill the research gap analyzing how women’s participation in the Gacaca Courts is framed in news sources, and how this correlates to knowledge production in academia. It contributes to the field of Holocaust and genocide studies as it analyzes how knowledge on transitional justice mechanisms is produced after genocide has occurred. Furthermore, it analyzes how knowledge is distributed between academia and the media to inform and promote liberal peacebuilding as the “normative solution” post-genocide. It questions how peacebuilding remedies can ensure a stable peace is created and there is no reversal to genocide or conflict.

Why Study US and UK News Sources?
First and foremost, it is important to study US and UK news sources as the United States and the United Kingdom have been the two leading proponents of liberal policymaking and peacebuilding since the end of the Cold War. The shift in global power led to an era in which numerous countries held elections, (especially following the fall of the Soviet Union) and a broad ideological shift took place putting emphasis on liberal market democracy as the solution to the world’s problems.4 Beginning in the early 1990s, the Bush and Clinton administrations in the US followed foreign policy which encouraged “the impregnation of belligerent societies with liberal values and practices [to] produce peace domestically and internationally.”5 The US sought to promulgate liberal market democracy in the creation of domestic and international peace, and enacted foreign policy that would enable them to do so at the forefront of a shift in international ideology. In the United Kingdom, foreign policy enacted during the Blair era and beyond emphasized interventionism, liberal internationalism, development assistance, poverty reduction, and human rights.6 Through interventionist policies to promote liberal values and a liberal market democracy, the UK actively contributed to the trend of liberal policymaking since the 1990s.

Moreover, both the US and the UK have been known to conduct their foreign policy initiatives bilaterally (in the cases of Afghanistan, Kosovo, and Iraq), and are also members of international organizations which promote liberal peace (the UN, EU, and NATO).\(^7\) Hence, the news sources published in these countries exist under an umbrella of liberal peace which propagates through their governments.

Furthermore, news outlets have come to be known as the representatives of international events, national policies, and local emotions and attitudes to the public and beyond. They serve as a daily source for information which their readers can interpret themselves, or be swayed to interpret depending on the wording of the article. Since the development of the printing press in the fifteenth century, news media has developed into a conglomerate of print, video, digital, and live news outlets, reaching a dystopian level of control of dispersion of information and mass communication. The advent of twenty-four-hour news programming gave the ability for global news events to be broadcasted non-stop to the televisions of viewers at home, increasing the proximity of everyday citizens to international crises. The CNN effect forced governments, military strategists, and other international organizations to consider how their decisions and actions were being portrayed to the public via twenty-four-hour news programming.\(^8\) This could lead to change in foreign policies and military strategies depending on how the public perceived a given event. Research on the CNN effect built “a deeper conceptual understanding of the variety of roles the media play as well as encouraged new conceptualizations of how and why the media influence government responses to conflicts.”\(^9\) A new era in news media and government relations was ushered in, forcing researchers to analyze what the effects of increased exposure to foreign events and foreign policy would be in Western liberal societies. It is important to consider the relationship between news media, the public, and government as a “social conversation” in which the public conversation “becomes the venue for communicative acts, and those communicative acts have significance because they have the power to position actors in a moral universe.”\(^10\)

---

\(^7\) Ibid., 695.


relationship between the media, the government, and the public as a social conversation, the content discussed is placed within an umbrella of moral responsibility. The social conversation is made up of “empirically demonstrable and morally significant episodes that have direct consequences on policymakers; abilities to form and maintain coalitions of support for their ideas and actions.”

There are explicit events of social conversation which lead to support or contradiction of policymakers’ actions. The communicative acts of the public, media, and government can alter how policy is made. Each participant is responsible for the moral good to come of what is discussed in their communicative acts. In the context of this social conversation occurring in a Western liberal society, it could be argued that the moral good is to ensure the pillars of liberal peace within domestic and foreign policy is upheld.

The moral good of social conversation must be manipulated so the public observes liberal peace and topics of foreign affairs as salient. In his 1963 work, *The Press and Foreign Policy*, Bernard C. Cohen notes that the press “may not be successful much of the time in telling people what to think, but it is stunningly successful in telling its readers what to think about.”

This statement is still widely applicable to most news sources in the US and UK today as they actively influence the public agenda. It demonstrates that news media has grasp of the topic of discussion around the dinner table, the work place, and just about any location where discourse occurs. News sources serve as the vehicle to disseminate knowledge to the public. This includes (but is not limited to): knowledge which is produced by academia, government policies, and current events. News media is the vehicle of knowledge dissemination with which the public often have the most access to, in comparison to policy documents and academic journals which are often behind a university paywall or security clearance. In his article, Stuart N. Soroka notes that “media content affects public attention to foreign affairs in the United States and United Kingdom….” largely in result of “issue priming” of a given topic.

This suggests that news media sources in the United States and United Kingdom may prime a certain topic of interest to their readers which in turn affects their individual opinion and attention to a given topic of discussion; most notably foreign affairs. This

---

in turn may affect policymaking as “the changing salience of foreign affairs for the
public is in large part reflective of media content and that changes in issue salience
can have both indirect and direct consequences for foreign policymaking. It follows
that mass media and issue salience play a particularly—and, as yet, only partially
explored—role in the relationship between public opinion and foreign policy.” How
foreign affairs is discussed by the public correlates to how news media articulates
foreign affairs in their publications. It further follows that the public’s opinion on
foreign affairs has an influence on how policymaking is conducted in the two nations
analyzed in Soroka’s study. This would lead to the assumption that policymaking is
influenced by the popular opinion of the public, as the United States and the United
Kingdom are both nations with democratically elected governments and hence,
representatives of the popular opinion.

While it has been established that the salience of foreign affairs in news media
influences the public’s perception of foreign affairs and in turn, affects policymaking,
what newspapers are most likely to publish this type of material? It is safe to say that
most broadsheet newspapers in Western liberal countries regularly publish material on
these subjects. The New York Times (NYT) and Washington Post (WP) have served as
the premier daily news publication sources in the United States, while The Guardian
and The Times (London) have served similar roles in the United Kingdom. The NYT
and WP are the main elite press sources in the United States as they maintain critical
stances towards foreign and domestic affairs and have been in operation since 1851
and 1877 (respectively). The NYT is considered a liberal-conservative paper as it
places emphasis on global security issues and less emphasis on humanitarian affairs,
while the WP is known for being liberal-socialist due to its liberal-humanitarian
approach to foreign affairs. In a 2002 study, it was found that approximately 40
percent of journalists surveyed identified as “far to the left” or “a little to the left,”
33.3 percent identified as “in the middle,” and 25 percent as “to the right” in their
political affiliation. In comparison to the rest of the US population, which identified
slightly more conservative as a whole at 41 percent, 17 percent as “to the left,” and 38

14 Ibid., 44.
15 Yehudith Auerbach and Yaeli Bloch-Elkon, “Media Framing and Foreign Policy: The Elite Press vis-
16 Ibid., 85, 90.
17 Bonnie J. Brownlee and Randal A. Beam, “US Journalists in the Tumultuous Early Years of the 21st
percent “in the middle.” This demonstrates that as a whole, journalists in the US are of more liberal leaning political stance than the rest of the population, and can be assumed that the two leading newspapers the NYT and WP would have liberal stances based on the findings that 73.3 percent of US journalists identified as either left-leaning liberal or centre liberal. While print journalism continues to suffer losses, the NYT and WP still maintain significant subscription rates, with the NYT having approximately 1,853,000 paid digital subscriptions at the end of 2016, and the WP increasing their digital subscription rate nearly 145 percent year after year since its inception in 2014. This demonstrates that the NYT, WP, and other US news media sources are of relevance to the public, as there is still demand for the content they publish. As the NYT and WP are known for being liberal leaning papers, with the NYT being slightly to the right and the WP slightly to the left, it is fair to assume the majority of their publishing will have a liberal leaning stance to them as well.

In the United Kingdom, there is competition between the national newspapers to publish “exclusive” stories and a tendency for British journalists to support their roles as transmitters, analysts, and investigators of information. British journalism has been classified as having greater autonomy and professionalism, with a distance from the politicization of media sources sometimes found in other European media markets. Furthermore, there is also a sense of journalists acting as watchdogs of the government, providing valuable insider or undercover exclusives exposing political fallacies. This presents the UK media as a source for reliable coverage of national and international events free to be partisan or non-partisan in its publishing. The Guardian, founded in 1821, and The Times, founded in 1788, represent two leading quality daily newspapers with The Guardian associated as being centre-left, or supportive of the Labour Party, and The Times as being centre-right or supportive of

---

18 Ibid.
the Conservative Party. This demonstrates that there are two leading newspapers that publish from a liberal perspective, and may even frame their articles towards a dictation associated with the political parties they support. In terms of ownership, The Guardian is owned by The Scott Trust Limited, while The Times is part of the Rupert Murdoch media conglomerate News Corp. In terms of readership, there are mixed numbers for both papers with a general trend of decrease in print copies and increase in online presence. The Audit Bureau of Circulations reported that at the end of 2016, The Guardian’s print circulation had decreased by 3 percent to 161,191 copies per day. The Times on the other hand, enjoyed a 9.2 percent rise in print circulation to a total of 446,164 copies per day. However, online readership greatly increased for all national newspapers with a collective increase of 16 percent readership from December 2015 to December 2016, estimating a total of 31.5 million unique visitors for the month of December 2016. This demonstrates that while the print presence of The Guardian may have decreased, there is still a significant online presence for the paper. Given the paper is not blocked online by a paywall, it is still a reliable and easily accessible source for news. The Times’ print circulation rates have increased significantly placing it as one of the most read quality daily newspapers in print in the United Kingdom. However, its online readability is blocked by a paywall and therefore only accessible by a personal subscription or through an online database such as Factiva. This could be one reason for its increase in print circulation sales. Regardless whether The Guardian or The Times charges for their subscriptions, they represent two well-read and distributed quality daily newspapers which publish from a liberal viewpoint, either centre-left (as The Guardian) or centre-right (as The Times), and serve as an accurate source for measuring the magnitude of liberal news framing.

Disposition

This thesis will follow a structure composed of four major components: literature review, theory and method, empirical analysis, and discussion. There are various

23 Quality in this sense is referring to newspapers which publish leading stories on international and national news. It does not include tabloid papers.


26 Ibid.
subsections in each component that will guide the trajectory of the thesis. First, I will undertake a literature review of the Gacaca Courts in Rwanda and studies of the media representation of the Rwandan genocide. Second, I will present the components of liberal peace theory, with an emphasis on the inclusion of women and transitional justice in this theory; how knowledge is produced within liberal peace; and how the media is affected by liberal peace. Third, I will discuss news framing theory and its correlation to the Policymaking Cascading Network Activation model. This, in conjunction with liberal peace theory, will inform the analysis of how US and UK news sources interact with the public, knowledge producers, and policymakers. Then, an overview of the methodology in which this study will conducted—coding through qualitative text analysis—is presented. Next, a brief history of the Rwandan genocide and the implementation of the Gacaca Courts will be discussed to provide historical context for the empirical analysis. Afterwards is the empirical analysis and presentation of relevant newspaper articles. Following is the discussion of the analysis and its relevance to the research questions. The discussion will involve a comparison in the trajectory of publications between the newspaper articles, policy reports, and academic articles, followed by general conclusions.

Theory and Methodology

Literature Review: Gacaca Courts

There is a plethora of research on the Rwandan genocide investigating everything from the role of certain state actors, such as Andrew Wallis’ *Silent Accomplice: The Untold Story of France’s Role in the Rwandan Genocide*, to the role of female *genocidaires* explored in Leila Fielding’s *Female Genocidaires during the Rwandan Genocide: When Women Kill*, and the legal standard with which the Gacaca Courts are conducted in.27 These critiques highlight that the Gacaca Courts are not necessarily a revered transitional justice mechanism combining retributive and restorative justice. Rather, they are a mechanism that has been granted legitimacy by

---

the international community even though there are many faults with its proceedings, including being labelled as a possible façade to validate the Rwandan Patriotic Front and the leadership of Paul Kagame. However, the topic of this thesis examines how women who participated in the Gacaca Courts are portrayed in Western media outlets and therefore an overview of previous literature regarding the Gacaca Courts and the Western media’s portrayal of the Rwandan genocide will be undertaken.

One of the most prominent scholars on the Gacaca Courts is Phil Clark. In his book *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice without Lawyers*, Clark produces an extensive study of the Gacaca Courts and the Rwandan genocide, providing a critical analysis of the Gacaca Courts’ place in the field of transitional justice and law. He notes in the fields of academia and journalism, gacaca is referred to as a “‘traditional’ or ‘village’ practice, implying that gacaca, as a ritual and a set of ideas, is deeply entrenched in Rwandan society, particularly in rural communities, and automatically comprehensive to, and considered legitimate by, the population.” This type of representation and understanding leads to a misrepresentation of the Gacaca Courts as a pre-existing method of judicial proceeding that is tied historically and culturally to the people of Rwanda. In fact, it is a method that has been adapted to fit the post-genocide environment and needs of the government and people in both formal and informal processes. Traditionally, gacaca was not a permanent fixture of judicial practice but rather implemented to resolve conflicts between families in a hearing held outdoors on a large open space (patch of grass, village courtyards) and overseen by the male head of households. Clark notes gacaca was adopted as an official post-genocide method for transitional justice as a “hybridity” between “legal and non-legal objectives and methods, [resulting] from the crucial political compromises that led to [its] inception.” The Gacaca Courts were developed as an official post-genocide mechanism of transitional justice to appease members of the Rwandan government, external actors such as nongovernmental organizations (NGOs) and Western states,

30 Ibid., 49.
31 Ibid., 50.
32 Ibid., 52.
33 Ibid., 62.
and legislative actors such as the UN. By June 18, 2002, the Gacaca Courts were inaugurated by the government of Rwanda, which argued that “popular participation and a greater sense of togetherness during the process of gacaca will produce a greater sense of togetherness, or reconciliation in the group-to-group sense, outside of gacaca.” In his overall assessment of the Gacaca Courts, Phil Clark contends that “gacaca has generally succeeded in promoting peace in Rwanda. Within the concept of positive peace, gacaca plays an important educative role by inculcating in the population ideas and methods of future cooperation and conflict resolution rather than in a strictly deterrent sense designed to eradicate the culture of impunity.” For Clark, the Gacaca Courts have served as a restorative form of transitional justice in post-genocide Rwanda, creating a mechanism of positive peace for which the participants and perhaps the country can utilize in the future as an alternative to the deterrent or retributive form of justice often associated with the International Criminal Tribunal for Rwanda (ICTR). While Clark may wish to view the Gacaca Courts as an overall success, and a reconciliatory mechanism for which future positive peace initiatives may utilize, there are fallacies with the Gacaca Courts that cannot be ignored for the greater good of stable peace.

Participation in the Gacaca Courts can lead to severe psychological impact on women who participate in them, particularly when testifying against the sexual violence they have suffered. Karen Brounéus has done numerous studies in this field, suggesting that “witnesses may have this worsening effect on depression and PTSD [post-traumatic stress disorder] because of the nature of witnessing in truth-telling procedures.” Brounéus also argues that “there may be risks involved concerning the psychological health of women survivors who give testimony in the gacaca. These risks would be due to the short-term exposure testifying involves, as well as to the vulnerable position of testifying in an environment surrounded by family members of the perpetrators, as well as by the perpetrators themselves, and in relation to sexual violence.” Testifying at the courts has proven to be a psychologically damaging event for most women, and in some cases even led to physical pain. This is explored

34 Ibid., 63.
35 Ibid., 311.
36 Ibid., 221. Emphasis author’s own.
in Brounéus’ “Truth-Telling as Talking Cure?” where several women speak of suffering from a “trautisme” when testifying at the Courts, which included “reliving the trauma very strongly, crying, shaking uncontrollably, or fainting.” This led to the women feeling shameful for expressing such emotions in a public setting, and guilt and loneliness when no one was concerned with their recovery after the “trautisme.”

Sixteen women also received threats and harassment after their testimonies at the Gacaca Courts, which included their property being damaged, crops destroyed, and even violently attacked in their own home. The act of testifying should be undertaken with extreme care especially in sensitive cases dealing with sexual violence, and even more so when the victim’s family members, community members, and perpetrator(s) are present. Women experienced a sense of isolation from their families as well due to the stigmatization of rape within the community and acts of rape committed within their families.

In “The Women and Peace Hypothesis in Peacebuilding Settings: Attitudes of Women in the Wake of the Rwandan Genocide” Brounéus notes “women were significantly more negative than men on two of the four measures [of attitudes of relevance for peacebuilding]: women did not believe the gacaca makes living together easier, but they did believe, to a higher extent than men, that the gacaca intensifies suffering.” This demonstrates that women do not believe the Gacaca Courts to be a successful mechanism of reconciliation, for it is perceived not to make “living together easier” and it is also believed to intensify the suffering of women who participate in them. All of Brounéus’ studies demonstrate the Gacaca Courts cause psychological and physiological trauma for the women who testify, increase stigmatization and threats against them in the community, and are not believed to be a successful mechanism for reconciliation by those who partake in them. It provides concrete evidence that disproves the widely accepted belief that testimony or truth-telling is healing for the victim. It also proves that transitional justice mechanisms which involve testimony or “local” forms of justice are not necessarily the most beneficial to a community after mass atrocities have been committed, and therefore, should not be a blanket-solution for peacebuilding.

39 Ibid., 69.
40 Ibid.
41 Ibid., 66-7.
42 Ibid., 70.
Evidence of women experiencing trauma due to the Gacaca Courts is also explored in Ann-Marie de Brouwer’s and Etienne Ruvebana’s “The Legacy of the Gacaca Courts in Rwanda: Survivor’s Views.”\textsuperscript{44} In their interviews with women survivors, similar experiences as those reported in Brounéus’ studies are found. One interviewee explained that her case was not pursued by the Gacaca judges for they believed that a woman “cannot sexually abuse another woman.”\textsuperscript{45} This discrimination of and bigotry towards women suggests there may be a stigmatization of rape during the Rwandan genocide wherein women’s claims of rape are not valued if they are accusing another woman. Another interview highlights that even in closed testimony sessions dealing with rape cases, victims are still harassed by people in the community able to listen through the courtroom windows.\textsuperscript{46} Women are also stigmatized in the community for contracting HIV/AIDS from their rapists.\textsuperscript{47} Through their interviews with female participants in the Gacaca Courts, de Brouwer’s and Ruyebana’s study demonstrates that feelings of discrimination, harassment, stigmatization, and re-experiencing the trauma of their sexual violence are felt during and after their testimonies.\textsuperscript{48} Their work builds upon the evidence of psychological and physiological trauma explored in Brounéus’ earlier studies, demonstrating the turn in academic discourse in regards to women’s participation in the Gacaca Courts. One can see there is increasing doubt over the reconciliatory capacity of the Gacaca Courts to bring justice, truth, and peace to the women who testified. Post-conflict peacebuilding has been centred on incorporating local practices into transitional justice mechanisms, whether that be for the better or worse of those participating. As shown by Brounéus, de Brouwer and Ruyebana, the adoption of the traditional gacaca for the Gacaca Courts has led to severe traumatization for the women who have participated in them, questioning the overall success of the Gacaca Courts as a transitional justice mechanism.\textsuperscript{49}

\textsuperscript{45} Ibid., 949.
\textsuperscript{46} Ibid., 949.
\textsuperscript{47} Ibid., 952.
\textsuperscript{48} Ibid., 959.
\textsuperscript{49} This is not to ignore the fact that men who participate in the Gacaca Courts may experience psychological and physiological trauma as well. However, given the scope of this thesis, the traumatizing effects on men will not be explored and may in fact be an area for further study: comparing the psychological and physiological traumas of the Gacaca Courts on men and women in Rwanda.
Studies of Media Representation

The representation of the Rwandan genocide in Western media outlets has been a topic of discussion for numerous scholars, ranging from analysis of TV programs, to magazines, and newspapers. There is a selection of scholarly works which provide broad overviews of media representation of the genocide both within and without Rwanda. However, to my understanding, there were no studies which address the media’s representation of the Gacaca Courts specifically, hence my literature review will cover studies discussing the representation of the Rwandan genocide in Western media. *The Media and the Rwanda Genocide* edited by Allan Thompson provides a collection of chapters analyzing Rwandan radio and print media, international media outlets and their reporting on Rwanda, and the use of media in mass violence.50 *Africa’s Media Image in the 21st Century: From the ‘Heart of Darkness’ to ‘Africa Rising’* is a collection of chapters which discuss Africa’s media image in four sections: framing Africa, the image makers, development and humanitarian stories, and politics in the representation of Africa.51 One particular chapter “The International News Coverage of Africa: Beyond the ‘Single Story’” analyzes the coverage of Africa in 1994 and 2013 in prominent Western news agency sources and newspaper sources.52 Bunce notices a decrease in the framing of Africa in an Afro-pessimist tone from the 1994 and 2013 samplings, wherein 52.7 percent of the newspaper articles in 1994 were coded as negative.53 This shows that over time, there has been a trend for Africa to be portrayed more positively in the media sampled in her study. Melissa A. Wall analyzed how news magazines in the United States: *Newsweek*, *Time*, and *US News and World Report* covered the Rwandan genocide and what general themes were found in their publications.54 She found that five overall themes were dominant in the discourse of the news magazines regarding the genocide being: (1) violence was a result of “irrational tribalism”; (2) that Rwandans are impassive and barbaric; (3) the violence can only be explained through Biblical associations, supernatural causes, disease or natural disaster; (4) neighbouring countries are just as violent and therefore unable to help; (5) only the West is able to

53 Ibid., 23.
help Rwanda.\footnote{Ibid., 121.} Another interesting finding was that only five percent of expert sources such as human rights specialists or academics were cited in the sources she analyzed.\footnote{Ibid., 124.} Wall’s article demonstrates that even in 1997, there already existed a bias towards publishing of the Rwandan genocide in American news magazines. The majority of the sources analyzed did not rely on expert opinion or research but rather interviews with “ordinary Rwandans.” This allowed the news magazines to publish Rwandan voices in a limited frame related to one of the five themes discovered in the analysis. However, the limitations to Wall’s study are that it only covered three news magazines in the United States and did not include The New Yorker, The Atlantic, or The Nation which are notable sources in the news magazine category. Furthermore, Wall’s study did not research the reasoning for these news magazines to adhere to a theme of “tribalism” for their explanation of the Rwandan genocide, a research node which could have delved into the political affiliation of the news magazines and news framing.

Georgina Holmes investigated the BBC’s reporting of the Rwandan genocide between April and September 1994 during their Newsnight broadcast.\footnote{Georgina Holmes, “Did Newsnight Miss the Story?: A Survey of How the BBC’s ‘Flagship Political Current Affairs Program’ Reported Genocide and War in Rwanda between April and July 1994,” Genocide Studies and Prevention 6, no. 2 (2011): 174-192.} In her analysis she finds that throughout Newsnight’s coverage of the genocide, the British government was not challenged to support the signing of the Genocide Convention and label the conflict rightly as a genocide.\footnote{Ibid., 178.} The term genocide is only mentioned after September 22, 1994 in concert with the UN using the term in reference to Rwanda.\footnote{Ibid.} Holmes concludes that “Newsnight’s failure to challenge UK politicians has further hindered a collective understanding of the extent to which the British government practice denial and has prevented the sourcing of additional leads of inquiry which might expose individuals who should be held to account for failing to act on behalf of British citizens.”\footnote{Ibid., 189-190.} To her understanding, Newsnight framed the conflict in concert with British foreign policy even though there was evidence in the BBC’s reporting that a genocide was taking place. This suggests political influence on news reporting and is an area for further research which Holmes addresses at the end.
of her article. Holmes’ article provides an interesting perspective on how BBC programming framed the Rwandan genocide not only as a news agency, but also as a news agency which may be under political persuasion. Her analysis of the discourse used by presenters and guests on the program, juxtaposed against discourse of journalists, demonstrates an agenda to frame the genocide in conjunction with how the British government framed the genocide. It touches upon how a government may wish to influence news broadcasting to portray a selected narrative in conjunction with their own policies. This influence is similar to that of the liberal peace narrative which is being investigated in this thesis.

Another source which deals with news framing is Tendai Chari’s article “Representation or Misrepresentation? The New York Time’s Framing of the 1994 Rwanda Genocide.”61 Articles published by the New York Times from April 1, 1994 to December 31, 1994, were analyzed and categorizes into four frames, those being: historical baggage, tribalization, Western benevolence, and Western indifference.62 Chari discovers that reporting on the genocide peaked in May 1994, with a total of 45 articles published that month, and gradually declined thereafter to December 1994 where just 2 articles were published.63 The study concludes that historical, colonial undertones led to a presentation of the genocide as an “endemic” conflict to the continent, which in turn was oversimplified by the articles in the New York Times and presented to its readers as a “normal African tragedy,” about which minimal could be done by Western powers.64 Chari’s article highlights how framing distorted the presentation of the Rwanda genocide to readers of the New York Times. Numerous articles were published during the “peak” of the genocide which presented it along the frames of historical baggage and tribalization. Furthermore, Western governments and aid organizations were presented as being benevolent sources of help to a conflict that was lost because of its geographic location. Western reluctance to intervene in the genocide was justified under the guise of the “Somali-debacle,” wherein United Nations’ forces suffered public casualties and were forced to retreat.65 Chari’s article is one of the few that touch upon how a specific newspaper, the New York Times, framed the Rwandan genocide. However, there is no mention of the Gacaca Courts.

---

62 Ibid., 336.
63 Ibid., 337.
64 Ibid., 347.
65 Ibid., 345.
and how women’s participation in those courts is framed in Western news sources in Chari’s article. This is the gap in the research I will fill as well as an analysis on how knowledge is produced and disseminated between academia and Western media regarding women’s participation in the Gacaca Courts.

Theory

Placing Transitional Justice and Women in Liberal Peace

The concept of liberal peace has been developed over the years by numerous scholars in their reinterpretation of classical works of philosophy, such as Immanuel Kant’s “Perpetual peace” (1795), to modern analyses of the current state of affairs that have evolved from the pioneering works of Kenneth Boulding and Johan Galtung. Today, liberal peace has been defined as a complexity of market economy and democracy with numerous tributaries from the various fields of study which adopt this theory. Roland Paris has identified the “surest foundation for peace” being “market democracy, that is a liberal democratic polity and a market-oriented economy.” There is an international narrative in which democracy and a free market economy, two characteristics of the majority of Western nations, are the key for building lasting peace, hence the terminology: liberal peace. Under this definition liberal peace is comprised of the tenets of: liberal democracy, liberal human rights, market values, globalization, and centralization of a secular state. Peacebuilding is the result of several intertwined factors aimed at structuring human praxis to promote and sustain transformative processes: democracy, governance, socio-economic development, and

---

67 Some examples including: international relations, human rights, peace and conflict studies, law, history, and sociology. 
securitization. It is an “external, transcendent or elite-drive process that may impose its own ideals to the point of exclusion or destruction of more local issues, needs, and traditions, or over the goals of human fulfilment and sustainable development.” The need for external actors to promote the secure development of a society post-conflict has led to peacebuilding becoming an extension of the international norm of human rights. Paris notes that under the concept of mission civilisatrice—colonial belief of European superiority to their colonies and hence a duty to civilize said colonies—peacebuilding missions advance the globalization of liberal peace from “the core to the periphery of the international system.” This demonstrates that under liberal peace, exportation of liberal democratic ideologies to restructure or “civilize” post-conflict societies, is the normative narrative. There is a component to liberal peace which places it at a “moral high ground” of international standards, enabling Western states, and international governing bodies (and international organizations which support them) to continuously write policy and undertake peacebuilding missions without much hindrance. Mark Duffield identifies the aims of liberal peace to transform “war-affected societies” via “nodes of authority within liberal governance that bring together different strategic complexes of state-non-state, military-civilian and public-private actors.” Policy is created to promote a peaceful transition post-conflict between two groups in favour of restructuring the state in accordance with liberal peace. This restructuring is carried out through nodes of authority which may include: the introduction of liberal democracy (the extent dependent on the scenario), opening of a market economy that would benefit or work closely with societies already classified as liberal market economies or coordinated market economies, and a normative standard for which human rights must be upheld during and after the transition period to peace.

Transitional justice is utilized as a node of authority combining state-state, public-private, and civilian-civilian complexes. It fits the requirements as a mechanism to reach human security within the scope of liberal democratic values and

---

71 Ibid., 643.
interconnectivity of globalization. Transitional justice has become the go-to method for peacebuilding in post-conflict scenarios. It is a reactive response to mass violence and is thus adapted to the conditions with which the violence occurred in and how the society shall transform in the post-conflict scenario.\textsuperscript{74} Justice can take a retributive form, which centres on prosecutions, or a restorative form, which emphasizes reconciliation (e.g. truth commissions, reparations).\textsuperscript{75} These methods have become internationalized in an accountability norm that emphasizes human rights and which influences nations’ decisions in how they address violations.\textsuperscript{76} Existing scholarship highlights four particular sets of influence: “norm diffusion, international advocacy, economic factors, and contagion.”\textsuperscript{77} These norms are diffused across societies through interaction in the political sphere or via intergovernmental organizations such as the UN, which provide a set of rules and guidelines for its member states to uphold. Societies are drawn to adhere to this normative narrative through aid packages or loans; adopting the policies of their neighboring nations in an environment of contagion; and through “normative socialization” in which continuous interaction between societies “diffuses models of appropriate action in which states begin to alter their behavior to conform to international expectations and norms.”\textsuperscript{78} This “peer pressure” on the international stage has led to transitional justice becoming a focus towards interests of non-state actors in globalization, and the expansion of the role of the law in “advancing democratization and state-building toward the more complex role of transitional justice…” Maintaining peace and human security.”\textsuperscript{79} Transitional justice has become a tool of peacebuilding within a sphere of globalization and liberal peace, emphasizing the need to ensure human security both within and without states, including state and non-state actors.

In association with liberal democratic values, the emphasis of women’s incorporation into post-conflict peacebuilding processes is also an important factor of liberal peace. Since UN Resolution 1325 was mandated in 2000, UN member states have been “encouraged to increase the representation of women at all decision-

\textsuperscript{75} Ibid., 12.
\textsuperscript{76} Ibid., 79.
\textsuperscript{77} Ibid., 80.
\textsuperscript{78} Ibid.
making levels…for the prevention, management, and resolution of conflict."\(^{80}\) This has led to an increase in programs and initiatives directed towards women’s representation and involvement in the peacebuilding process.\(^{81}\) It is also found in specific missions which have incorporated a gender unit or gender mainstreaming into their policies.\(^{82}\) Fionnuala Ní Aoláin notes that “the neutral character of liberal equality norms introduced by transitional justice mechanisms raises critical questions about the representativeness of the architects of institutional transformation. The presence, or absence of women, and what they do or do not gain, may be core to the potential for institutional transformation to deliver benefits to women, but are not part of the negotiation itself.”\(^{83}\) It is important to consider who are the architects of these transitional justice mechanisms being encouraged in peacebuilding scenarios, and how this may affect the legitimacy for reconciliation, justice, and peace in the future. Gendered policy may appear to promote women’s inclusion but is promoting a Western perspective of how peacebuilding should be conducted. This runs the risk that women may be trivialized during the architectural process of post-conflict peacebuilding and introduction of transitional justice mechanisms. Transitional justice also fails to recognize the web of “legal, political, customary, cultural, and social forces which combine to ensure that ‘justice’ remains beyond reach for women when they are constructed ‘only’ as women and the impact of the different harm they are experiencing is not addressed.”\(^{84}\) This multiplicity of justice within a post-conflict society may lead to the trauma women experienced during/post-conflict, not being adequately addressed in peacebuilding mechanisms such as transitional justice. Furthermore, the patriarchal structure of judicial proceedings and political nature of post-conflict justice and reconciliation has resulted in “little public recognition of

---


\(^{82}\) e.g. The United Nations Transitional Administration in East Timor (UNTAET), the United Nations Stabilization Mission in Haiti (MINUSTAH), and the United Nations Mission in Liberia (UNMIL).

\(^{83}\) Fionnuala Ní Aoláin, “Gender Under-Enforcement,” 77.

gender-based war trauma and virtually no gender justice within legal systems.”

This may lead to women’s claims in official and unofficial court proceedings being rejected, not followed through to completion, or resulting in biased rulings. The success of peacebuilding initiatives is dependent upon the trauma experienced by women being recognized as having an impact on the development of the post-conflict society; not just a “women’s issue.”

As international governing organizations, NGOs, and Western societies adhere to liberal peace norms, they adhere to what Aoláin terms a “hierarchy of harms” in which “human rights violations that have been identified externally as particularly egregious during the conflict will have a clear ascendency…to merit review and redress in the post-conflict period.” In this hierarchy, harms committed against women or “gender-based harms” are usually at the lowest tier in terms of receiving recognition and initiatives for change from Western organizations. While gender mainstreaming initiatives such as UN Resolution 1325 strive to include women in all aspects of peacebuilding, the hierarchy of harms places gender-based human rights violations at the lowest level of concern. While it is important to include women in transitional justice mechanisms, the critique here is that the same hierarchy of harm transcends into the realm of transitional justice, placing women at a disadvantage. One of the critiques of transitional justice is that it falls under the umbrella of liberal peacebuilding and therefore is a mechanism to bring democracy to post-conflict societies, running the danger of destabilizing the society. Quite often, localized transitional justice mechanisms are foregone in favour of adopting the normative transitional justice narrative—creating a scenario in which reconciliation and peace has been reached only for liberal market democracy to be established. What results is a situation where gender-based harms against women are not adequately addressed in the transitional process, and the supposed gender-mainstreaming of the peacebuilding initiative is but a blanket terminology without any concrete effects.

Any impediments to the success of the implementation of peacebuilding mechanisms

---

87 Ibid.
89 Sometimes, there is an attempt to adopt some aspects of a traditional justice mechanism already existing in the society, however it is usually appropriated and distorted to accommodate liberal norms.
(and liberal market democracy) such as addressing gender-based harm incurred during a transitional mechanism (e.g. Gacaca Courts), are disregarded for they oppose the normative narrative that liberal market democracy is the solution to healing post-conflict societies.

**Knowledge Production**

How is research on transitional justice mechanisms in post-conflict societies produced, disseminated to the media, and utilized in creating new political policies? Over the past few decades, there has been a shift in the way in which research is conducted to aid policy formation and how much influence or control state actors have over how that research is conducted. Previously, academic research has been viewed as the preeminent source for driving the creation of policies. Scientists and researchers alike (natural and social sciences) were believed to provide “objective representations of reality” which would inform policy makers in their process of implementing rational delegations.90 Policymakers in turn, create policy that is “the product of a rational, technically informed, instrumental decision process that moves through the distinct stages of agenda setting, decision making, and implementation.”91

There is a distinct process through which scientific information is conducted first, and then policy is formed based on discoveries from this information along a linear cognitive model.92 In this form of knowledge production, it is research that informs policymaking and provides empirical results to legitimize the quest to develop a certain policy; the knowledge already exists that such a policy will be beneficial and therefore legitimizes its creation.

However, since the end of the Cold War there has been a shift in policymaking in Western societies, particularly the United States and the United Kingdom, towards a system in which neoliberalism is imbedded in all facets of the policymaking process, including knowledge production.93 In this system, there exists a structure of

---


91 Ibid.

92 Ibid.

policy-based evidence finding, wherein researchers and scientists (the producers of knowledge) are tasked with producing evidence to support a policy a government has in mind. Knowledge producers are portrayed as “issue advocates” that “deploy supportive scientific findings to promote favoured issue positions.”

Richard Whitely summarizes the changes in knowledge production into three major headings: “a) increasing state steering of research priorities and knowledge evaluation, b) increasing state guidance of [public research organizations] PROs through competitive research allocation and performance monitoring, and c) enhancement of unified authority hierarchies in PROs.” By creating a competitive environment for funding and set of rules for research, state actors can skew research and its results towards the production of knowledge which favours: implementation of a policy initiative, support an existing policy, or discarding of a policy initiative if it does not fit the political narrative.

Investigation into the success of transitional justice mechanisms is one example of how knowledge production can be used to promote a policy agenda. Knowledge that is produced from this research will be specifically chosen to aid the argument that transitional justice is a successful mechanism to use in peacebuilding because of x, y, and z’s findings in their research. This is no coincidence, as producers of knowledge are forced to side with the internalized accountability norm of liberal peace, which places human rights and peacebuilding in a normative narrative for policymaking. The narrative is deeply embedded in the language of producers of “frameworks of meaning for officials and policymakers,” and acts as a node of authority on the production of knowledge.

It is the legitimizing factor of the liberal peace narrative, which acts as a node of authority, that keeps policy-based evidence finding in the grasp of policymakers rather than knowledge producers.

The Media and Liberal Peace

By understanding the correlation between transitional justice mechanisms in liberal peace and its acceptance as a normative method of liberal peacebuilding, to its

---

interpretation and portrayal by the media, it is possible to analyze how knowledge and foreign policy processes are constructed for the public in news sources. The media is viewed as a tool that reports on and propagates the policies that are created through knowledge production. As transitional justice is a mechanism of liberal peace, it falls under the influence of Western media, which may affect how it is interpreted and propagated in news sources in Western societies and the international media sphere.\(^98\)

In their article “Media and Transitional Justice: Towards a Systematic Approach” Monroe E. Price and Nicole Stremlau note:

> media have the potential to advance or minimize the impact of harmful symbols in adjusting social relationships. This tendency creates an inherent conflict in the media’s ability to help achieve (or conversely, impede) transitional justice goals. Thus the media’s representations of identity, of history, of the justification of transitional measures — indeed, the narratives of the society itself— become critical in shaping the extent to which stability, reconciliation, new nation-building, and community can be sustained.\(^99\)

Price and Stremlau emphasize the media’s ability to portray transitional justice mechanisms and the societies with which they are occurring in, or being instigated by, in a positive or negative light. This is dependent upon various symbols present in news sources which may engage readers to view a process as successful, harmful to locals, detrimental to external state and non-state actors involved in the process, etc. In turn, this affects how liberal peace processes are observed by the public and how these processes are interpreted on local, national, and international levels. There are four impacts the media can have on liberal peace processes: (1) they can define the political atmosphere; (2) they can influence the nature of debate about the processes; (3) they can impact antagonists’ strategies and behaviour; and (4) they can influence the public opinion and legitimacy of antagonists.\(^100\) The media can define the scope with which transitional justice mechanisms are observed and understood in the political atmosphere they are described in, depending on the framing of the topic within a given source it is delivered through. This can influence the reading of the

---

\(^{98}\) This thesis is only examining the influence of British and American media sources; not to say that Western media is the only domain of media which affects the perception of transitional justice mechanisms. This could in fact be an interesting topic for further research: comparing the perception of transitional justice mechanisms in different media markets across the globe.


transitional justice mechanism as being successful, unsuccessful, liberal, or conservative amongst other possibilities.

Furthermore, there exists a discursive engagement in which journalists, or the media agencies they represent, seek out specialist knowledge in a given area to add context to a current debate. In the realm of foreign policy, in which the liberal peace narrative would have relevance, there may be a “gagging” of academics or researchers where the politico-institutional context prevents unpopular positions from being articulated to the media.101 This “gagging” could occur in two scenarios, where the knowledge producer prevents certain information from being disseminated due to their contract with a policymaker, or where the knowledge worker (either the journalist or the media agency they represent) omits certain parts of an interview (or other source of information) to adhere to the frame they are wishing to portray to the public. However, knowledge producers are not required to seek out journalists to disseminate their research findings, as it is the task of journalists to be aware of new research that is published not only by academics or scientists, but also think-tanks, NGOs, and research agencies. It is up to the media to seek to frame knowledge that is available to the public. That is why it is important to study the media’s portrayal of transitional justice mechanisms, such as the Gacaca Courts, and what influence this may have on the public and foreign policy.

News Framing
The media acts as a bridge of information between the public, knowledge producers, and policymakers. Media provides accessible information for the public to read either in print or digital form, and presents a concise and layman understanding of complex ideas or policies. Gaye Tuchman’s Making News is believed to be the premier framing study by most news framing scholars.102 In analyzing the print and television newsroom of “Seaboard City” and other locations, she is believed to have conceived of a “frame of facticity” in which journalists look for “authoritative accounts from within officialdom.”103 While news framing theory has developed since the 1970s, the main concept of searching for authoritative accounts within an official narrative is still

103 Ibid., 100-103.
consistent. News framing theory is the “selecting and highlighting some facets of events or issues, and making connections among them so as to promote a particular interpretation, evaluation, and/or solution.” Framing utilizes words and images that can be distinguished from the rest of a news article by “their capacity to stimulate support or opposition to the sides in a political conflict...those frames that employ more culturally resonant terms have the greatest potential for influence.”

Entman identifies two categories of frames: substantive and procedural. Substantive frames include: defining effects or conditions as problematic, identifying causes, conveying a moral judgment, or endorsing remedies or improvements. Procedural frames are evaluations of a political actors’ legitimacy. In both categories, frames work to alter the readers’ or viewers’ perceptions of a given topic that has been deemed “news worthy” by the media agency reporting it. Readers are primed to view a topic or topics within the article in a specific way, as the article raises different arguments throughout using choices of language that resonate targeted emotions and feelings in the audience. This can affect how individuals and policymakers respond to the issues presented through framing, and may influence their actions regarding the issue.

Framing also utilizes agenda setting to define the problems “worthy of public and government attention” therefore drawing light to specific societal issues, global events, or politics. Therefore news framing highlights a given crisis determined as such by the writer and/or editor of the media source it is published in. Once it has been established this crisis is worthy of greater public and government attention, it is then portrayed to a selected audience in a targeted manner through priming, which ultimately leads to the intended effect of the frame. Strategic framing works to “highlight the causes of problems, to encourage moral judgements (and associated affective responses), and to promote favoured policies.” The important element here is the promotion of favoured policies, in which the media can frame specific policies to the public to garner favour in their continuation, implementation, or

---

105 Ibid., 6.
106 Ibid., 5.
107 Ibid., 6.
passing in government. This is a crucial component for it has the ability to normalize specific narratives. Hardin and Whiteside note that the audience effects of frames (priming) are “generally assumed in the constriction of political consciousness by way of the normalizing function of frames. In other words, frames can naturalize the arbitrary…so that it becomes taken for granted even at the expense of large social groups such as women and racial minorities.” They contend that framing reduces the political consciousness of audiences to a state where the arbitrary is engulfed by the normalization of political, economic, and social narratives. It may greatly effect minority groups who become swamped up in the hegemonic normalized narrative as they may be viewed as arbitrary. This is an important notion for it presents the media’s representation of the liberal peace narrative in a different light; one which may place women in a place of arbitrariness to the overall agenda setting of the liberal peace narrative in framing. The normalization of liberal peace through framing will be further discussed in the empirical analysis.

In terms of models of analysis for framing, there are two competing metatheories which place emphasis on a compounded paradigm versus a multiparadigmatic model. Paul D’Angelo argues for a multiparadigmatic outlook that is composed of cognitive, constructionist, and critical viewpoints of framing to comprise the “Model of the News Framing Process.” In this model, news framing has three subprocesses: a frame construction flow, a framing effects flow, and a frame definition flow. However, in comparison to Entman’s model (which will be discussed below) D’Angelo’s model is primarily used to analyze the interpretation of the framing process by scholars. It is not an appropriate model for an analysis of the flow of frames and knowledge between the levels of policymaking, knowledge production, the media, news framing, and the public.

An alternative model of framing, one which is identified as being a compounded paradigm by D’Angelo, is Robert Entman’s Cascading Activation Model. The model is constructed on the premises of spreading activation of thoughts within an individual, and is used to help explain how “thoroughly the thoughts and feelings that support a frame extend down from the White House through the rest of

113 Ibid., 880.
the system—and who thus wins the framing contest and gains the upper hand politically.”

The model is made up of five levels in the system: the administration (made up of the White House, state, and defense), other elites (Congress members and staff, ex-officials, and experts), media (journalists and news organizations), news frames (framing words and framing images), and the public (polls and other indicators). Entman uses the metaphor of spreading activation to highlight the similarities in the way ideas are passed between each levels of the system. He notes that “spreading activation of interpretations within individuals’ knowledge networks is a largely automatic and unconscious psychological process, whereas the spread of interpretative schemas within and across other levels of the system is rarely automatic or unconscious.”

Therefore while the activation and interpretation in an individual’s knowledge network might subconsciously occur, the spread of schemas between each

---

115 Ibid.
of the five levels is deliberately done in terms of news framing. Furthermore, the level of power and control differentiates between each level of the model and there is stratification in each level as well. It is not always the case where an administration may be united against a common frame, or certain media actors might dominate the field with higher reputations (such as the NYT). The flow of information along the cascade is not a comprehensive understanding of issues but rather: “highlights packaged into selective, framed communications. As we go down the levels, the flow of information becomes less and less thorough and increasingly limited to the selected highlights, processed through schemas, and then passed on in ever-cruder form.”

The administration represents the level in which information is in its most developed form, however as it is passed through each level, it is structured into specific frames and schemas for the level below. Once it reaches the public, it is a frame which is interpreted accordingly by the audience and the understanding of the scheme it is presented in. Furthermore, the ascending arrows represent the feedback of the interpretations of the frames by the public (the audience) towards the media, elites, and administration, who are then tasked with restructuring the frames based on the interpretation of the public. This enables the frames to be constantly reconstructed and re-primed for the selected audience and affect the administration’s, elite’s, and media’s presentation of these frames to the public. Entman’s Cascading Activation Model represents the relationship between the administration, elites, media, and public in the realm of news framing and demonstrates how frames are transmitted between each level of actors.

However, Entman’s model also serves as an example upon which my own cascading activation model has been created to demonstrate the transferring of frames that occurs during liberal policymaking. Similar to Entman’s model, the top level involves the administration, or policymakers in this example, consisting of the state and defence. The next level concerns knowledge producers where academia, experts, consultants, researchers, and PROs are found. Following comes the media, then news frames, and finally the public. This model attempts to illustrate how news framing affects the relationships between policymakers, knowledge producers, the media, and

---

116 Ibid., 420-1.
117 In relation to the liberal policymaking discussed in this thesis occurring in the United States and the United Kingdom. Taken out of this context may require a reinterpretation of the model in accordance with the political, ideological, and geographic region being studied.
Figure 2. Policymaking Cascading Network Activation

the public in the liberal peace narrative. Policymakers dictate policy-based evidence finding to the knowledge producers, who are then tasked to prove the validity of the policies which the state or other associated actors are wanting to establish. The knowledge is produced within the liberal peace narrative, and therefore will follow the accountability norm to uphold human rights; but only to the extent that it enables the progression of liberal market democracy. The knowledge is then passed forward to the media, who interpret it in specific frames and prime it for the public, much like the actions that occur in Entman’s model. In this process, it can be expected the media will include evidence or knowledge which may lend to the public interpreting the issue at hand positively. Thus, all attributes of the evidence or knowledge produced that aid the development of liberal peace, will be framed strategically for the public’s interpretation. The public then interacts with the frames, and feeds their interpretations back to the media where the frames are restructured as they continue to travel up the model. Once they reach the knowledge producers and policymakers, new knowledge will be produced to aid in the implementation, approval, or goal of the policymakers as it is once again, transmitted down the model through framing and
It could be argued this cascading will continue until the policymakers, the level with the most power and control in this hierarchy of framing, succeed in the original argument implemented through the chain in relation to their policymaking goals. As this model occurs in the liberal peace narrative, all the concerns argued previously, namely the internalized accountability norm of liberal peace which places transitional justice, women’s inclusion in peacebuilding processes, and policy-based evidence finding, are included in the news framing scope of this model.

To summarize, liberal peace theory suggests that through peacebuilding mechanisms such as transitional justice, and other interactions in the international realm (norm diffusion, international advocacy, economic factors, and contagion), liberal market democracy will become a globalized norm upholding human rights globally. In peacebuilding mechanisms, women’s inclusion is a policy which is encouraged and enacted globally, as it is a part of the liberal narrative. However, women’s inclusion is often applied as a blanket term, failing to recognize gender-based harms against women in the transitional process or adequately incorporating a gender policy in the peacebuilding process that does not trivialize women in the process. Furthermore, policy-based evidence finding is utilized by policymakers to produce knowledge which supports policies and peacebuilding mechanisms (like transitional justice) in the liberal narrative, placing knowledge producers under the influence of the state and other policy writing actors. Any conflicting evidence which may refute the implementation of liberal peacebuilding, or jeopardize the exportation of liberal market democracy, may be disregarded in the process of policy-based evidence finding. Moreover, the media is utilized to frame these policies to the public to generate discussion and debate, preferably in favour of the liberal narrative. It can be expected that less debate in the media, and in turn in public discourse, may be a result of policy-based evidence finding. This would lead to a positive feedback in the Policymaking Cascading Activation Model in which there is positive framing and interpretation of knowledge which feeds back into the approval and possible implementation of a policy. However, if there is more debate in the media and public discourse, a negative feedback occurs, wherein knowledge producers still inform the media of conflicting results without it being discarded and refuted by policymakers first. In terms of the research questions, if women’s participation in the Gacaca Courts is portrayed positively in Western media, then policy-based evidence finding which supports transitional justice mechanisms (regardless of gender-based harms), indeed
influences news framing in the media to the public. However, if women’s participation in the Gacaca Courts is portrayed negatively, then knowledge producers (or their findings) inform the media of conflicting results without the influence of policymakers.

**Methodology**

**Data Collection**

The scope of my analysis will be a large-N study of Western newspapers which are arguably the epitome of liberal publishing in the United States and the United Kingdom. The papers chosen for analysis were the *New York Times* (NYT), the *Washington Post* (WP), *The Guardian*, and *The Times* (London). These papers serve to represent the moderate centre-left and centre-right publishing stance of their editors with the NYT and *The Times* (London) serving as the centre-right representatives, and the WP and *The Guardian* serving as the centre-left representatives. All papers were searched through the *Factiva* database using keywords to retrieve relevant articles to the empirical case at hand: the Gacaca Courts in Rwanda.\(^\text{118}\) Keywords were used to distinguish the publication period (i.e. January 1, 2004 to December 31, 2014), the newspaper (i.e. the NYT, the WP, *The Guardian*, and *The Times*), and the topic (i.e. Gacaca Courts, Rwanda, women).\(^\text{119}\) This allowed the collection of as many primary sources as possible relevant to the Gacaca Courts in Rwanda as it is a narrow topic of discussion in terms of the newspapers’ publications on the Rwandan genocide. The first search yielded approximately 96 results, however after an initial survey duplicate articles were removed from consideration leaving 47 articles for analysis. While this may appear like a small number of sources for consideration given the lengthy time frame of ten years, this is because of the narrow search topic. If searching for Rwanda and genocide, or ICTR for example, it would yield a total of 278 results. However, these search terms are much too broad for this study and would be better suited for a research project dealing with news framing of the ICTR or other aspects of the Rwandan genocide. In total, there were 24 articles from *The Guardian*, 10 articles from *The Times*, 7 articles from the NYT, and 6 articles from the WP. It may be possible that some sources might have been missed during the data collection,

\(^{118}\) A full list of keywords can be found in Appendix 1.


34
however I do not believe that it would significantly change the results of my analysis—given the framing trends of the newspapers that will be discussed. The time frame of 2004 to 2014 was chosen for analysis because it provides a broad enough scope of time to see if there is a shift in publication on women’s participation in the Gacaca Courts that is coherent with the change in scholarly research on this topic; which begins to be published around 2008. The time frame of 2004 to 2014 also allows for an adequate amount of time for news media to report on the courts since their inception in 2001, and for analyses of their operation to be reported up to one year after their conclusion. Furthermore, the period covers the ten and twenty-year anniversary marks of the Rwandan genocide which are notable dates for media sources to cover. I have included all articles referring to the Gacaca Courts in the four sources examined, including print and digital publications, for two reasons. One, the scope of analysis is referring to a narrow topic that did not return hundreds of sources to choose from. If only considering editorial or op-ed publications there would be a miniscule number of sources for analysis limiting the legitimacy of any conclusions that could be drawn from this study. It is required to include all articles published in the four newspapers to gain an insight into the news framing of the Gacaca Courts from a workable number of sources for a study of this magnitude. Furthermore, with newspapers increasing their online presence and digital articles being read more frequently, it is logical to not restrict the selection of articles to strictly the print versions of the newspapers. Second, while it has been argued that editorials are the “voice” of a paper, I would counter that news framing occurs in other types of articles other than editorials or op-eds. All articles pass through the “hands” of an editor for revision and consideration, and therefore will possess an aspect of the paper’s overall publishing voice, and how the paper frames news content. It should be noted that some op-ed pieces were written by individuals who may possess distinct biases towards Rwanda and the Gacaca Courts due to their political or scholarly affiliation with the region. However, as stated previously, these articles will still be put through editorial review before being published. It can be argued that by choosing to publish articles with a distinct political or scholarly affiliation, the newspapers may be adhering to a specific frame as well.
Coding
In order to determine the frequency with which women’s participation in the Gacaca Courts is discussed in Western news sources and how this participation is framed, the articles were examined through an open coding process of qualitative text analysis. Qualitative text analysis through the methodology of coding was chosen as an effective model of analysis for this study because it allowed for the compilation of numerous articles into one program for evaluation, and for a concise output of data to be retrieved upon completion. Each article was coded using the text analysis software MaxQDA to develop code tree patterns of codes and sub-codes. Coding was conducted in two stages, with the first stage of coding analyzing the specific ways in which the Gacaca Courts were mentioned, remarks towards reconciliation, and if external observers are mentioned (such as scholars or NGOs) in relation to the Gacaca Courts. The second stage of coding labelled the dates the articles were published (with one code for each year) and the general frame of the article towards the Gacaca Courts as positive, neutral, and negative. This can be transferred to the creation of three general frames of representation:
Frame 1: the Gacaca Courts are good;
Frame 2: the Gacaca Courts are neither distinctly good nor bad;
Frame 3: the Gacaca Courts are bad.

The sub-codes of these three frames came as a mixture of viewing the Gacaca Courts as successful, why they are successful, how they are affiliated with reconciliation; as unsuccessful, why they are unsuccessful; and how external actors viewed the Gacaca Courts. The first round of coding presented numerous associations with the Gacaca Courts by the authors, which allowed for the application of numerous codes to each article. In total, the Gacaca Courts were referred to in sixteen different associations. Some would present conflicting views of the courts by external actors, and conclude with a rather neutral tone towards the Gacaca Courts. Others would only mention positive traits or negative traits of the courts. At this stage, my main concern was to identify how the Gacaca Courts were presented in each article and if women’s

participation in the courts was mentioned at all, not why they were presented in such a way. This is because I was uncertain, given the quantity of “hits” received on Factiva if there was much substance in the articles allowing for a significant sub-coding to be undertaken on the topic of analysis. Upon coding, it became apparent that the vast majority of articles did not discuss women’s participation in the Courts, and hence the coding technique was developed accordingly. The technique shifted to account for all representations of the Gacaca Courts in the three frames and the sub-codes as the reasoning for the representation. This allowed for an inclusion of the representation of women’s participation as well as other findings to be ascertained about the primary sources.

The presentation of all sub-codes was transferred into an Excel document allowing the presence and frequency of all codes to be analyzed. For sub-codes that represented a positive trait or frame of the Gacaca Courts, these sections were assigned a value of 1 in the Excel document. Sub-codes that presented neither a positive nor negative frame were given a value of 0, and sub-codes that presented a negative frame were assigned a value of -1. These values were then tabulated for each article to give the finding of the general frame of the article. It should be noted that numerous sub-codes of a neutral frame were found to overlap in almost all the articles. However, this did not affect the overall evaluation of the framing as the neutral sub-codes received a value of 0. The assignment of sub-code values was also challenged by an additional read-through of the articles to cross check all sub-codes against the Excel values to see if any competing overall frame(s) persisted, even after the values were assigned. As coding is a subjective form of analysis dependent upon the coder’s interpretation of a source, all coding undertaken in this study can be stated to be due to my interpretation or understanding of the material. This is why an additional read-through of the articles is important due to the subjectivity of the coder, with my subjectivity being my interpretation of the frames. It may be possible that if another individual were to code the same sources under the same code-trees, different values for the sub-codes could be obtained. However, this is a trait of the field of qualitative text analysis and coding, and can sometimes not be avoided.\textsuperscript{122}

Empirical Analysis

Historical Background: The Rwandan Genocide and Gacaca Courts

In order to understand the historical context in which the Gacaca Courts were founded in Rwanda, it is first necessary to provide a short recollection of the Rwandan genocide. The Rwandan genocide took place between April 7 and July 15, 1994 and resulted in the deaths of at least 800,000 Tutsi and moderate Tutsi-sympathizing Hutus, leaving millions displaced following the genocide. The genocide took place within the context of the Rwandan Civil War, when Rwandan Patriotic Front (RPF) forces invaded Rwanda from Uganda in 1990, and led to three years of fighting between government and RPF forces. The Arusha Peace Accords, signed in August 1993, concluded the fighting and led to the United Nations Mission for Rwanda (UNAMIR) to support the implementation of the accords and establish stability and peace in the region. However, instability once again came to the region when President Habyarimana and the President of Burundi, Cyprien Ntaryamira, were killed when their plane was shot down April 6, 1994. What followed was the killing of Tutsi in a premeditated attack, in which the orchestrators of the genocide “targeted key Tutsi and Hutu moderate political leaders in the immediate aftermath of Habyarimana’s death” and utilized the radio, particularly the station Radio Télévision Libre des Mille Collines (RTLMC) to incite the general population to engage in mass killings. With the reduction of UNAMIR troops by the UN Security Council in April, the international community was reluctant to interfere in the genocide and it was not until July 4 that RPF troops captured Kigali and gained control of Rwanda in the following weeks. In fact, the tone in American and British foreign policy discussions on the Rwandan genocide insisted on the exclusion of the term “genocide” from the UN Security Council statements and that no further help needed to be given to Rwanda. However on November 8, 1994, four months after the

---

124 Ibid.
125 Ibid.
126 Ibid., 14.
127 Ibid., 15.
conclusion of the genocide, the UN Security Council established the International Criminal Tribunal for Rwanda (ICTR) to begin the prosecution of the orchestrators and most severe perpetrators of the genocide—with the aim to end impunity and leave lower-level offenders to be tried at the national courts of Rwanda. These national courts would be subject to an overhaul of the judiciary system in order to deal with the backlog of genocide cases which included training and assistance from the Danish Centre for Human Rights (DCHR) and Avocats Sans Frontières (Lawyers without Borders). By 2000, the national courts of Rwanda had only tried about 2,500 cases, accounting for less than 3 percent of all genocide cases demonstrating that even with training and structuring assistance from NGOs, the amount of people to be tried was too immense for the court system—the country needed an alternative.

The alternative to ease the backlog of cases in Rwanda’s national courts was to be the Gacaca Courts. Traditionally, gacaca was used to settle disputes between families or neighbours involving land use, livestock, property, marriage, or inheritance, in an informal open-air setting in a village courtyard supervised by male heads of households. The gacaca in its traditional sense, is not described as a mechanism for dealing with atrocities such as killings and sexual violence. However, in 1998, government discussions began to investigate how gacaca could be implemented to address genocide cases. The parties involved produced various positives and negatives for this process with lawyers and urban elites depicting gacaca as a “primitive, rural practice appropriate only for low-level community infractions” and viewing the population as unable to “address serious crimes themselves so soon after the genocide.” Furthermore, rural elites, RPF officials, and returned diasporic figures believed that “conventional court processes for genocide crimes would prove inadequate in the face of hundreds of thousands of suspects still in prison and would fail to address crucial social issues of healing and reconciliation.” This demonstrates there was opposition and doubt within the “upper circles” of influential political, military, and judicial leaders about the success of gacaca and its appropriateness for trying severe crimes associated with the genocide. There was also

130 Ibid., 56.
132 Clark, The Gacaca Courts, 60.
133 Ibid.
expression from these individuals to implement a solution that would help the nation to heal and reconcile with the realities of the genocide. Following a UN Special Rapporteur report in 1999, which stated gacaca as being incompetent to address crimes against humanity, but may be a method for testifying in connection with reconciliation, the Rwandan government passed the Gacaca Law in January 2001.\textsuperscript{134} Even though international observers advised against utilizing gacaca as a mechanism to address crimes against humanity, the government continued to implement the procedure in hopes of reconciliation. Anne-Marie de Brouwer and Etienne Ruvebana note the aims of the Gacaca Courts are as follows: “(1) uncover the truth of what happened during the genocide; (2) address a culture of impunity by prosecuting the genocide’s perpetrators; (3) reconcile Rwandans and support their unity; and (4) prove that Rwandans had the capacity to settle their own problems through a system of justice based on Rwandan custom.”\textsuperscript{135} In this regard, the Gacaca Courts were not only a mechanism to address a culture of impunity usually associated with trying perpetrators of mass violence, but also as a means to reconcile and unify the Rwandan people, through a method that is “distinctively Rwandan” without inhibiting the processes of the national courts or the ICTR. However, in creating this transitional justice mechanism, the Rwandan government was also concerned with international perceptions of the nation’s approach to “post-genocide accountability.”\textsuperscript{136} This helps to portray the picture of the Gacaca Courts as not only a solution to overcrowding in prisons, societal reconciliation, but also in shaping Rwanda’s international reputation as a progressive nation which adheres to liberal methods of peacebuilding and transitional justice.

Following a pilot-phase of the Gacaca Courts, gacaca judges or inyangamugayo were elected in each cell resulting in approximately 250,000 judges to serve the courts.\textsuperscript{137} The Gacaca Courts were divided into cells and sectors, with the cells responsible for hearing crimes in category three, and the sectors responsible for categories two and one. The categories of crimes and their respected punishments can

\textsuperscript{136} Clark, The Gacaca Courts, 62.
\textsuperscript{137} Ibid., 68.
be found in the table below, taken from Coel Kirkby. This table reflects the categorization before a 2008 amendment which placed crimes of sexual violence,

<table>
<thead>
<tr>
<th>Category 1</th>
<th>Category 2</th>
<th>Category 3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td><strong>Crimes</strong></td>
<td><strong>Penalties in years</strong></td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>No confession: 1 life imprisonment or death</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Confess before listing:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>prison sentence for 25-30</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>(8-10)</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>“1” or “2” crimes</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Confess before listing:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>12-15 (6-7.5)*</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Confess after listing:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>7-12 (3.5-6)*</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>“3” crimes</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>No confession: 5-7 (2.5-3.5)*</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Confess after listing:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>3-5 (1.5-2.5)*</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Confess before listing:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>1-3 (0.5-1.5)*</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>Civil reparations for damage:</td>
</tr>
<tr>
<td>ICTR or Public Prosecutor</td>
<td>Sector and Court of Appeal</td>
<td>restitution or equivalent in forced work</td>
</tr>
</tbody>
</table>

* Half the sentence to be served in custody and half commuted to community service on probation.

Figure 3: Crime Categories Table

persons who dehumanized the dead, and suspected organizers of the genocide at the sub-prefecture level under the jurisdiction of the Gacaca Courts. This amendment allowed in camera trials to take place in the Gacaca Courts for victims of sexual violence to protect their privacy, however there is criticism that this introduction institutionalized shame and fear already experienced by victims in society for the crimes committed against them. Sexual violence was a taboo topic in Rwandan culture as victims were often ostracized from their families and/or communities for testifying, experienced retraumatization, and even threats to their physical well-being. It is interesting to note that prior to the 2008 amendment to the Gacaca Law, women’s rights activists and female members of Rwanda’s parliament lobbied for a categorization scheme which placed the trying of sexual violence cases at the national court level. The shift of these crimes to the Gacaca Courts was undertaken to

---

139 Clark, The Gacaca Courts, 74.
141 Ibid., 38.
“...ensure that the mandate as well as jurisdiction of traditional gacaca courts is extended to enable us [the government to] deal with the bulk of genocide cases that still remain unresolved till now.”

Even though women’s rights activists and members of parliament had previously fought to keep sexual violence crimes outside of the jurisdiction of the Gacaca Courts, to presumably protect the victims, dealing with the backlog of cases in a timely matter was of greater concern to the government. This demonstrates that a previous concern of the Rwandan government with their international reputation to acknowledge “post-genocide accountability” is an underlying if not ever present concern. This may be due to what was previously described as “normative socialization” in which the normative narrative of liberal peace is imbedded into the fabric of the post-conflict society through various mechanisms of socialization in the international realm. Behaviour is altered to follow the normative narrative and therefore gain acceptance into the international community as a fellow member who adheres to the liberal peace norm. The government must be viewed as successfully addressing the concerns of the international community with post-genocide accountability and therefore, will amend previous legislation to decrease court backlogs which in turn, may give the appearance of reconciliation due to less court cases. Transferring crimes of sexual violence to the Gacaca Courts may also be viewed as a situation in which gender-based harms against women are not adequately addressed in the post-genocide process. Crimes of sexual violence are placed in a lower tier on the “hierarchy of harm” which could arguably place other offences in the Category 1 crimes (even Category 2 and 3) ahead of sexual violence against women. This supports the previous argument that any impediments to the post-genocide accountability and reconciliatory processes are disregarded. In this case, the amendment of sexual violence cases to the Gacaca Courts was “officially” done to reduce the backlog of cases in the national courts, however it was also done because sexual violence cases would then be placed within a hierarchy of harms in the Category 1 crimes at the Gacaca Courts. This effectively buries gender-based harms within a conglomerate of other crimes, disregarding sexual violence cases as a unique matter which should be addressed differently than the blanket narrative of genocide crimes in the Gacaca Courts. The courts ran until June 18, 2012 and saw 1,958,634 cases tried, resulting in

142 Quoting Tharcisses Karugarama, Attorney General of Rwanda: Ibid., 35.
277,066 acquittals and 1,681,648 convictions, of which 225,012 were based on guilty pleas or confessions of the accused.\textsuperscript{143} Suspects can decrease their sentences if they confess to their crimes and the courts promote an environment of confession and forgiveness.\textsuperscript{144} Overall, the government believes that popular participation in the process of Gacaca has helped create a sense of togetherness in which reconciliation is on its way to being achieved.\textsuperscript{145} However, scholarly research on the success of the Gacaca Courts and their discussion in international media, challenges this claim especially when representation of sexual violence against women in the courts is considered. Sexual violence cases are placed at the bottom of the hierarchy of harm due to their perceived lack of influence on the overall agenda of reconciliation through liberal peacebuilding constructions. But how is this narrative portrayed in Western media sources?

\textbf{Results: Frames}

Now it is time to analyze how the frames were represented in each article. Overall, there was either a positive or neutral tone towards the Gacaca Courts presented in the articles. In total, positive or neutral tones account for 36 of the 47 articles, suggesting that either newspapers wish to portray the courts predominantly positively, or would take the safe route identifying the courts only by their evident properties; such as they were a community or traditional court that usually took place on an open area of grass. Articles that did present the Gacaca Courts positively tended to do so in relation to its ability to achieve reconciliation, forgiveness, or to provide a solution to Rwanda’s backlog of court cases. This is not a surprising finding as it was argued previously that transitional justice is a mechanism of liberal peace. As the Gacaca Courts are a mechanism of liberal peacebuilding, it is expected Western media would portray some aspects of the courts in a positive manner, both to support the normative agenda of liberal democratic values, but also to gauge public support for the courts as well. However, there was no distinction between the participation of men and women in the Gacaca Courts in these articles, only a blanket association of group participation. Whereas articles that presented the Gacaca Courts negatively did so by addressing the lack of legal formality in the Gacaca Courts, the reinforcement of

\textsuperscript{143} de Brouwer and Ruvebana, “The Legacy of the Gacaca Courts,” 950.
\textsuperscript{144} Clark, \textit{The Gacaca Courts}, 77.
\textsuperscript{145} Ibid., 311.
ethnic tensions, or harassment that victims may have suffered while testifying. The harassment of those testifying at the courts was predominantly related to a blanket group distinction with no association to gender, except for one instance (which will be discussed in detail later). The majority of articles presenting the Gacaca Courts negatively did so by either referring to publications from Amnesty International or Human Rights Watch, or from statements by scholars in the field. This demonstrates that the Policymaking Cascading Activation Model discussed previously, has some salience in the newspapers analyzed. In total, Frame 1, the Gacaca Courts are good, was found in 18 of the articles (38%). Frame 2, the Gacaca Courts are neither distinctly good nor bad, was present in 18 of the articles (38%). Frame 3, the Gacaca Courts are bad, was found in 11 of the articles (23%). In terms of frequency of publishing, the majority of articles were published in 2005 (n=12), 2014 (n=11), or 2004 (n=10).

![Number of Frames Per Year](image)

**Figure 4: Number of Frames Per Year**

The frequency of publications in 2004 and 2014 are consistent with the tenth and twentieth anniversaries of the Rwandan genocide, and therefore it is expected there would be an increase in publication for these years in Western media. However, for 2005, there is no distinct “milestone” for the media to cover, apart from a Belgian priest being arrested and charged with inciting genocide, which occurred in four of the
articles for that year (33%). As a foreign national (European) was to be charged in the Gacaca Courts, it garnered attention from Western media sources, as the Gacaca Courts were viewed to be a mechanism of peacebuilding for the society “needing” transitional justice—not to include those from a Western nation already an agent of the liberal peace agenda. While the charging of a Belgian priest warranted publication in four articles, women’s participation in the courts was only mentioned once, in reference to retraumatization experienced.\(^{146}\) It is also significant to note the lack of publications from 2011-2013. The Gacaca Courts were still in operation until mid-2012 and the impending conclusion of them should have warranted some international debate. Furthermore, Human Rights Watch published a report on the Gacaca Courts in 2011, highlighting the various legacies, successes and failures of the courts.\(^{147}\) This demonstrates that there was not a lack of published reports for journalists to base their information or investigations from. Next an analysis of each sub-code for each frame will be undertaken to determine how the Gacaca Courts are framed in the articles, followed by a comparison between scholarly and other reports published on the Gacaca Courts.

**Frame 1: The Gacaca Courts are Good**

Articles which presented the Gacaca Courts as “good” did so using a variety of sub-codes related to the overall successfulness of the courts. The representation of the Gacaca Courts as good was prevalent in all four newspapers, with *The Guardian* having 9 articles, *The Times* 5, the NYT 2, and the WP 2. The sub-codes in these articles accounted for approximately 83 of the 328 codes (25.3%) attributed to the framing of the articles. The most common sub-code in relation to the positive framing of the Gacaca Courts was the courts are successful because they offered a place for confession of crimes, which occurred 21 times. Next the Gacaca Courts promoted reconciliation, this occurred 20 times. These top sub-codes demonstrate the association with the Gacaca Courts and mechanisms which promote healing and reconciliation within society. There were several other sub-codes present that aided

---


the frame of the Gacaca Courts as good, they are as follows: solution to the backlog of cases needing to be tried (n=17); opportunity for forgiveness (n=15); solution to the nation’s problems (n=9); and an extensive operation (n=1). The Gacaca Courts are represented as nominally being a solution to the issues of the backlog of cases in the national courts, an extensive solution to the “problems” of the country (in terms of reconciliation, peace, unity), a chance for the accused to apologize for their crimes to their victims, their families, and their communities, and to ask for forgiveness from those who have been wronged, including the society as a whole.

Figure 5: Frame 1 Sub-Codes

There is a notable correlation between confession, forgiveness, and reconciliation. The presence of confession and forgiveness predominantly occurred in pairs within the articles suggesting that confession leads to forgiveness, with reconciliation being achieved after this has concluded. In an op-ed piece in the NYT, Phil Clark states “if one stated objective of judging mass violence is to reconcile divided communities, then victims and perpetrators must also be brought together again, and close to the scene of the crimes.”[148] Clark advocates for the close proximity of Gacaca Courts enabling the accused to confess their crimes in person to their victims, quite often in the same community they were committed in. The emphasis on “bring back together again” suggests not only a uniting of perpetrators and victims,

but also a uniting of communities. This can be viewed as an extension of liberal policymaking for creating a liberal, democratic society in which all are viewed and treated equally. The Gacaca Courts are portrayed as the solution that will reconcile differences and pave the way for a new era of peacebuilding in Rwanda. Further commentary by Clark presents the courts as responsible for reintegrating perpetrators into their local communities where “they now live side-by-side with genocide survivors.”

Reconciliation is supported in this article by the fact that perpetrators and survivors are living side-by-side together after processes of confession and forgiveness have been undertaken in the Gacaca Courts. However, this representation may be viewed to trivialize reconciliation into the simple actions of confessing crimes and seeking forgiveness. While this may be a component of reconciliation between two individuals or small groups of people, to state that confession and forgiveness lead to national reconciliation within a society ignores the complexities of the situation. Furthermore, the articles prime the reader to perceive reconciliation as living together in the same community, as being neighbours, which primes readers into interpreting the Gacaca Courts positively. There is also emphasis on the truth-finding capacity of the courts, which can be attributed to the “solution” sub-code. Sarel Kromer notes the Gacaca Courts “emphasize reconciliation and deemphasize retribution” and are a means to discover what happened so that “the dead can rest and the survivors can get on with life.”

Again, the Gacaca Courts are a mechanism by which reconciliation can be achieved through its practice. Reconciliation in this regard is also associated with the discovery of the truth, or fact-finding, so a common narrative can be discovered to reconcile the survivors. It is believed that through the confession of the accused at the courts, the details regarding the murdered and missing will be uncovered, enabling the society to reconcile. This also trivializes individual or group reconciliation to be solely associated with truth discovery and places the necessity for the truth (however subjective it may be dependent upon the situation, and those who are witness to the truth being told, and if what is being told is truthful) above other concerns those present at the Gacaca Courts may have.

However, there is no direct association with gender or women in Frame 1. Only a slight association with gender can be made from the contextual framing of the correlation between confession and forgiveness. Some of the primary sources

presented a relationship between a man confessing and asking for forgiveness from a woman. However, it is known that both men and women committed crimes during the genocide and therefore these acts cannot be associated with gender specifically. In the context of reconciliation there is no distinction of gender either. There was no emphasis that it was women’s participation alongside men at the Gacaca Courts that allowed for reconciliation to take place, there is only blanket terminology used to describe the reconcilers as neighbours. This demonstrates that either news media is hesitant to include gender descriptions in framing the Gacaca Courts as good or that it is not significant to include women’s participation in the framing. The reasoning for both could be found in the liberal peace narrative that transitional justice is inherently good because it is a peacebuilding mechanism—leading to the necessity to promote the Gacaca Courts as successful to adhere to the normative narrative. It is implied that peacebuilding mechanisms adhere to gender mainstreaming and hence, the discussion of women’s participation is essentially “mainstreamed out” of the topic of reconciliation.

In terms of the Policymaking Cascading Activation Network Model, the presentation of the Gacaca Courts under Frame 1 can be stated to be influenced by liberal policymakers and the liberal peace narrative on the Rwandan government. As discussed previously, a UN Special Rapporteur concluded that gacaca may be used as a mechanism in testifying with connection to reconciliation. Furthermore, the Rwandan government was heavily influenced by their concern for their international reputation in terms of post-genocide accountability and reconciliation. Through normative socialization of liberal market democracy, the implementation of the Gacaca Courts as a peacebuilding mechanism influenced Rwandan and foreign policymakers to approve the transitional justice mechanism. The desire for international approval and recognition for addressing post-genocide accountability was compounded by the international normative narrative for how to address peacebuilding in a post-conflict society. The Gacaca Courts are good because transitional justice is understood as a good mechanism for building peace. Moving down the model, knowledge producers, such as scholars like Phil Clark, may be influenced by the normative narrative to present findings of the Gacaca Courts’ success. The presence of Phil Clark and Tony Blair as guest authors in three of the articles, all of which are coded apart of Frame 1, demonstrates an active influence of knowledge producers on the media, and audiences. Phil Clark’s extensive research,
and articles in this study, portray the Gacaca Courts as successful mechanisms of reconciliation. It can be suggested that in viewing the Gacaca Courts as good this may extend to other mechanisms of transitional justice, and liberal peace in a correlative relationship. In representing the Gacaca Courts as a successful mechanism of reconciliation utilizing confession and forgiveness, ideologies associated with transitional justice and liberal peacebuilding are portrayed to the public audience of the newspapers. It is common understanding amongst framing scholars that frames influence what the public may know or believe about an issue. This creates a space for interested parties, most notably policymakers, to advance certain frames to the public agenda by exerting control over what information is released to the media; either directly through policymakers or knowledge producers.\textsuperscript{151} Therefore, the representation of the Gacaca Courts as “good” can be understood as an influence of a liberal narrative in support of transitional justice mechanisms from the level of policymakers, down to the level of the public.

**Frame 2: The Gacaca Courts are neither Distinctly Good nor Bad**

The second frame, which presents the Gacaca Courts as “neither distinctly good nor bad” was found to occur in 18 articles: 11 occurred in The Guardian, 2 in The Times, 3 in the NYT, and 2 in the WP. It can be stated that The Guardian predominantly took a neutral stance in the framing of the Gacaca Courts, for articles associated with Frame 2 account for 11 out of 47 articles coded (23.4%). The sub-codes for Frame 2 articles accounted for 111 of the 328 codes (33.8%). The most prominent sub-code in this frame which portrayed the Gacaca Courts as neutral was identifying the courts as community courts, which occurred 42 times. The next most frequent sub-code was traditional, emphasizing the Gacaca Courts as a traditional mechanism of justice, which was recorded 36 times. These sub-codes identify the Gacaca Courts as a community style system of justice that is based upon a traditional system of dispute resolution. These sub-codes identify the location of the courts, as occurring in the community, and the methodology by which they are conducted, an interpretation of a traditional system. Other sub-codes which presented the frame of the Gacaca Courts as neither distinctly good nor bad were as follows: taking place on grass (n=21); a

place to try foot soldiers (n=6); an experiment in justice (n=3); a unique process (n=2); and as a transitional justice mechanism (n=1).  

Overall, the sub-codes do not associate a specific attitude towards the Gacaca Courts, but rather present them in a matter-of-fact dialogue. The most common codes in this frame present the courts as a community, traditional style of justice which normally occurs outside on a grassy area. There is no association with rhetoric that may frame these sub-codes alternatively, e.g. it is primitive that the trials are held on grass. The courts are described as “a system of traditional courts known as gacaca, which means ‘under a tree,’” in which the accused are “told to ask forgiveness…” Referencing the courts taking place under a tree, insinuates taking place next to a grassy area. The accused may also ask for forgiveness at the trials, however the distinction in Frame 2 is that there is no association to success, reconciliation, or failure in Wax and Trejos’ description of the courts. This is a key differentiation in the framing of forgiveness and confession in Frame 1, as it does not associate a positive connotation of reconciliation with forgiveness. Similar framing is found in Nicholas Kulish’s article in the NYT, where he associates the Gacaca Courts with reconciliation and justice, however, he does not place any argument behind this

---

152 Here, transitional justice was only used as an identifying factor and did not carry any allusions to it being a positive or negative mechanism.

There must be a clear emphasis on the success or failure of reconciliation in the articles in order to present the positive Frame 1, or the negative Frame 3. The sub-code identifying the Gacaca Courts as a place to try foot soldiers of the genocide, is merely making the distinction between the types of perpetrators tried at Gacaca compared to the perpetrators that may be tried at the ICTR. Jeevan Vasagar notes the Rwandan government stating, “any former rebels who committed genocidal crimes must face justice” and that justice may occur in the Gacaca Courts. This presents former rebels of the Democratic Forces for the Liberation of Rwanda (FDLR) who committed genocide crimes, may be charged at Gacaca. It is a presentation of logical fact that those who committed crimes, will face justice for their crimes. There is no association with the Gacaca as being an inadequate form of justice for former rebels or foot soldiers. Again, there was no mention of gender or women in the context of Frame 2. By lacking any specific presentation of gender or women, it can be insinuated that their participation in the Gacaca Courts was deemed irrelevant in the framing of the courts in the newspaper articles in this frame. As there was a significant number of articles in this frame (18) it demonstrates that women’s participation in the courts was of little concern to the overall framing of the Gacaca Courts to the public.

While it has been established the predominance of neutrality in Frame 2, or lack of distinctiveness between positive or negative, is a result of a lack of rhetoric that may shift the interpretation of the facts or events discussed, how may this correlate to liberal peace? Referring to the Policymaking Cascading Activation Network Model, a possible association is a distinct separation of the media from the liberal peace narrative influencing policymaking and knowledge producers. By presenting a neutral frame in the articles, the writers or editors may wish to provide the context surrounding the Gacaca Courts, rather than take a distinctive tone which may affect their readership or relationships with policymakers and knowledge producers in the future. As noted by Savrum and Miller, “media can act as an information hegemony in terms of determining what information is made available and from what source(s), thus the impression people have on issues.”156 There is a possibility the media may choose to act as a filter to the public, incorporating select

156 Savrum and Miller, “The Role of the Media in Conflict,” 17.
sources at targeted times to not only influence the public’s perception on given frames, but also to allow the public to generate their own frames in the lack of direction. By presenting these articles in Frame 2, the media (primarily The Guardian in this example, due to them publishing 11 out of 18 articles in this frame), may be strategically withholding slanted rhetoric in order for the public to form their own frame(s) of a certain policy issue before it may be influenced again by additional news framing. Another possibility is the newspapers are wishing to maintain, or appear to maintain, a level of objectivity in their publishing and hence may publish a certain percentage of articles that present a neutral frame. However, presenting the Gacaca Courts as neither distinctly good nor bad is also a significant frame in and of itself. This is because it is still achieving the process of framing a given policy issue, the Gacaca Courts as a transitional justice mechanism in Rwanda. In other words, it is a method to present the facts of a given issue, allow the audience to generate their own interpretations, but still have the power to sway these interpretations if there is pressure to do so from the policymakers or knowledge producers.

**Frame 3: The Gacaca Courts are Bad**

The third frame, which presents the Gacaca Courts as “bad” was the least occurring frame found in 11 of the 47 articles. In terms of representativeness, 4 of the articles were found in The Guardian, 3 in The Times, 2 in the NYT, and 2 in the WP. This is a significant drop in articles, especially when comparing The Guardian’s numbers which had 9 articles in Frame 1, and 11 articles in Frame 2. Similar to Frames 1 and 2, the sub-codes for Frame 3 covered a variety of arguments, ranging from the Gacaca Courts are bad because they did not promote reconciliation, to the failure to meet international legal standards that would constitute a fair trial. The sub-codes accounted for 76 of the 328 codes (23.1%). The dominant sub-code for Frame 3 was the Gacaca Courts were bad because they did not meet international standards, which occurred 16 times. The next common sub-code, was the courts were bad because of the harassment experienced by testifiers, this occurred 12 times. The remaining sub-codes are as follows: Gacaca Courts are bad because they release perpetrators (n=9); the courts enforce ethnic divisions (n=6); there is no accountability for RPF atrocities committed during the genocide (n=6); the courts are unsuccessful at promoting reconciliation (n=6); they do not promote democracy (n=6); the courts trigger retraumatization in participants (n=5); the Gacaca Courts are a controversial
mechanism of justice (n=4); the courts are manipulated to settle scores with neighbours (n=2); the integrity of the courts is compromised (n=1); and women’s participation in Gacaca Courts causes retraumatization (n=1).

Comparable to Frames 1 and 2, Frame 3 received the most sub-code categorizations with 12 sub-codes identified as prominent arguments. It presents the Gacaca Courts as bad in numerous reasons, some of which can be stated to be correlated with one another. For instance, the courts triggering retraumatization in participants is correlated to women specifically experiencing retraumatization, as well as the harassment participants are stated to endure too. The belief the courts promote ethnic divisions is also correlated to a failure to achieve reconciliation, as it is situated in the context of genocide. Furthermore, failing to meet international legal standards can also correlate to releasing perpetrators, failing to account for RPF atrocities, and the integrity of the courts being compromised and therefore viewed as controversial (for this and the other sub-codes listed). Furthermore, Frame 3 incorporates various opinions from external actors, such as academics and NGOs. Laura Seay incorporates numerous academic findings in her article in the WP, including Phil Clark, Tim Longman, Lars Waldorf, Max Rettig, Shinichi Takeushi, Karen Brounéus, Bert Ingeleare, and Susan Thomson.¹⁵⁷ Seay’s article frames the Gacaca Courts as

reinforcing ethnic divisions, preventing accountability for war crimes, failing to promote democracy, and that testifying at the courts induces retraumatization for some genocide survivors.\(^{158}\) Furthermore, Seay presents the issue of reconciliation open to interpretation for the audience, stating “the question of justice for survivors of all of Rwanda’s forms of violence—and whether that justice was achieved for most via the gacaca process—remains open.”\(^{159}\) While Seay presented the favourable interpretation of gacaca usually advocated by Phil Clark, she also countered Clark’s support with multiple references to scholars which have conducted studies that address the shortcomings, or reasons for why gacaca is bad. This not only challenges the popular narrative of the Gacaca Courts as a successful mechanism of transitional justice, but also frames the Gacaca Courts as a process with numerous flaws. In a NYT editorial, it was argued that “the procedural shortcomings of traditional village justice are alarming. The accused have no lawyers, and some witnesses may be more interested in settling private grudges than in speaking the truth. Others are afraid to testify. Many judges are illiterate or barely know the law.”\(^{160}\) This demonstrates the criticism that the courts face for not meeting international trial standards, namely the lack of lawyers for the accused and witnesses, and minimal training judges hold to be in their positions—with the majority having no legal degrees and obtaining the position through election. It is also important to consider these opinions are coming from the editorial desk, and hence, are the expressions of the NYT. This is significant as an audience is most likely to read the newspaper’s editorial and therefore the framing of the Gacaca Courts as such will have greater effects on the readership.

It is significant to note that gender or women are only mentioned once in the context of Frame 3. This occurs in reference to the retraumatization women may experience by participating in the Gacaca Courts in Ed Caesar’s article.\(^{161}\) All other instances in which retraumatization or harassment of participants in the Gacaca Courts is mentioned is done using non-gender descriptive terminology. While it is significant the topic of retraumatization is discussed and framed as bad to the public, the failure to address the specific traumas women experience in this participation is alarming. It further demonstrates the pervasive tendency for gender-harms or gender-specific issues that arise in transitional justice processes to be trivialized in the hierarchy of

\(^{158}\) Ibid.  
\(^{159}\) Ibid.  
harm. There is no discussion how the retraumatization women experience may be different from that of men’s. Additionally, the reference to the issue of retraumatization demonstrates that conflicting evidence to the policymaking agenda of transitional justice as good is produced. It confirms that a negative feedback occurs in the Policymaking Cascading Activation Model wherein knowledge producers inform the media of conflicting results to the policymakers, enabling debate on the topic to occur in the framing of the evidence to the public. However, the lack of consistency with which this sub-code occurs suggests that the dominant framing of the retraumatization of women may still be influenced by policymakers or the greater liberal peace narrative it is situated in.

Numerous NGOs have also criticized the legal shortcomings of the Gacaca Courts, with references to Amnesty International and Human Rights Watch in several of the articles.162 This demonstrates that many of the articles have obtained their information from reports published by these organizations, but that they also wish to aid the framing of their argument, that the Gacaca Courts are bad, by referencing well known and respected watchdog agencies. Contrasting this finding against the Policymaking Cascading Activation Network Model, knowledge producers and the media in Frame 3 have a dependent relationship, wherein the media utilizes reports published by Human Rights Watch and Amnesty International to support their critiques of the Gacaca Courts. This in turn is absorbed by the public, and feeds back to the media. There are still remnants of liberal peace theory in this relationship even though Human Rights Watch, Amnesty International, and the media are critiquing the Gacaca Courts. That is because, even though these watchdog organizations publish detailed reports, it is still found that “‘gacaca may not be ideal but there is at this point no alternative.’”163 This may be interpreted as a resigned acceptance of gacaca as the only solution available to address post-genocide accountability and reconciliation. Again, the points of critique for which the Gacaca Courts are not ideal primarily


concern the lack of formal legal proceedings attuned to Western standards of justice, with some mention to the harassment of witnesses. It could be argued that in publishing these reports and urging for revisions to the gacaca system that would satisfy Western legal standards, the liberal narrative seeps through the undertones of the framing. The accused and witnesses should be entitled to legal representation from lawyers, the judges should have education and training in law, and the environment in which trials are conducted should be where harassment cannot take place. This is remnant of Roland Paris’ previously discussed concept of “mission civilisatrice” in which the colonial belief of European superiority prompted a duty to civilize their colonies.\(^{164}\) In the liberal peace narrative, this same duty by Western agents to globalize liberal norms is found in watchdog agencies, such as Human Rights Watch and Amnesty International, in their critique and recommendations for the Gacaca Courts. Imposition of Western liberal values of what is deemed a fair, just trial in the newspaper articles and the agencies’ reports demonstrates that the normative narrative of liberal peace, (containing: liberal democracy, liberal human rights, market values, globalization, and centralization of a secular state), is socialized throughout the various levels of the Policymaking Cascading Network Activation Model via interactions between the various nodes of authority of liberal peace. While Frame 3 may appear to contradict the liberal peace narrative, primarily that transitional justice is a successful peacebuilding mechanism, in actuality, it still supports the spreading of liberal market democracy globally. It is important to note that in the context of Rwanda, which is currently a single-party state, the adoption of liberal market democracy is proceeded by what Roland Paris terms “institutionalization before liberalization.”\(^{165}\) In this process, “peacebuilders should delay liberalization and limit political and economic freedoms in the short run, in order to create conditions for a smoother and less hazardous transition to market democracy—and durable peace—in the long run.”\(^{166}\) While political and economic freedoms are limited, the promotion of other mechanisms of liberal peace, such as transitional justice, are utilized as nodes of authority to compensate for the lack of liberal democracy. Therefore, the Gacaca Courts represent a mechanism which promotes values of liberal peace before the


\(^{165}\) Paris, \textit{At War’s End}, 188.

\(^{166}\) Ibid.
ultimate goal of liberal market democracy can be reached—or may ever be reached in the context of Rwanda.

**Discussion**

**Comparison of Frames**

The analysis of the three frames has led to some similarities and differences in both the frames themselves, and the newspapers in which the frames are presented. First, a commonality of all frames was the frequency with which they occurred in each paper. Notably, *The Guardian*, was the publisher of the most articles with the distinct frame in each frame category, publishing 24 of the 47 articles (51%). This suggests that *The Guardian*, dominates the news framing of the Gacaca Courts in Western media simply based on the sheer number of articles published on the topic and therefore, its greater share of the public’s attention on the topic. The NYT and WP both consistently published approximately 2 articles per frame, accounting for 13 of the 47 articles together (27.6%). This is surprising given the significant influence the NYT and WP have in the media world as well as their centre-left and centre-right political stances. The lack of publications from these two papers suggests the Gacaca Courts (let alone retraumatization they cause women) may not have been a topic of interest to the American public or American policymakers. Meanwhile, *The Times* secured the middle ground publishing 10 distinct articles of its own (21.3%) and occupying the second highest spot in each distinct frame category. A possibility for this may be competition for readership with *The Guardian* and therefore a need to publish a similar number of articles on the Gacaca Courts. British newspapers accounted for 34 of the 47 articles published or 72.3% market share in the topic analyzed. This suggests the Gacaca Courts may have been of greater concern for the media and policymakers, as well as knowledge producers, in the United Kingdom than in the United States.

Secondly, the liberal peace narrative that was portrayed in Frame 1, took a much more positive and supportive stance on reconciliation than was expected. I anticipated the articles in Frame 1 to be supportive of the Gacaca Courts as an effective mechanism of transitional justice, however, the emphasis on perpetrators and victims living “side by side” as a unified people was not expected in the US and the UK articles as this rhetoric is mostly associated with policies of the Rwandan government. I also did not expect women to be mentioned as infrequently as they
were. In terms of Frame 1 and 2, it was expected that women would be framed either as participants in the Gacaca Courts who were satisfied with their cases, or that they were active participants in the proceedings of the Courts. However, there was only one mention of women sitting on a panel of judges in a Gacaca Court.\footnote{Jeevan Vasagar, “Village Courts Left to Unearth the True Story of Rwanda’s Killing Fields,” \textit{The Guardian}, July 29, 2005.} The remaining majority of articles mentioned women in connection with the genocide: being killed, as helpless victims of rape, contracting HIV/AIDS, and harbouring suspects post-genocide. This is a distinct framing of women outside of the Gacaca Courts along an anti-feminist trajectory, namely as weak, powerless, conniving, and victims of atrocities disproportionately associated with female victims. This is in contradiction to the gender mainstreaming and liberal equality which is supposedly professed by liberal peace, and by extension in Frames 1 and 2.\footnote{As the topic of analysis of this thesis is not how women are portrayed outside of the context of the Gacaca Courts, a deeper analysis will not be taken. However, it would be an interesting topic for further research.} Frames 1 and 2 take a supportive or neutral stance towards the Gacaca Courts, and in doing so, take the same stance towards transitional justice and liberal peace as the Gacaca Courts are an extension of this ideology.

Lastly, the number of sub-codes in Frame 3 and their connection to faults of the Gacaca Courts surprised me. This is partly because I suspected greater approval across the Western newspapers based upon liberal peace ideology and the acceptance of transitional justice mechanisms as appropriate peacebuilding initiatives. I also suspected the relationship between policymakers, knowledge producers, and the media to be more cohesive to the liberal peace narrative in this area; primarily acknowledging women’s retraumatization during participation in the Gacaca Courts. However, the faults presented in Frame 3 provide significant support the narrative of liberal peace is still being projected, even through the criticisms of the legal failings of the Gacaca Courts. This is quite an interesting finding given that the watchdog agencies which are cited for these suggestions, along with academics, are supposed to be independent from the sway of policymakers, and supports the flow of liberal ideologies across the levels of the Policymaking Cascading Network Activation Model.
Knowledge Producers versus Media Representation: A Place for Women?

Moving forward from the analysis of the news framing in the primary sources, it is time to compare the production of knowledge to the representation of that knowledge in the media. In terms of academic research on the Gacaca Courts, there is a scholarly turn in the literature analyzing women’s participation in the courts as traumatization and detrimental to their physical and mental well-being. This is found in works by Emily Amick, Karen Brounéus, Ann-Marie de Brouwer and Etienne Ruvebana, and Sarah Wells to name a few.169 The subject of traumatization of women at the Gacaca Courts is briefly addressed in Wells’ article in 2005. Continuing from there, Brounéus’ subsequent studies in 2008 and 2010 develop the concept more thoroughly with extensive field work in Rwanda interviewing those who have testified at Gacaca and how that affected their psychological and physiological well-being. Following Brounéus’ first two studies, Amick and de Brouwer and Ruvebana publish studies in 2011 and 2013 (respectively). Brounéus’ third study is then published in 2014. As we can see, the amount of studies published gradually increases following the publications of Brounéus’ works and as the Gacaca Courts continue in Rwanda, even following their conclusion in 2012. This demonstrates a gradual academic turn in representing the traumatization women may experience while participating in Gacaca. During this same timeframe, there was also a plethora of studies published on the Rwandan genocide and the Gacaca Courts as well, providing ample resources on the progression of the genocide, the implementation of the courts, as well as post-genocide development.

However, scholarly articles are not the only material published covering the Gacaca Courts. Publications from Amnesty International, Human Rights Watch, and Avocats Sans Frontières are published from 2002 to 2011.170 These reports published by NGOs are readily accessible on their websites either as active webpages or


archived PDF files. The findings recorded in the reports range from criticizing the legal formalities of the Gacaca Courts, to providing recommendations for women to testify at the courts with limited risk to their well-being. The introduction of women’s traumatization in participating in the Gacaca Courts is first addressed by Human Rights Watch in their September 30, 2004 report. Prior to this date, the reports published were mainly concerned with the legal process being undertaken in the Gacaca Courts, with Amnesty International being the most outspoken critic in 2002. The publishing of these reports demonstrates there was accessible critical analyses of the post-genocide accountability processes being undertaken in Rwanda, including the ICTR and the Gacaca Courts. In comparison to the publication of scholarly sources, it can be stated both categories of knowledge production (knowledge produced by academics via a post-secondary institution, and knowledge produced by academics or experts via an NGO) are published in roughly the same time-frame. The first academic source dealing with women’s retraumatization in the Gacaca Courts, published in 2005, was published one year after the first NGO source, 2004. However, there is a gap wherein more academic sources are published in comparison to the NGO sources. This may be due to policy restrictions on NGOs in their research tasks or because there was a shift in the geographic concentration of policy reports. However, the final publishing of Human Rights Watch in 2011, incorporates many of the concerns addressed in Brounéus’ and de Brouwer and Ruvebana’s articles, which emphasize the psychological and physiological harm in testifying at the Gacaca Courts.
While the majority of primary sources referenced NGO reports from Amnesty International and Human Rights Watch, four of the articles either made direct reference to an academic or were written by an academic. This demonstrates that journalists preferred to use NGO reports for the factual content and critical analysis in their articles, rather than academics who have undertaken their own research in the designated field of studies. A possible explanation for this is the accessibility of NGO reports versus academic articles or books. The reports are readily available for download from the NGO’s websites, including archived reports from the early 2000s. Whereas academic articles are quite often behind a paywall requiring a subscription to access the content, and published books also require payment to obtain. Furthermore, there was only one article which referenced another scholar than Phil Clark which presents the possibility for a one-sided description of the Gacaca Courts to be framed to the public. Overall, Clark’s research on the Gacaca Courts presents them as a successful mechanism of transitional justice, paving the way for reconciliation to take place in Rwanda. This viewpoint is also transposed to the articles which reference him, and therefore framing of the Gacaca as such is represented. Laura Seay’s article, which references multiple scholars in the field of the Gacaca Courts, is an adequate

representation of the various praises and critiques of the courts in scholarship. While Seay’s article does reference Phil Clark’s research, she also references seven other scholars, framing the Gacaca Courts negatively through the various arguments the scholars present.

This presents some implications for how knowledge produced by academics or experts is transferred to the media. Under the Policymaking Cascading Activation Network Model, it was anticipated that knowledge produced by knowledge producers i.e. academia, experts, consultants, researchers, and PROs, would be disseminated to the media either directly through interaction with journalists, or indirectly through reports, articles, or books published. There was no expectation that knowledge produced by NGOs would be as widely cited as it was in the primary sources, which may even limit the credibility of academic scholars cited due to the familiarity of the NGOs referenced. The public is conditioned to view Amnesty International and Human Rights Watch as credible organizations acting as governmental watchdogs and advocating for human rights through framing done by the media, international governing bodies (such as the UN), and policymakers. These organizations are framed as approachable, trustworthy, advocates, and purveyors of accurate information through their reports. However, many of these NGOs have headquarters in the United States and United Kingdom and hence are situated in nations which are purveyors of liberal peace and peacebuilding mechanisms. Although these organizations may be portrayed as being impartial to governmental influence, these organizations can still be purveyors of liberal norms. As discussed in the results of Frame 3, by criticizing the Gacaca Courts’ failure to meet international legal standards and imploring for legal processes similar to Western practices of law, these organizations are still purveying the liberal peace narrative. They are acting as agents of globalization of liberal market democracy, and the exportation of liberal ideology to post-conflict societies via peacebuilding. There are a few implications to this. One, implementing peacebuilding mechanisms such as transitional justice often fail to adequately address the gender-specific concerns of the post-conflict society, as they implement a blanket gender mainstreaming policy that is often crafted by members of a Western liberal organization or governing body. Second, based on the hierarchy of harms, any discussion of gender-based harms automatically receives less priority than other crimes that violate liberal human rights values. It is also important to note that in the actual publications of the NGO reports, notably the Human Rights Watch of 2011, the
retraumatization of women in the Gacaca Courts is discussed. Yet why was this information not published more in the newspaper articles, especially if NGO reports are more heavily referenced than academics? This suggests an interference in the transferring of knowledge between knowledge producers and the media in the Policymaking Cascading Activation Model. Possibilities for this may be selective framing by the media, in which the media chooses to withhold particular information to be framed to the public at another point, or not at all. It may also be because policymakers may interfere by publishing policy-based evidence to contradict certain NGO reports or academic findings. Nevertheless, it does question the correlation between NGO reports and news media framing in the Policymaking Cascading Activation Model, and the ultimate motive of this relationship in the liberal peace narrative.

Now that it has been established there were academic publications and NGO publications available on the topic of the Gacaca Courts, and the retraumatization of women during their participation in these courts, it is time to compare these publications to the primary sources analyzed. The years in which the primary sources reference Amnesty International, Human Rights Watch, or scholars occur in 2004, 2005, 2009, 2010, and 2014. These trends are coherent with the publication of academic and NGO reports. There is a notable upshot in the frames after NGO reports and academic articles are published as demonstrated in Figure 8. Following the publication of policy reports and academic articles in 2004, 2005, and 2008 there is an increase in the presence of frames which correlates to the content of the publications. Following the publication of academic articles (which in this study have been selected for their research on retraumatization of women during their participation in the Gacaca Courts) there is an increase in Frame 3 in the years 2004, 2009, and 2014. This demonstrates media debate on the evidence produced by academia which is in contradiction to the liberal narrative that transitional justice, and the Gacaca Courts, are a good thing. It represents a negative feedback in the Policymaking Cascading Activation Model, wherein the liberal narrative of the policymaking level is not transferred with the evidence produced in these academic articles; thereby creating debate in the media on the topic and framing the debate to the public as well. However, it is only the publication in Frame 3 in 2009 that specifically references the

---

retraumatization women experience while participating in the Gacaca Courts. There is also an indirect reference to the retraumatization of women, however, this understanding is based upon hindsight of Brounéus’ research, which is mentioned in the context of “some genocide survivors” experiencing retraumatization.\textsuperscript{173} This suggests that even though academic evidence is published in previous years also discussing the retraumatization of women, it is not warranted a topic of debate. Instead, the primary debate centres on the Gacaca Courts’ failure to meet international legal standards. Referring to the theory section and the discussion of liberal peace and women’s inclusion in peacebuilding, this is a demonstration of the blanketing effect of gender mainstreaming and the hierarchy of harms. The retraumatization of women contradicts the gender mainstreaming initiatives of peacebuilding mechanisms, as it is believed that a stable peace will more easily be achieved if all factors include a gender mainstreaming policy. Plus, the psychological and physiological harm women may incur during their participation in the Courts is also placed at the bottom level of the hierarchy of pain, as gender-based harms against women often receive the lowest amount of recognition in comparison to other human rights offences.\textsuperscript{174} As there was only one article over the ten-year sample period which mentioned the retraumatization of women, it can be assumed the hierarchy of pain is applicable to news framing as well. This suggests that even if there is a negative feedback in the Policymaking Cascading Activation Model, wherein evidence contradicting the liberal narrative is published by news media, this evidence is still afforded a similar hierarchizing to one that occurs in the liberal peace narrative. Gender-based harms or evidence which demonstrates gender-based harms have occurred, will be placed at the lowest level for concern of debate and framing in news media, in comparison with harms classified as “higher” human rights offences—such as the Gacaca Courts’ failure to meet international legal standards.

\textbf{Conclusions}

\textbf{Summary}

In conclusion, it can be stated that women’s participation in the Gacaca Courts was a topic of minimal discussion in Western media. The NYT, WP, \textit{The Guardian}, and The


Times all failed to significantly frame women’s participation in the Gacaca Courts as detrimental to their psychological and physiological health, and as detrimental to the process of transitional justice. Except for Ed Caesar’s article in the Sunday publication of The Times, the retraumatization of women is a topic of non-concern in Western liberal media, placing women in a position of arbitrariness in the overall framing of the Gacaca Courts. The general trend for all newspapers was to publish under Frame 1 (the Gacaca Courts are good) or Frame 2 (the Gacaca Courts are neither distinctly good nor bad), placing the framing of the Gacaca Courts in either a positive or neutral light for the public to interpret. Emphasis was placed on the courts’ ability to provide the opportunity for confession, forgiveness, and reconciliation amongst the Rwandan people in Frame 1, while Frame 2 saw the courts predominantly framed as a traditional, community mechanism of justice taking place in an open-air area. In framing the Gacaca Courts as such to the public, there is little room to interpret the courts outside of the portrayal of them as successful mechanisms of transitional justice. In doing so, the primary sources support the notion of transitional justice mechanisms like the Gacaca Courts as being inherently good for post-conflict societies in their quest for stable peace.

The Policymaking Cascading Activation Model also proved beneficial in the analysis of the flow of frames and knowledge in the case study between the levels of policymakers, knowledge producers, media, framing, and the public. It was demonstrated in Frame 3 that NGO reports and academic articles do inform media framing. This occurs in a negative feedback in the Policymaking Cascading Activation Model wherein conflicting evidence distributed by knowledge producers contradicts the normative liberal narrative of policymakers. However, infrequency in which this occurred amongst the primary sources in relation to women’s retraumatization demonstrates a lack of salience for this negative feedback. The predominant sub-code of Frame 3 related to the Gacaca Courts’ failure to meet international judicial standards. This is based upon a Western conception of law, and therefore, can further be inferred that even in the negative framing of the Gacaca Courts, the liberal peace narrative still flourished.

In Frames 1 and 2 there is a positive feedback in the Policymaking Cascading Activation Model. This is demonstrated by the Gacaca Courts being framed as a successful mechanism of transitional justice wherein confession, forgiveness, and reconciliation can occur amongst “neighbours.” This follows the notion of policy-
Based evidence finding in which knowledge is produced to affirm the implementation of a policy, or continued implementation of one. It follows the liberal peace narrative that peacebuilding mechanisms such as transitional justice are good for post-conflict societies, and that it is the duty of Western actors to globalize liberal market democracy. However, the lack of reference to gender in all the frames (particularly 1 and 2) demonstrates that policies of gender mainstreaming which emphasize the importance of the inclusion of women in all aspects of peacebuilding, effectively “mainstream out” women from the debate on the Gacaca Courts. In the liberal peace narrative, gender-based harms or concerns are placed at the bottom of the hierarchy of harms to be addressed in the peacebuilding process. The overall concern is the propagation of liberal market democracy and any knowledge or discussion which may contradict this, is disregarded from the overarching narrative. In terms of knowledge produced about women’s retraumatization in the Gacaca Courts, it does not gain similar traction in the Policymaking Cascading Activation Model as knowledge which aids policies in favour of the Gacaca Courts (and by extension transitional justice/liberal peace) does.

**Alternative Explanations**

The discrepancies in the production of knowledge can possibly be explained by the following passage which proceeded the introduction: “in every society the production of discourse is at once controlled, selected, organized, and redistributed according to a certain number of procedures, whose role is to avert its powers and its dangers, to cope with chance events, to evade its ponderous, awesome materiality.”

It may be possible the knowledge produced on women’s participation in the Gacaca Courts is part of a greater scheme for framing of women, transitional justice, and peacebuilding in Africa to the Western public. In failing to adequately address women’s experiences of retraumatization, it is implied gender-based harms are still of little relevance to Western nations. This is despite gender mainstreaming initiatives which have been demonstrated to achieve very little except sounding nice on paper and effectively “mainstreaming out” women from a position of importance in the liberal peace narrative. Furthermore, women will predominantly continue to be framed as helpless victims of rape, incapable of escaping this stereotype remnant of

---

175 Foucault, *The Archaeology of Knowledge*, 216.
misogyny and almost always associated with any instance of mass violence. In controlling the framing of the negatives of gender mainstreaming, there is little public debate—especially in the context of the case study in this thesis. Instead, there is a diversion to the accomplishments of peacebuilding mechanisms like transitional justice, framing it as a necessary solution to struggling countries incapable of establishing stable peace on their own. The perversion of the liberal peace narrative becomes rampant in the association with Africa and the West’s continued “mission civilisatrice” of globalized liberal market democracy. Framing of conflicts is conducted to reorganize the public’s perception of Western nations’ lack of involvement during violence, to one of the colonial saviour returning with liberal peacebuilding to “save the day.” There is support to bring democracy, women’s rights, and free market economy, even if it may lead to a relapse in conflict—which will be framed as a return to “tribal wars” or “ethnic hatreds,” long existing since the involvement of the Western nations.176 The production of knowledge continues to favour liberal policymakers, and continues to be framed to the public for interpretation and feedback. Although it continually evolves to adapt to political, economic, and technological trends, it still has the effect of continually perpetuating and propagating liberal peace, at the possible expense of the societies involved.

Further Research

In order to better grasp the extent to which women’s participation in transitional justice mechanisms, gender-based harms, and knowledge is produced, possible research could be conducted in additional areas of interest. First, it may be beneficial to conduct a case comparison between different transitional justice mechanisms in societies where peacebuilding has occurred. An analysis of the types of transitional justice mechanisms used and the reasoning behind their implementation. This could shed light on the extent to which the liberal peace narrative can be found to resonate in other case studies. Furthermore, a comparison between the US and the UK media’s representations of transitional justice in Timor-Leste and Rwanda could demonstrate a systemic pattern in the representation of transitional justice mechanisms as good, or shed light on women’s representations in these processes. It may also provide additional support for the use of the

176 Wall, “The Rwanda Crisis,” 121-134.
Policymaking Cascading Activation Model which was customized for this thesis. Furthermore, research comparing the representation of the Gacaca Courts to the ICTR could also yield important results pertaining to the West’s interpretation of transitional justice mechanisms in Rwanda. It may highlight similar associations to liberal peacebuilding practices as being the “only” solution for post-conflict societies in Africa.
Appendices

Appendix 1: Search Keywords

1. Gacaca Courts
2. Rwanda
3. Women
4. Gacaca
Appendix 2: Bibliography of Primary Sources

The New York Times


Washington Post


The Guardian

Jones, Ros-Wynne. “‘Now, I Must be the Narrator.’” The Guardian, April 8, 2009.

The Times


