

Index

abakada (functionaries), 346 on moral drama, 478 abiru (guardians of tradition), 200 Allen, Danielle, 577 absolute destruction alternative dispute resolution (ADR), 233 concept of, 130 Althusser, Louis, 456 absolute domination American Bar Association, 424 concept of, 354 Amin, Idi, 679 Amnesty International, 132, 155, 164, 704 practices of, 355 Acemoglu, Daron, 663 analytic eclecticism, 32, 43 adaptive efficiency analytic ethnography, 31 concept of, 676 and photo-elicitation, 36 analytic photography, 35 adversarial legalism, 6, 57 annihilation adversaries and enemies, 59 versus assimilation, 332 anthropophagic authoritarianism, concept of, 332 adversary concept of, 59 Appiah, Kwame, 476, 602 affective government, concept of, 435 arboreal philosophy affective injustice, 355 Cartesian image of, 415 concept of, 348, 546 Arbour, Louise, 490, 502 Arendt, Hannah, 294, 434, 471 African Charter on Human and People's Rights, 108 African Christianity, 217 on dictatorship, 52 African Rights, 395 distinction between "tyranny" and "total terror" "African time" of, 440 derogatory cliché of, 464 on Franz Kafka, 52, 65 Agamben, Giorgio, 575, 704 on military extremism, 130 concept of "bare life" of, 103 totalitarian education and, 445 on the Foucauldian account of biopolitics, 73 Aristotle, 657 on guilt, 77 phronesis and, 512 Homo Sacer, 75 Arjona, Ana, 344 on "legal civil war," 69 on thanatopolitics, 73 as an agent of socialization, 685 Arusha Tapes, The, film, 483 on violence, 71 agency slack, concept of, 302 screening of, 483 Aghion, Anne, 294 Asad, Talal Ahmed, Sara on suspicion, 448 on "affective economies," 183 assaultive speech, 529 aidland, concept of, 292 assemblage concept of, 417, 533 Akayesu, Jean-Paul trial of, 499 violent, 428 Alexander, Jeffrey, 136 Assiel, Kabera, 231, 235



> Index 708

assimilation	Banyingana, Peter, 682
versus annihilation, 332	Barayagwiza, Jean-Bosco
Association des veuves du génocide Agahozo	trial of, 491-500
(AVEGA), 498	Barayagwiza, Jean-Bosco
Association rwandaise pour la défense des droits	extradition of, 491
de la personne et des libertés publiques	judgment in trial of, 494
(4.75.7.)	trial of, 9
(ADL), 599 associational life	bare life
	_
pathologies of, 581	concept of, 73
asymmetric information	Barthes, Roland, 566
principle of, 672	Basomingera, Albert, 250
Atwood, Margaret, 575	Bates, Robert H., 677
The Testaments and, 697	Bauchau, Henri, 647
auctoritas, 704	Baudrillard, Jean, 289
Auden, W. H., 47	and the concept of simulacrum, 289
Austin, J. L., 455	strategy of the real and, 289
on "performative utterances," 219	and war, 289
Autesserre, Séverine, 292	Bauman, Zygmunt, 332
authoritarian control	Bayart, Jean-François, 560
strategies of, 434	Bazabazwa, Deo
authoritarian high legalism, concept of, 387	trial of, 182
authoritarian high modernism	Becker, Howard
concept of, 669	and visual ethnography, 37
as a form of governmentality, 669	Beckett, Samuel, 566
gacaca courts as an example of, 545	Begley, Larissa, 355
authoritarian rule	Belgian Congo, 442, 679
institutional foundations of, 674	Belgium
authoritarian rule of law	colonial administation in Ruanda-Urundi of
concept of, 295	244 , 323
in South Africa, 425	colonial administration in Rwanda, 524
theater of, 295	as colonial power, 202
authoritarianism	King Leopold II of, 442
anthropophagic, 332	Palace of Justice in, 582
high modernist variant of, 127	Rwandan diaspora in, 527
ocular, 530	Rwandan independence from, 703
and temporality, 554	trial of the "Butare Four" in, 581
versus totalitarianism, 441	University of Antwerp in, 98
	* * *
authority	Belhaddad, Souâd, 592
obedience to, 689	Benedict, Ruth, 704
autonomy, concept of, 302	Benjamin, Walter, 247
AVEGA	on Franz Kafka, 52
boycott of ICTR and, 498	on law's violence, 76
Avocats sans frontières (ASF), 166, 175,	Bentham, Jeremy, 28, 546
321, 451	on law's publicity, 521
Mémoire des procès du génocide	panopticon and, 339
(MEMPROGE) of, 185	Berlant, Lauren, 562, 652, 669
Recueil de jurisprudence contentieux du	on slow death, 569
génocide of, 185	Bertelsmann Transformation Index (BTI), 675
	Bikindi, Simon, 617
Bagambiki, Emmanuel	Bimenyimana, Faustin
trial of, 503	trial of, 161
Bagilishema, Ignace, 496	biopolitics, 71
Bagosora, Théoneste, 158	Agamben versus Foucault, 74
Baines, Erin, 611	biopower



concept of, 570	Bush, George W., 587
and necropower, 78	Busingye, Johnston, 439
Birambo, district of, 365	Busoro, cell, 398, 404
Bisesero, community of, 668	Busoro, market, 404
Bizimana, Déogratias	Busoro, trading center, 397
trial of, 153	Butamire, Pan, 517
Bizimana, Evariste, 268	Butare, 131, 199, 208, 224
Bizimana, Jean-Damascène, 443	bystanders to genocide in, 393
Bizimungu, Pasteur, 133, 223, 231, 241	Hutu of, 393
Blair, Tony, 473	Tutsi of, 392
bodies	Butare, city, 581
disciplining of, 458	Butare, province, 334, 365, 391
social versus lived, 564	Butler, Judith, 49, 335, 456, 527, 584
bodily, 419	Bwagira, district, 365
Bohannan, Paul, 253	Byanafashe, Déogratias, 225, 229
Bohley, Bärbel, 597	-,,,,
Borneman, John, 608	Calixte, Kanyemera
Bornkamm, Paul Christoph, 228	trial of, 584
Boston, 486	camera orientalis, 665
Bouka, Yolande, 120, 138, 350, 587	camp time
Bourdieu, Pierre, 195, 511, 565	concept of, 564
on force, 574	Campbell, Elaine, 700
on symbolic power, 475	Card, Claudia, 136, 591, 646
Boutros-Ghali, Boutros, 489	care
Braeckman, Colette, 624, 636	moral discourse of, 670
Braithwaite, John	Carina Tertsakian, 116
on integrative shaming, 481	Carney, J. J., 215
Brantlinger, Patrick, 667	Caro, Robert, 664
Brauer, Jurgen, 672	Catholic Church, 218
Brecht, Bertolt, 444	complicity in 1994 genocide of, 525
Breed, Ananda, 514, 582, 695	Motu Proprio Justitiam et Pacem and, 217
British East India Company, 635	Second Vatican Council and, 217
Brod, Max, 48	theology of obedience of, 524
Brounéus, Karen, 613	Central Africa, 649
Brudholm, Thomas, 623	Chakravarty, Anuradha, 19, 139, 262
brute force	Chamayou, Grégoire
versus latent violence, 677	on the philosophy of manhunts, 110
Buckley Zistel, Susanne, 467	chambres spécialisées, 519
Bugesera, community of, 668	Chanock, Martin, 635
bula matari	China
concept of, 441	social credit system in, 532
Bunyenyezi, Chris, 682	trial of the "Gang of Four" in, 425
Bunzazi, community of, 534	choiceless choice
sector of, 625	concept of, 333
bureaucracy	Chouliaraki, Lilie, 670
Franz Kafka's critique of, 572	Chrétien, Jean Pierre, 629
bureaucratism	Chwe, Michael, 443
concept of, 695	Cicero, 537
bureaucratization, process of, 295	citizens
and limits, 323	expendability of, 571
Burnet, Jennie, 32	fungibility of, 571
Burundi, 422, 581, 629, 657	citizenship, 125
bashingantahe councils in, 25	Clairvaux, St. Bernard of, 694
Tutsi refugees in, 679	Clark, Phil, 197, 545, 578, 645
	/ " / "/// / 1// / 1/ " 1/



> Index 710 Clausewitz, Carl von, 57 Copenhagen, 486 on warfare, 57 Corey, Allison, 428 cleavages corpses between perpetrators and survivors, 432 public display of, 605 Clinton, Bill, 474, 487 corruption, 594 Codere, Helen, 693, 703 cosmologies coercive harmony, 3 totalizing nature of, 657 concept of, 636 cosmologies of the powerful, 656 violence of, 636 cosmologies of the powerless, 656 coercive memorialization cosmopolitan solidarity, 669 concept of, 604 court time coexistence concept of, 564 and reconciliation, 608 courtroom cognition and choice seductive power of, 425 strategic model of, 678 Cover, Robert, 149, 295, 513, 514, 579 Cohen, Stanley, 140 humanistic approach of, 521 collective action on law's violence, 58 problems of, 685 on revolutionary constitutional understandings, collective guilt, 61, 136 collective memory, 136, 514 Craven, Wes, 440 collective violence, 136 credible commitments, 703 Collier, David, 62 critical juncture Collier, Ruth Berins, 62 concept of, 62 Comaroff, Jean, 5, 78, 104 cruel optimism Comaroff, John, 5, 78, 104 concept of, 670, 694 on lawfare, 54 cruel pessimism and, 694 commemoration panic and misrecognition as consequences of, violence of, 606 670 commitment problems, 641 cruel pessimism common knowledge concept of, 652, 694 game-theoretical concept of, 443 cruel optimism and, 694 communicative authority, 446 Cuba communicative rationality military training of Paul Kagame in, 680 concept of, 410 cultural trauma idea of, 216 concept of, 136 community service customary law, 227 institution of, 264 language of, 235 complex victimhood mobilization of, 234 concept of, 611 neo-traditional, 635 conflict Cyangugu, 162, 182, 226 strategy of, 676 diocese, 214 theaters of, 672 préfécture, 503 Conquest, Robert, 538 Cyangugu, province, 365 consent Cyanzayire, Aloysie, 251, 254, 311 Cyiza, Augustin, 668 calculus of, 452 Constable, Marianne, 580 on Robert Cover, 59 Damocles, 537, 690 constitutional design socialization of, 695 as a lawfare tactic, 57 constitutional dictatorship Danish Centre for Human Rights, 166, concept of, 145, 427

consolidation of in Rwanda, 427

post-genocide Rwanda as, 427

contingency, 697

Danish Institute for Human Rights. See Danish

Centre for Human Rights

Darwin, Cjartles, 414



Das, Veena, 565, 656	dictatorship
Dassault Falcon 50	anatomy of, 425
and the assassination of President	contribution to the theory of, 706
Habyarimana, 419	East German, 440
Dauge-Roth, Alexandre, 648	institutional development of, 427
Davenport, Christian, 513, 674	in Nazi Germany, 103
de Beauvoir, Simone, 566	self-reinforcing logic of, 326
De Beer, Daniel, 150	didactic trial
de Certeau, Michel, 654	concept of, 521
de Dieu Mucyo, Jean, 190	difference
de Figueiredo, Rui J. P., 677	annihilation of, 439
de Jonge, Klaas, 361, 451, 548	differentiation
de Lame, Danielle, 32, 199, 457, 664	process of, 197
dead time, 567	diminishing returns
death	principle of, 672
hermeneutical, 563	Dionysius of Syracuse, 537
decentralized despotism, concept of, 351	disalienation, concept of, 333
decision making	disciplinary power
under uncertainty, 672	concept of, 555
deformation	discipline
concept of, 428	concept of, 554
in law and the social sciences, 428	discursive formations, 518
permanence of, 428	disempowerment, process of, 336
in physics, 428	disgust, 624
Degni-Ségui, René, 102	Disneyland, 292
Del Ponte, Carla, 492	dispute resolution, 635
delegation, concept of, 301	distrust, 468
delegation, dynamics of, 302	and mistrust, 639
Deleuze, Giles, 291, 414, 533, 557	divide and rule
and Achille Mbembe, 79	strategy of, 543
Deleuze, Gilles, and Félix Guattari	documents, 288
on war machines, 79	hyperreality of, 287
deliberative justice, potential for, 410	domination
Democratic Republic of Congo (DRC), 442,	in the modern world, 585
690	domination, concept of, 354
formerly Zaire, 130	and absolute domination, 354
perpetual war over, 429	dossier (case file)
warfare in, 196	as a technology of power, 330
Derrida, Jacques, 626	Doughty, Kristin, 32, 552
Des Forges, Alison, 32, 110, 220, 600	Douglas, Mary, 300, 679
testimony in Thenis trial of, 529	dual state
Theunis trial and, 519	concept of, 109
description, methodological practice of, 288	Dusingizemungu, Jean Pierre, 447
destruction	3 3 // / / / / / / / / / / / / / / / /
thesaurus of, 666	East Berlin
destructive trial	1953 uprising in, 444
concept of, 521	Eco, Umberto, 291
development	economic theory, 674
demand for, 701	Eichmann, Adolf, 422
projects, failure of, 701	Elyachar, Julia, 630
developmental dictatorship, 411	enemies
developmental state, concept of, 337	and adversaries, 59
Dewey, John, 561	blacks as, 60
Dialogue (iournal) 518	communists as 61



712

Cambridge University Press & Assessment 978-1-108-42539-1 — The Violence of Law Jens Meierhenrich Index More Information

enemies (cont.)	fear
concept of, 59	violence of, 349
dissident peasants as, 61	Fédération internationale des ligues des droits de
homosexuals as, 61	l'homme (FIDH), 497
Hutu as, 60	Feeley, Malcolm, 51
Jews as, 60	felt injustice
natives as, 60	concept of, 598
perpetrators, 60	fetishizing the local
real versus imagined, 673	methodological practice of, 436
terrorists as, 60	Fitzpatrick, Peter, 72
witches as, 61	Fletcher, George, 148
enforced legal waiting	Flyvbjerg, Bent, 657
socioeconomic costs of, 563	forced development, concept of, 331
Enlightenment, 415	Forces armées rwandaises (FAR), 162
values of, 29	Forces de libération nationale (FLN), 423
episteme	torgiveness
concept of, 585	concept of, 624
epistemic injustice, 445	as a duty, 648
concept of, 584	institutionalized, 625
epistemic violence	rhetoric of, 624
concept of, 585	Foucault, Michel, 248, 294, 300, 458, 511, 533,
Eritrean People's Liberation Front, 682	546, 557, 657, 672, 705 on biopolitics, 71
ethnic divisionism, criminalization of, 300 ethnographic stance	on disciplinary power, 71
concept of, 631	Discipline and Punish, 71
ethnography, 657	and the insurrection of subjugated knowledges
European Union (EU), 650	658
policy toward post-genocide Rwanda of, 85	on "the model of Leviathan," 59
everyday lawfare	on power as "continuous warfare," 249
concept of, 555	on technologies of rule, 72
everyday life	on violence, 71
militarization of, 695	France
military norms and institutions in, 690	revolutionary terror in, 426
presentation of law in, 704	revolutionary trials in, 425
everyday violence, 585	Thermidorian Reaction in, 427
excessive moralism	Tribunal révolutionnaire in, 426
as a discursive formation, 644	Frazer, Jendayi, 420
as a violation, 644	French Revolution
existential harm	Committee of Public Safety (Comité de salut
concept of, 591	public) in, 80
expected marginal costs and benefits	Consulate, the military dictatorship led by
principle of, 672	Napoleon Bonaparte, in, 81
expressive choice	Directorate (Directoire) in, 81
logic of, 671, 677	Fricker, Miranda, 588
Extraordinary Chambers in the Courts of	Friedrich Nietzsche
Cambodia, 16	and Thus Spoke Zarathustra, 248
extremist institutionalism, 26, 248, 671	Fujii, Lee Ann, 12, 39, 609
concept of, 146	on meta-data, 468
from perverse institutionalism to, 700	Furet, François, 426
	futurity, loss of, 552
Fassin, Didier, 50	
faux traditionalism	gacaca
in Rwanda, 517	colonial reinvention of, 206
in South Africa, 517	facade, 388



Index 713

imperial, 201 pre-colonial institution of, 201 varieties of, 218 gacaca courts, 6 accusations versus confessions in, 534 affective injustice and, 546 agency slack in, 323 annulment of dissensus in, 453 appeals in, 276 archive of, 703 assaultive speech in, 529 as authentic fakes, 571 "authority-driven gacaca" and, 214 billboards for, 385 bribes in, 594 bureaucrats and lawyers in, 454 calculus of consent in, 452 calls for retrials in, 595 categories and penalties in, 279 cell jurisdictions of, 273 centralization of information about, 485 chilling effect of, 578 choiceless choices and, 468 civil claimants in, 275 and clientelism, 313, 535 coercive participation in, 545 and collection of testimony in pre-gacaca hearings and, 375 compliance as simulation, 465 confession procedure as a paragon of necropower, 545 contending logics of institutional designs for, 245 co-ordination committee of, 273 court time in, 564 courtrooms of as anterooms of justice, 567 dead time in, 567 defendants in, 286 denunciations and, 538 depression and PTSD symptoms and, 613 dialogical function of, 578 disciplinary power of, 555 disillusionment about, 461 dissimulation in, 430 district jurisdictions of, 273 docile bodies in, 590 elasticity of time in, 567 and election of judges, 385 and elections of inyangamugayo, 314 enforced legal waiting in, 553 enforced participation in, 547 epistemic injustice in, 445, 584 epistemic instability and, 584 epistemic practices of, 585 everyday forms of resistance in, 554

everyday resistance in, 465 excessive legalism and, 246 facade of, 10, 388 facadist exteriorization of, 657 fact finding and, 449, 452 fact finding of nyumbakumi in, 449 false compliance in, 430 fear and uncertainty in, 540 as a feat of hyperreality, 201 feigned ignorance in, 430 and field coordinators, 312 film and, 482 force of, 547 formulaic performances in, 463 and Gacaca Commission, 254 gacaca day, 435 as a state of exception, 555 gacaca events and, 569 gacaca nkirisitu (Christian gacaca) and, 214 gacaca nshya (new gacaca) and, 213, 214 general assembly of, 272 in Gishamvu, 448 gradual transformation of, 701 guilty pleas and, 535 half-truths in, 593 healing and, 646 hermeneutic of concealment in, 462 hermeneutical death and, 563 hermeneutical harm and, 563 as high-modernist institutions, 671 from hope to disillusionment in, 409 hyperreality of, 386 identity formation and, 325 indecency in, 646 informal economy of, 593 as an informal method of dispute resolution, 8 Inkiko Gacaca magazine and, 482, 485 institutional antecedents of, 196 institutional borrowing, 241 institutional design of, 249 International Conference on Genocide, Impunity and Accountability and, 221 international observers and, 671 interplay of spatiality and temporality in, 566 inyangamugayo as agents of lawfare in, 327 inyangamugayo in, 567 jurisdiction of, 255

Jurisdiction of, 255

Justice and Peace Commission of the Diocese of Butare and, 217
as justice charade, 477, 542
kadogo and, 689
and the Kafkaesque, 512
Kibuye's "gacaca commission" and, 231
kikuyu grass and, 226



714 Index

gacaca courts (cont.) le gacaca rénové and, 226 le gacaca traditionnel and, 226 legalization stage of, 245 legislation and, 271 legislative foundations of, 258 lists of accused in, 449 Local Defense Forces (LDF) and, 367 logistical challenges and, 312 loss of earnings on gacaca day and, 560 lustration and, 514 management failures and, 325 and Manuel explicatif sur la Loi organique portant création des juridictions gacaca, 322 marketing of, 219, 481, 579 media campaign and, 482 micro-aggressions in, 454 mistrust and, 464 as a model of restorative justice, 8 modernization stage of, 238 muteness in, 462 mythology of, 18 necropower and, 536 as nomic settings, 341 nyumbakumi and, 315 Office of the Prosecutor General and, 360 official logo of, 17 omnipresence of the state and, 356 as open-air theaters of law, 566 opportunism in, 325 opposition to pilot phase for, 191 Organic Law No. 08/1996 and, 536 Organic Law No. 40/2000 and, 231, 255, 553 Organic Law No. 33/2001 and, 258 Organic Law No. 16/2004 and, 278, 637 Organic Law No. 10/2007 and, 283-286 Organic Law No. 13/2008 and, 286 organizational foundations of, 303 and organizational hierarchies, 295 original closure date for, 563 oversight role of inyangamugayo in, 449 parameters of truth-telling in, 439 pardons in, 638 participation as an empty universal, 445 pay of inyangamugayo in, 594 peasant-driven gacaca" and, 214 pennisetum clandestinum and, 226 performances of, 385 permanent temporariness and, 565 perverse institutionalism and, 327, 593 pictorial and, 482 pilot phase of, 360, 451 as places of passivity, 292, 571 plea bargaining in, 543

political intelligibility of, 701 as political weapons, 677 poverty and, 550 poverty of participation and, 550 practice of ceceka in, 550, 580 practice of testimonial refusal and, 409 pre-gacaca hearings and, 360 pre-gacaca hearings in Butare and, 366 Presidential Decree No. 26/2001 and, 264 Presidential Directive No. 12/2001 and, 259 pretense of reconciliation in, 653 "prison *gacaca*" and, 542 prisoner's dilemma and, 537 promotional booklet for, 363 prototype for, 244, 249 at the provincial level, 274 and radio, 482 redescription of, 124 as regimes of consensus, 456 reparation orders and, 447 representation of spectators at, 387 as a repressive form of justice, 409 rescapés and, 437 as revolutionary justice, 429 rhetoric of the grassroots and, 580 rituals of, 547 rules of procedure and evidence of, 450 rules of the game and, 584 and rumination, 613 rumors and, 470 Rwandanicity and, 515 Rwandans' concerns over judges' impartiality Rwandans' lack of confidence in, 513 sector jurisdictions of, 273 self-sanctioning behavior in, 548 self-suppression of speech in, 452 and sensitization, 359, 376 Service national des juridictions gacaca (SNJG) and, 249 silence in, 431, 452, 578 silencing effect of, 578 as sites of micro-aggressions, 52 slogans of, 579 social death and, 564 social imaginary of, 652 as spaces of slow death, 569 spatiality of, 438 speaking subjects and, 462 and speech acts, 457 speech in, 460 statistics about, 7 and stigmatization, 481 stimulation of demand for, 387



structural deformation of the public sphere	discourse of exoticism and, 670
and, 583	framings of, 670
structural violence of, 448	iconography of, 665
subject positions in, 462	incitement to, 397
suspected génocidaires serving in, 596	language of, 604
technologies of, 29	limits of representation, 670
temporal logic of violence in, 564	marketing of, 471
temporary suspension of, 455	misrepresentations of the logic of violence in,
testimonial injustice in, 582, 585	671
testimony in, 409	rationality of, 668
timepass as a feature of, 553	resistance to, 397
as total institutions, 564	soundscapes of, 603
"traditional gacaca" and, 197, 213	survivors of, 270
and training of inyangamugayo, 311, 319	Genocide Convention (1948), 147
trauma of testimony in, 613	génocide de proximité
trauma of truth-telling in, 613	concept of, 609
traumatisme and, 462	genocide ideology, criminalization of, 300
traveaux d'interêt général (TIG) and,	genocide memorials, 436
264, 470	genocide's return
truth telling and, 583	fear of, 430
umuganda and, 573	Germany
UNHCHR feasibility study and, 223	colonial administration in Ruanda–Urundi of
unplotted strategy of lawfare and, 701	
untruths in, 593	244, 323
violence of as creatively destructive, 67	concentration camp universe in, 573 Deutsch Ostafrika (German East Africa)
	and, 629
violence of testimony in, 582 violent performances in, 514	
1 / / /	Geschworenengericht in, 244
visuality of, 386	Nazi dictatorship in, 573
weather and, 567	Nazi genocide in, 668
witnesses in, 567	Schöffengericht in, 244
workload of, 275	socialist dictatorship in, 440
Gahima, Gerald, 153, 158, 168, 170, 182, 184, 186,	Stasi and socialist dictatorship in, 440
191, 222, 235, 238, 251, 420, 477, 486	transition from authoritarian rule in, 597
Galván-Alvarez, Enrique, 585	Weimar Republic in, 563
Gandhi, Jennifer, 674	Gersony, Robert, 131
garrison state	Gesellschaft für technische Zusammenarbeit
bureaucratism and, 695	(GTZ), 306
concept of, 129, 267, 695	Giesen, Bernhard, 479
as a developmental construct, 695	Gikongoro
technocratic facade of, 695	préfecture, 484
Garver, Newton, 556	province, 391, 392
Gatanazi, Egide	Gilead, 697
trial of, 153	Gisenyi, 166
Gates, Bill, 473, 672	préfecture, 689
Gatwa, Tharcisse, 448	province, 317, 365
Geertz, Clifford, 34, 454	Gisenyo, 131
genealogy, 657	Gishamvu, cell, 389, 404, 448
Geneva Conventions, 147, 493	Gishamvu, commune, 389
1977 Additional Protocols to, 147	massacres in, 398
Additional Protocol II to, 494	Gishamvu, community, 389
genocide	accountability mechanisms in, 436
affects of, 664	bourgmestre of, 398
bystanders to, 393	as a case-generating milieu, 389
cultural artifacts in representation of 670	corpses in, 201



716

Gishamvu, community (cont.)

demographics in genocide's aftermath in,

463

Gasyankingi hill in, 396

genocide in, 390

looting by génocidaires in, 391

razing of religious sites in, 391

rescapés in, 395

surveillance in, 407

Gishamvu, sector, 389

Gishyita, district of, 365

Gisovu, district, 365

Gisovu Central Prison, 408

Gitarama, 261, 268

Gitesi, district, 365, 384, 633

Glenn, Cheryl, 579

global South, 669

Goffman, Erving, 103, 564

Goffman, Gerving, 685

Goldstone, Richard, 157, 222, 490

Gore, Martin Lee, 576

Gourevitch, Philip, 4, 198, 604, 669

governmentality, 560, 634

hallmark of, 335

pathologies of, 231

governmentality, concept of, 328

governmentality, lineages of, 358

Govier, Trudy, 589, 608

Gramsci, Antonio, 359, 633

grassroots

metaphor of, 445

rhetoric of, 580

gray zone

concept of, 657

Great Lakes region of Africa

coltan in, 515

Green, Linda, 349

Gribbin, Robert, 15

Guatemala, 349, 350 Guattari, Félix, 414, 533

and Achille Mbembe, 79

guerilla warfare

governance of, 683 Paul Kagame and, 683

Guichaoua, André, 12, 32, 395, 666

guilt

international, 488

guilty plea

institution of, 535

as a lawfare technique, 535

as a technology of rule, 535

Habermas, Jürgen, 410

Habimana, Aloys, 25, 505

Index

Habyarimana, Juvénal, 667

Haeckel, Ernst

and the tree of life, 415

Harerimana, Egide, 266 harm

concept of, 560

existential, 591

hermeneutical, 563

types of, 560

harmony

performances of, 636

harmony ideology

concept of, 632

example of, 216

and gacaca courts, 388

Harvard University, 355

Hatzfeld, Jean, 139, 580, 602

Hayman, Rachel, 676

Hecatomb, 11

Hegel, Georg Wilhelm Friedrich, 533

Herbst, Jeffrey, 673

hermeneutic of concealment

concept of, 462

hermeneutical death

concept of, 563

hermeneutical harm

concept of, 563

high modernism concept of, 248

ideology of, 701

high modernist legalism, concept of, 388

Hinton, Alexander Laban, 16

Hirschman, Albert, 543

historical institutionalism, 328, 678, 694

Hobbes, Thomas, 11, 47, 415, 546

Behemoth, 124

Leviathan, 125

on warfare, 53

Hobsbawm, Eric

on the invention of tradition, 247

horror vacui

concept of, 552, 562

Hôtel des mille collines, 418

Hudani, Shakirah E., 408 Hull, Isabel V., 130, 691

human remains

exhumation of, 436

Human Rights Field Operation (UNHRFOR),

Human Rights Watch, 10, 422, 424, 513, 612, 704

humanitarian imaginary

concept of, 670

humanity, 568

and the distant needy, 702



Hume, David, 663	Inkotanyi, 343, 531, 625
humiliation	inner emigration, concept of, 432
concept of, 591	Institut de recherche scientifique et
Huye, city, 581	technologique (IRST), 224
Huye, district, 389	institution
hybrid justice, rhetoric of, 428	total, 564
hyperreality	institutional change
concept of	downstream processes of, 441
as an authentic fake, 292	institutional development, 28, 679
media of, 704	institutional extremism, 355, 678
performance of, 571	concept of, 691
promotion of, 386	as a mental model, 693
	and the rise of lawfare, 691
Ibuka ("Remember"), 222, 236, 255, 268, 384, 477	institutional rationality
boycott of ICTR and, 498	deontological conception of, 678
letter to UN secretary-general of, 502	institutional selection
rescapés organized in, 563	theories of, 678
igitero (attack group), 397	institutionalism
ihahamuka	extremist, 671
concept of, 611	historical, 678, 694
ikinimicu (theater), 515	perverse, 263, 536
imagined enemies, 673	rational choice, 678, 694
imidugudu	institutionalization
nyumbakumi and, 328	process of, 197
increasing returns	institutionalized arbitrariness
concept of, 675	concept of, 411
India, 585	institutionalized forgiveness
Bhopal disaster in, 565	concept of, 625
British colonialism in, 635	institutions, 446
law's four-part episteme in, 585	facadist, 441
panchayat courts in, 636	politics of structural choice and, 676
panchayat justice in, 636	as weapons of coercion and redistribution,
indigeneity	677
false sense of, 446	instrumental choice
indirect rule	logic of, 671
institution of, 323	intelligence
concept of, 301	invisible hand of, 348
system of, 357	International Committee of the Red Cross
indirect rule 2.0, concept of, 352	(ICRC), 104, 113, 115
information failures, 641	international community, 488
infra-law	humiliation after the 1994 genocide of, 675
realm of, 554	metaknowledge and, 443
ingando (reeducation), practice of, 299	International Covenant on Civil and Political
Ingelaere, Bert, 19, 199, 207, 356, 652	Rights (ICCPR), 109, 123, 477
injustice	International Criminal Court
epistemic, 445, 584	critiques of, 6
historic, 7	International Criminal Tribunal for Rwanda
overcoming of, 447	(ICTR), 133, 158, 393, 587, 484
passive, 597	acquittals at, 503
testimonial, 582	amicus curiae brief and, 493
transitional, 9	Appeal Chamber of, 492
unrecognized, 547	attitudes toward, 502
inkiko gacaca project	Barayagwiza affair and, 491
affective responses to, 5	boycott of, 498



International Criminal Tribunal for Kwanda (cont.)	training of, 311
defense counsel at, 499	Inyumba, Aloysia, 420
dismissal of defense investigators at, 501	iron cage of reason
expert testimony at, 667	Franz Kafka and, 572
investigators of, 499	Franz Kafka versus Max Weber on, 572
Jean-Bosco Barayagwiza v. Prosecutor and, 491,	Max Weber and, 572
503	irondos (night patrols), 329
judges' laughter at, 498	Ismail, Salwa, 435
justice machinery of, 8	on the rule of violence, 66
legitimacy of, 487	Israel, 488, 685
Office of the Prosecutor (OTP) of,	Itorero (leadership training), 79
493, 587	practice of, 299
Prosecutor v. Elizaphan and Gérard	Iwawa Island
Ntakirutimana and, 668	penal colony of, 123
Prosecuor v. Hormisdas Nsengimana and, 499	
Prosecutor v. Ignace Bagilishema and, 496	Jacobsen, John Kurt, 658
Prosecutor v. Jean-Paul Akayesu and, 499	Jallow, Hassan, 586, 587
Prosecutor v. Simon Bikindi and, 617	Jankélévitch, Vladimir, 624
Registry of, 501	Jayasuriya, Kanishka, 24
re-traumatization and, 497	Jefremovas, Villia, 650
rules of procedure and evidence of, 492	jenoside
Rwandan criticism of, 487	as a crime in Rwandan law, 157
shaming of, 494	Jhering, Rudolph von, 635
so-called Media Trial and, 493	Der Kampf um's Recht (1872), 53
Statute of, 492	Johns Hopkins University, 482
survivor confidence in after "Weza affair," 502	Center for Communications Programs (JHU
training visits of Rwandan judges to, 187	CCP) of, 317
victim attitudes toward, 496	Joireman, Sandra F., 428
"Weza affair" at, 501	Jung, Carl, 359
Witness "TA" at, 497	as founder of analytical psychology, 414
International Criminal Tribunal for the former	juridification, 7, 55
Yugoslavia (ICTY), 496	jurispathic state
international development, 21, 488	concept of, 581
international humanitarianism, 669	justice
pieties of, 623	in the anteroom of, 566
international justice, 488	assemblage of, 657
best-known experiment in, 466	and body counts, 121
international law	communal, 9
reparations in, 447	cosmology of, 507
International Military Tribunal (IMT) at	customary, 24
Nuremberg, 55, 425, 466	decentralized, 25
International Monetary Fund (IMF), 21, 675	demographics of, 593
International Rescue Committee (IRC),	disruptive versus destructive, 507
96, 613	of evidence, 449
Internews, 483	facadist, 16
interpellation	fetishization of, 24
concept of, 456	folk, 8
interpretation	furnishings of, 651
violence of, 514, 516	geography of, 406
interpretive violence, concept of, 295	goddess of, 558
intore, 79	grassroots, 6, 24, 507
inyangamugayo (persons of integrity), 18, 207	indigenous, 24
as agents of lawfare, 327	labor of, 550
elections of, 259, 314	local, 6, 218



localized, 25	as a refugee in Uganda, 679
machinery of, 578	as savior, 478
micropolitics of, 429	sovereign gaze of, 575
miscarriages of, 466	Theunis trial and, 520
mythology of, 18	as umutoza w'ikirenga, 344
participatory, 24, 547	as a violent entrepreneur, 412
physicality of, 430	vision of a "New Rwanda" of, 84
place-based, 25	Kalyvas, Stathis, 48
of procedure, 449	Kamatali, Marie, 495
rhetoric of, 387	Kambanda, Jean, 390
theater of, 406	as architect of annihilation, 390
traditional, 24	Kambanda, Pascal, 395
of truth, 449	kangaroo courts, 477
in the vernacular, 387	Kanzenze, community of, 385
justice charade, 477	Karamira, Froduald
justice facade, 16	death sentence of, 157
justice on the grass	trial of, 157
terminology of, 670	Karegeya, Patrick, 14, 183, 413
Jyoni wa Karega, Joseph, 224, 228	murder of, 419
	ouster of, 420
Kabanda, Charles, 11	Karekezi, Alice, 196, 201
Kabarebe, James, 420	Karemera, Joseph, 420
Kabgayi, Major Seminary of, 390	Karugarama, Tharcisse, 235, 242, 250, 420, 486, 529
Kabgayi, site of, 351	as norm entrepeneur, 244
Kaboyi, Benoit, 563	katechon
Kabuga, Félicien, 114	concept of, 441
Kabuye, Rose, 12	Kayitesi-Jozan, Annick, 644
Kacyiru, district of, 316	Kayove, community of, 619
Kafka, Franz, 91, 142, 294, 576	Keane, Fergal, 4, 669
"Before the Law," 50	Kearns, Thomas
The Castle and, 572	on Robert Cover, 59
drawings of, 49	Kelsen, Hans, 656
"In the Penal Colony" and, 577, 579	Kennedy, David, 20, 647
on law's violence, 50, 76	Kenya, 689
"Man at Table," 48, 577	Kibeho, 219
Max Weber and, 571	massacre of, 13
on silence, 577	Kibungo, 131
sketchbook of, 48	prefect of, 239
The Trial, 48, 512, 556, 566, 571, 581, 584	Kibungo, district, 367
and Michel Foucault, 51	Kibuye, 166, 199, 212
Kagabo, Philbert, 225, 228	"gacaca commission" of, 231
Kagame, Paul, 10, 198, 238, 240, 359, 412, 576, 663,	prefect of, 231
672, 682	préfecture, 436, 668
on the army as a leadership institution, 690	genocide's aftermath in, 436
cult of, 539	town, 408
dissolution of Local Defense Force and, 689	Kibuye, province, 365
guerilla warfare and, 680	Kigali, 186
iconography of, 412	Kabusunzu neighborhood of, 563
on India as a model, 636	Kigali, city
military training in the United States of, 682	Kacyiru neighborhood in, 704
neopatrimonial rule of, 539	Kigali Central Prison, 165
as one of the worst dictators in the world, 694	Kigali City, district, 316
plot to overthrow, 423	Kigali-Rural, préfecture
Rambura speech 475	Rilima Security Area in. 114



720

Kigembe, community

pre-gacaca hearing in, 367

Kigombe, 228

Kimonyo, Jean-Paul, 391

King Rwabugiri

as war maker and state maker, 699

Kinzer, Stephen, 686

Kirchheimer, Otto, 326, 359, 425, 537

Kirkby, Coel, 270

Kivumu, community, 617

Kivumu, district, 365

Kleinman, Arthur, 563

Kracauer, Siegfried, 562, 566

Krebs, Ronald, 685

Kristeva, Julia, 460

Kubwimana, Célestin, 395

Kundera, Milan, 357, 577

labor

violence of, 267

Laclau, Ernesto

on empty universals, 445

Langer, Lawrence, 333

Lasswell, Harold, 129, 267, 695

law

changing character of, 62

deformation of, 428

demand and supply of, 359

destruction of, 93

epistemic concept of, 521

force field of, 528

force of, 448

as instrument of terror, 427

language games and, 521

as a medium of injustice, 50

open-air theaters of, 566

oversupply of, 385

performativity of, 424

presentation in everyday life of,

704

rhetoric of, 656

rhizome of, 418, 466

sacralization of, 705

spirit of, 432

subjectivating reprimand of, 541

supply of, 447

as a system of rules, 57

and its totalizing force, 68

valorization of, 705

violence in the shadow of, 555

violence of, 41

weaponization of, 673

law, striking power of, 537

law of others, the, 404

Index

lawfare, 28

antecedents of, 692

causal mechanisms of argument about,

671

concept of, 53

as continuation of politics by other means, 61

as continuation of war by other means,

671

cunning of, 555, 565

defining attributes of, 54

economies of, 671

and "the English mode of warfare," 29

everyday, 555

everyday forms of resistance to, 554

evolutionary versus revolutionary effects of,

62

expressive function of, 539

expressive mechanisms and, 678

guilty plea as a technique of, 535

hallmark of, 546

inkiko gacaca as the epitome of, 705

institutional extremism and the rise of, 691

as an instrument of policy, 63

instrumental function of, 539

instruments of, 673

as an "irregular system of warfare," 29

and legal imperialism, 78

and legalism, 55, 58

from legalism to, 700

legislation as a tactic of, 249

localized, 202

longitudinal analysis of, 699

machinery of, 300

macrofoundations of, 63

microdynamics of, 570

onset of, 676

path-dependent explanation of, 698

political economy of, 29, 671, 699

as a prestige strategy, 63

rationalist explanation for, 672, 677

rise of, 664, 671

in eighteenth-century France, 426

and social death, 135

strategic argument about the rise of, 672

as a strategy of conflict, 30, 61

structured contingency of, 701 substitution for warfare of, 570

tactics of, 673

techniques of, 63

transition from warfare to, 677

unplotted strategy of, 701

law's rhizome, 414, 466

concept of, 430 in Rwanda, 430



Lawyers Committee for Human Rights, 98	Li, Tania Murray, 634, 700
layered domination, concept of, 301	liberation movements, 682
legal development, 28, 703	liberation struggle, 678
twenty-first century demand for, 701	liberation theology, 474
legal exceptionalism	lieux de mémoire, 471
in Rwanda, 109	lieux d'oubli
legal imperialism	concept of, 646
and lawfare, 78	life
legal orientalism, 20	power over, 477
legal pluralism, 24, 487	lifeworlds, 459
legal revolution	Ligue rwandaise pour la promotion et la défens
in Rwanda, 676	des droits de l'Homme (LIPRODHOR),
legalism	26, 101, 180, 451
concept of, 55	Local Defense Forces (LDF), 329
crude, 187	local justice
as a diversionary strategy, 63	world's largest experiment in, 466
as "the English mode of warfare," 29	logic of appropriateness, 671
excessive, 246	logic of expressive choice, 30
idyllic, 218	logic of instrumental choice, 30
and lawfare, 55, 58	logos, concept of, 296
magical, 651	Lonely Planet, 471
as militarism, 126	Longman, Timothy, 19, 248, 569
participatory, 22, 234	longue durée
really existing, 387	argument from, 83
transition to lawfare from, 62, 700	concept of, 697
violent, 57, 388, 426, 521, 664	Louis, Roger, 201
and warfare, 691	loyalty
wasteful, 561	concept of, 543
legality	violence of, 537
habit of, 703	Lugard, Lord, 29
instrumentalization of, 290	Luhmann, Niklas, 555, 640
power over, 476	Lukes, Steven, 337
republican, 426	Edices, Steven, 33/
and temporality, 554	Mabanza, district of, 365
legalization, 55	Magaziner, Dan, 471
codification as process of, 249	Magnum, photo agency, 665
process of, 270	Mahoney, James, 27
rationalization as a process of, 249	
	majority
tedium of, 288 legislation	tyranny of, 543 Malawi, 635
9	
as a lawfare tactic, 249	Malaysia, 430
legitimation crisis, concept of, 290	authoritarian developmental state of, 636
Lemarchand, René, 12, 32, 358	Malinowski, Bronisław, 630 Malkki, Liisa, 657
Lemke, Thomas, 565	
leta (state), concept of, 332	Mamdani, Mahmood, 25, 31, 146, 646, 684
Levi, Margaret, 427	on the logic of "nativism," 207
Levi, Primo, 657	Mandela, Nelson, 624
Lévi-Strauss, Claude, 3, 332	manhunts
anthropophagic strategy and, 332	philosophy of, 110
Leviathan, 11	in post-genocide Rwanda, 110
Levi-Strauss, Claude, 3, 332	Maquet, Jacques, 686
anthropoemic strategy and, 332	Maraba, district of, 625
anthropophagic strategy and, 332	Marx, Karl, 294
Lewis, C. S., 569	mass mobilization, 434



722

Index

Massion, Jean, 518 Mill, John Stuart, 696 Miller, Ruth, 513 Mathiesen, Thomas on synopticism, 533 Miller, William Ian, 556, 592 Mbarashimana, Jean-Marie, 360 and the "fist-meets-face view of violence," 66 Mbembe, Achille, 91, 511, 570 on violence and representation, 70 and Agamben, 77 MINILOC, 688 concept of "death-worlds" of, 103 ministerial directives as a lawfare tactic, 57 and Foucault's concept of biopower, 77 on necropolitics, 77 Minow, Martha, 4 on violence, 71 Mironko, Charles, 213 Mbonyintege, Smaragde, 201, 224, 228, 229, Misago, Augustin trial of, 525 media mistrust, 463, 464 sociality of, 481 concept of, 603 memorialization and distrust, 639 state-led efforts of, 606 repertoires of, 640 violence of, 605 Mobutu, Joseph-Désiré, 412 mémorisation forcée modernity, 572 exteriorization of, 457 concept of, 605 mental model, concept of, 338 Moe, Terry, 56, 676 mental models monumental didactics, concept of, 425 military norms and institutions as, 690 Moon, Maryann Crescent, 697 mentalities Moore, Sally Falk, 387, 576 governance of, 350 moral drama Merat, Zarir, 142 concept of, 478 Merelles, Andreu, 586 morality meta-data, 467 performances of, 475 Lee Ann Fujii on, 468 power over, 476, 477 probabilistic value of, 470 Morrill, Constance, 652 methodological limitations, 705 Morrison, Toni methodology on the violence of representation, 528 meta-data and, 467 Morton Stanley, Sir Henry, 442 Moussalli, Michel, 100, 255 oral data and, 469 purposive sampling and, 658 Mouvement démocratique républicain (MDR), 107, 108, 157 redescription and, 702 study of micropractices, 658 Mouvement rwandais pour la changement Mexico démocratique (MRCD), 423 Sierra Madre mountains of Oaxaca in, 632 Mpambara, Jean Meyer, Hans, 628 trial of, 503 Muberanziza, Aloys, 225, 230 militarization, 688 Muboni, cell of, 404 military as an institution, 687 Mubuga, district of, 365 military culture, 678 Mucyo, Jean de Dieu, 240, 250, 486 military institutional prerogatives death of, 184 concept of, 687 Mugesera, Antoine, 202, 518 Mugiraneza, Assumpta, 604 military intelligence, 680 military necessity Muĥoza, Ernest doctrine of, 685 trial of, 186 military organizations Mujawayo, Esther, 592, 604 as total institutions, 685 Mukagasana, Yolande, 646 military socialization, 685 Mukamurenzi, Beatrice, 423 Mukantaganzwa, Domitilla, 308, 449, 595 elite-transformation hypothesis and, 685 military strategy Mukarwego, Immaculée, 643 study of, 672 Murama, sector, 626



Index 723

Murambi, district, 316 Murphy, Jeffrie, 608 Museveni, Yoweri, 680 support for Rwandan Patriotic Front of, Musoni, Protais, 239, 420 Mutaboba, Joseph, 492 anatomy of, 582 mwami (king), 200, 203, 227 Mwendo, district of, 365 mythico-history, 473, 657 Nachtwey, James, 4, 665 Nader, Laura, 3, 632 Nahimana, Ferdinand, 493 Nancy, Jean-Luc, 73 narrative hegemonic, 452 National Compensation Fund, 447 National Resistance Army of Uganda (NRA) revolutionary struggle of, 680 National University of Rwanda, 224 nation building, 445 Navenethem, Pillay, 498 Nazi Germany, 425 Ndangiza, Fatuma, 230 Ndayisaba, Fidel, 598 Ndora, 209 necropolitics the everyday life of, 135 specter of in Rwanda, 128 necropower and biopower, 77 concept of, 534, 570 negative social capital concept of, 581 neopatrimonial rule, 539 New Institutional Economics, 21 New York City, 486 Newbury, Catharine, 15 Newbury, David, 15 Ngarembe, Francois Xavier, 422 Ngeze, Hassan, 493 Ngoga, Martin, 587 Nietzsche, Friedrich, 248, 657 nihilism ideology of, 439 Nino, Carlos, 238 Nisbet, Robert, 439 Nkubito, Alphonse-Marie, 94, 221 nomos, concept of, 295 nonmorality, 333 norm entrepreneurs, 479

North, Douglass, 32, 676 Nsabimana, Sylvain, 392 Nsanzabaganwa, Straton, 195, 218 Nsengimana, Hormisdas trial of, 499 Nshamihigo, Siméon. See Weza, Sammay Bahati Ntaganda, Faustin trial of, 161 Ntakirutimana, Évariste, 604 Ntampaka, Charles, 202 Nteziryayo, Faustin, 122, 123, 254 Ntirushwa, Faustin, 598 Ntongwe, community of, 362 pre-gacaca hearing in, 380 Nyabarongo river, 385 Nyabikenke, 266 Nyabisindu, 361 community of, 593 prosecutor general of, 384 Nyakibanda, Major Seminary of, 390, 395 Nyakizu, district, 389, 406 Nyamirambo stadium public executions in, 419 Nyamwasa, Kayumba, 183, 196, 421 Nyarugenge, district of, 323 Nyiramasuhuko, Pauline trial of, 498 Nyiramazayire, Elisabeth trial of, 162 Nyumba parish, 395 nyumbakumi (ten-house groups), 207 and election of inyangamugayo, 260 Nyungwe Forest National Park, 422 Nzabamwita, Joseph, 474, 527 Nzakira, Innocent trial of, 161 Nzamwita, Eric, 215 objectivist fallacy, 658 Obote, Milton, 679 National Resistance Army of Uganda (NRA) overthrow of, 680 ocular authoritarianism, concept of, 417 ocular control, concept of, 343 Odin, 590 Office of the United Nations High Commissioner for Human Rights (OHCHR), 96, 236 ontological destruction

threat of, 141

opportunity costs

principle of, 672

opportunism, concept of, 302



724

oral tradition

Cambridge University Press & Assessment 978-1-108-42539-1 — The Violence of Law Jens Meierhenrich Index More Information

> in Great Lakes region of Africa, 198 in Rwanda, 226 social, 478 ordinary legislation as a lawfare tactic, 57 Organization of African Unity (OAU), 199, 218 orientalism, 5 perpetrators visual and textual tropes of, 670 Ortner, Sherry, 34, 631 Orwell, George, 584 Osler, Sir William, 704 Othmani, Ahmed, 451 Oxfam, 232 Pager, Devah, 139 pain testimonial rhetorics of, 669 Palmer, Nicola, 190, 578 panopticism, 411 phatic labor panopticon, institution of, 339 PARMEHUTU, 134 Parti pour la démocratie au rwanda (PDRphotography Ihumure), 423 participant observation, 35 visual ethnography as an underutilized form

participation as affectively meaningless, 545 coercive, 545 as effectively meaningless, 545 enforced, 547 as involuntary servitude, 434 poverty, 550 quantity versus quality of, 551 as a sovereign command, 548 violence of, 545 "parusiah" concept of, 478 Pascal, Blaise, 22, 247 passive injustice concept of, 597 path dependence

concept of, 427, 697 Patterson, Orlando, 136, 585, 591, 646 peacebuilding

post-conflict, 609 peaceland, concept of, 292

Penal Reform International (PRI), 451, 537 penality

penality
analysis of, 546
peoplehood
concept of, 516
Peress, Gilles, 4, 665
The Silence and, 666

Index

performance

quality of, 478 theatrical, 478 permanent temporariness concept of, 565 satisficing, 536 perverse institutionalism, 263, 409, 593 to extremist institutionalism, 700 and gacaca courts, 327 in Kafka's The Trial, 572 Peskin, Victor, 494 phases (étapes), 276 judicial deliberation in, 278 pre-trial phase of, 277 phatic communion concept of, 630 concept of, 630 phenomenology, 437 and analytic ethnography, 35 Christian eschatology and, 666 decontextualized, 666 orientalist gaze of, 666 and physical defilement, 666 in post-genocide Rwanda, 35 as a research tool, 35 phronesis concept of, 657 Pierson, Paul, 427 Polisi, Denis, 131 politics as a continuation of civil war, 546 positive feedback, concept of, 427, 697 Posner, Eric, 55 post-conflict time concept of, 552 post-genocide subjectivities, 146 Potemkin villages, 16 as architectural landscapes, 16 potestas, 704 Pottier, Johan, 32, 476, 485, 586 on the RPF's knowledge construction, Pound, Roscoe, 589 poverty destructive signature of, 565 an enforced state of, 568 structure of, 594 power

absolute, 552



anthropology of, 341	recognition
broadcasting of, 545	as abstract utopia, 609
camp, 564	and coexistence, 607
economics of, 341	cohabitation and, 651
exercise of as a civil war, 546	concept of, 584
microphysics of, 337, 341, 630	cost of, 608
textual rhetorics of, 669	demeaning, 647
powerlessness, 624	discourse of, 453
feeling of, 538	as gospel, 606
practice theory, 654	and the language of <i>ubwiyunge</i> , 607
pragmatic institutionalism, 167	mundanity of, 217
president of Rwanda	paternalism and, 644
assassination of, 391	performances of, 531
presidential decrees	real and imagined stories of, 70
as a lawfare tactic, 57	reconciliation, 583
principal–agent framework, 302	religious-redemptive vision of, 216
principal–agent theory, 300	rhetoric of, 128, 387
prisoner's dilemma, concept of, 537	as rule, 637
productivity	and rules, 584
and technology, 674	reconstruction and development
Prosper, Pierre-Richard, 505	stories of, 351
proteophobia, concept of, 334	REDRESS, 495
Proust, Marcel, 573	Reed, Cyrus, 680
Prunier, Gérard, 111, 131, 684, 691	refusal, 436
public executions, 418	reparations, 447
public sphere	international law of, 447
structural deformation of, 583	representation
punishment	violence of, 528
as the art of sounding silence, 577	repression
ethnography of, 51	lethality of, 676
history of, 418	republican legality
punitive society	concept of, 427
concept of, 546	perversion of, 427
punitive state	Réseau de citoyens (RCN), 99, 173, 187, 364
concept of, 546	responsibility
Purdeková, Andrea, 32, 522	moral discourse of, 670
1 araenova, 1 marea, 32, 322	restorative justice, 487, 635
racialized ethnicity	re-traumatization, 497
cleavage of, 429	retribution
raison d'état, concept of, 330	fear of, 388
Rancière, Jacques, 453, 456, 458	Rettig, Max, 549, 581
rational choice institutionalism, 301,	Reus-Smit, Christian, 678
678, 694	revenge
rational choice theory, 65	acts of in post-genocide Rwanda, 128
and culture, 40	Reyntjens, Filip, 12, 32, 83, 128, 198
rationality	Rice, Susan, 420
approximate, 536	Riles, Anneliese, 288
governmental, 339	Robinson, James, 663
repressive form of, 248	Rose, Laurel, 233
Raz, Joseph, 28	Rose, Nikolas, 634
on the concept of a legal system, 58	Rossiter, Clinton, 145
rebelocracy	Ruanda–Urundi
concept of, 344, 432	colonial territory of, 202
reciprocity, 463	Rubaru, district, 135



Rudasingwa, Emanuel, 499	Rwanda
Rudasingwa, Theogene, 183, 344, 413, 420, 488,	1994 genocide in, 215
650, 654	abakene (poor) in, 444
autobiography of, 488	abatindi (destitute) in, 444
performances on the international stage of, 489	abatindi nyakujya (abject poor) in, 444
Rudolph, Lloyd, 658	absolute domination in, 355
Rugirangoga, Ubald, 214, 217	adaptive efficiency of authoritarian regime in,
Ruhengeri, 166, 228, 361	676
Ruhengeri, préfecture, 689	administrative reforms in, 336
Ruhengeri, province, 600	"affective economy" of, 184
rule	affects of genocide in, 664
affectivity of, 435	aid-dependence of, 676
economics of, 675	akarere (districts) in, 331
emotionalities of, 700	allegations of genocide ideology in, 423
institutions of, 689	alternative to compensation in, 447
in the name of humanity, 702	Amahoro Stadium in, 648
neo-patrimonial, 411	anatomy of dictatorship in, 425
sociologies of, 634	annual Week of Mourning in, 605
subjects of, 563	antecedents of lawfare in the nineteenth
technologies of, 4, 332	century in, 692
rule of law	"Anti-Corruption Week" in, 598
enterprise of, 22	Apostolic Vicariate of Southern Nyanza and, 523
field of, 26	arbitrary arrests and unlawful detentions in,
"local turn" in promotion of, 20	107, 123
as a political weapon, 28	army as a leadership institution in, 690
promotion of, 20	army as an agent of socialization in, 685
as a strategy of development, 487	Arusha Accords in, 107
rule of law assistance, 218	assassination of President Habyarimana in, 667
rule of violence, see violence, rule of	Association des femmes pour le développement
rules	rural (AFDR) in, 639
concept of, 584	associational life in, 387
and recognition, 584	attempted assassinations of genocide survivors
system of, 57	in, 612
rules of the game, 451, 584	attribution of collective guilt in, 516
rumination	authoritarian high modernism in, 669
concept of, 613	AVEGA in, 462
Rurangwa, Ephrem, 213	Bahutu Manifesto in, 525
Rusagara, Frank, 343, 420, 517	banalisation (banalization) of 1994 genocide
Rusesabagina, Paul, 421	in, 644
complicated biography of, 423	banishment as a practice in, 201
hero status of, 422	Bar Association, 174, 185
rumors about, 422	Bashumba-Nyarare chiefdom in, 389
trial of, 422	Belgian colonialism in, 201, 524
Rusizi, district, 594	Belgian rule in, 200
Rutagambwa, Elysée, 217	Bertelsmann Transformation Index (BTI) and,
Rutaremara, Tito, 166, 235, 237, 250, 412,	675
420, 486	betrayal confessions in, 541
in exile, 681	biopower in, 570, 630
Rutazana, Francine, 602	Bishop of Gikongoro in, 525
Rutsiro, district of, 135, 365	body politic in, 547
Ruzibiza, Abdul Joshua, 12	bourgmestres in, 107
Rwabugiri, King, 204	brigades (detention centers) in, 116
Rwamatamu, district of, 365	broadcasting of power by Local Defense Force
Rwamucyo, Ernest, 14	in, 688



Index 727

Bureau du consultation et de défense (BCD) Butare Central Prison in, 375, 542 buzzwords of transitional justice in, 387 Byumba Tribunal of First Instance in, 170 cachots of Kigembe in, 116 calculus of confessions in, 540 call for National Compensation Fund in, 447 canton courts in, 96, 212 and Carl Schmitt's concept of the political, 83 case load of chambres specialisées in, 181 categories of Organic Law No. 08/1996 in, 147 Catholic Church in, 214, 523 cells in, 271 centralization of transitional justice in, 444 challenges of defense lawyers in, 164 challenges of field research in, 467 chambres specialisées in, 95, 96, 142 child soldiers in, 343 chosen amnesia in, 651 circulation of emotion in, 183 civil law tradition in, 497 civil war, 3 class cleavages in, 562 clemency scheme in, 544 clientelism redux in, 535 Coalition pour la défense de la république (CDR) in, 492 Code of Criminal Procedure in, 122 coercive memorialization in, 604 cognitive dissonance and, 451 collapse of law's infrastructure in, 94 collective guilt in, 61 colony of Ruanda–Urundi and, 201 comite y'abunzi (mediation committees) in, 43, 213 commemoration of the genocide in, 604, 648 commemorative practices in, 475 commitment problems in, 603 communication in, 481 community elders in, 261 community police in, 329 compensation in, 160 concept of ihahamuka in, 611 conditions of prisons and eachots in, 105 confession and guilty plea procedure in, 167 confession and guilty plea procedure of Organic Law No. 08/1996 in, 149 confessions as big business in, 515 Congregation of Missionaries of Africa ("White Fathers") in, 518 Constitution of 1991, 108, 145 Constitution of 2003, 108

constitutional dictatorship in, 427 constitutional law (Loi fondamentale) in, 98 constitutional referendum in, 94, 676 corporeal violations in, 437 cosmology in, 125, 436 Council of Ministers in, 254 counterinsurgency warfare in, 667 Court of Cassation in, 94 courts of appeal, 94, 96 courts of first instance in, 94, 96, 143, 173 creation of "death-worlds" in, 104 creation of the Rwanda National Police (RNP) in 110 Criminal Code of, 186 criminalization of minor transgressions in, 600 crisis ordinariness in, 569 critical junctures in, 196, 698 criticism of International Criminal Tribunal for Rwanda (ICTR) in, 487 crops in, 114 cultural predilection for secrecy and consensus in, 458 culture of ubwenge in, 515 cumulative radicalization of state-led violence in, 667 customary law courts in, 202 customary law in, 224, 227, 233 Cyangugu Appeal Court in, 182 Cyangugu Central Prison in, 182 Cyangugu Court of First Instance in, 162 defense witnesses in, 181 demand for confinement in, 105 demand for transitional justice in, 461 and Democratic Republic of Congo, 429 demographic differences between low-level and mid-level government officials in, 339 denunciations in, 538 despotic character of kingship in, 358 destruction of law in, 93 detainees in, 363 developmental dictatorship in, 411 dignity in, 437 diminishing returns from warfare in, 673 disappearance in, 428 disciplining of bodies and speech in, 575 "disciplining violence" in, 128 discourse of exoticism about 1994 genocide, 670 disempowerment in, 336 dissolution of Local Defense Force in, 689 District Administration Security Support Organ (DASSO) in, 336 districts in, 271 distrust between Hutu and Tutsi in, 468 distrust between survivors and perpetrators in, 383

Constitutional Court of Rwanda in, 108



728 Index

Rwanda (cont.) "double language" in, 650 dual structure of the colonial state in, 206 eastern Congo and, 515 ebb and flow of disappearances in, 134 economic growth in, 568 economy of hate in, 184 enactment of a moral community in, 515 enforced legal waiting in, 553 essentialist readings of, 5 everyday deprivation in, 566 excesses of Local Defense Force in, 688 excessive paternalism in, 127 execution of petty thieves in, 84 exhumations of human remains in, 436 extrajudicial killings in, 130 extremely zealous killers in, 431 extremist institutionalism in, 671 failure of material restoration in, 447 fear in, 615, 620 female parliamentarians in, 678 financial redress in, 447 financial responsibility of the state in, 159 fines and "obligations" in, 331 food insecurity in, 568 food shortages in prisons and cachots of, 115 forced development in, 331 forced labor in, 268, 270, 615 foreign lawyers in, 167, 177, 178 framings of the 1994 genocide in, 670 full story of authoritarian high modernism in,

Gacaca Commission in, 254
gacaca facade in, 578
garrison state in, 129, 695
Gendarmerie nationale versus Communal
Police versus Judicial Police in, 119

génocidaires in, 270 genocidal strategy in, 667 genocidal trauma in, 612 genocide denial in, 620 "genocide ideology" in, 187 genocide memorials in, 436, 605 Genocide Survivors Support and Assistance

Fund (FARG) of, 444
genocide tax in, 488, 675
German colonialism in, 201
Gitarama Central Prison in, 105, 113, 124
global corporations in, 426
glorification of militarism in, 353
Google in, 426
government's request for international judicial
assistance, 96
gradual transformation of gacaca courts in, 701

group trials (procès groupés) in, 167, 170 groupes mobiles in, 167, 168 guilty majority versus fearful minority in, 426 Hamitic hypothesis in, 524, 629 hardliners in, 668 harsh politics of reconciliation in, 647 hierarchy of chiefs in, 358 High Court Chamber for International and Cross-border Crimes in, 425 High Court Chamber for International Crimes in, 422 High Court of, 519 high-modernist institutions in, 446 high-modernist legalism in, 388 historical authoritarianism in, 358 history of liberation struggle in, 678 history of social engineering in, 700 HIV in, 590 Hôtel des mille collines in, 221 humanitarians in, 5 humiliation of the international community after the 1994 genocide in, 675 "Hutu Power" in, 519 Hutu Revolution of 1959 in, 524, 614, 693 hyperreality of, 290 ibipinga (opponents) in, 134 Ibuka in, 447 iconography of the 1994 genocide in, 665 idea of agachacha in, 235 ideology of high modernism in, 701 ideology of Rwandanicity in, 517 ideology of ubumwe in, 517 imagined legalities in, 196

Grand Seminary at Nyakibanda in, 224

indiscriminate aggressiveness of dictatorship in, 441 indoctrination in, 479 infrastructural power of the state in, 337, 470 ingando (solidarity) camps in, 126, 538, 688 Inkeragutabara in, 135 institution of the cachot in, 119 institution of the Communal Police in, 119 institution of the Gendarmerie nationale in, 119 institution of the Judicial Police in, 119 institution of the kadogo (child soldier) in, 689

imidugudu (villagization), policy of, 271, 699

imihigo (performance contracts) in, 532, 699

imperative of state-building in, 245 imperatives of Tutsi power in, 694

independence from Belgium of, 703

independence of the judiciary in, 122

imerenge (sectors) in, 331

imudungu (villages) in, 331

incitement to genocide in, 397



Index 729

institutional continuity across the centuries in, 689 institutions of rule in, 680 insurgency in the northwest in, 688 intara (provinces) in, 331 intellectual foundations of invented traditions in. 446 intelligence service in, 196 Interahamwe in, 519, 589 intermarriage in, 639 International Conference on Genocide, Impunity and Accountability in, 221 International Monetary Fund (IMF) and, 675 intore companies in, 353 intra-Tutsi power struggles in, 693 invention of jenoside in, 157 invention of ubumwe n'ubwiyunge in, 441 irondos (night patrols) in, 329 irregular armed forces in, 683 Iwawa Island in, 123 Iwawa Rehabilitation Centre in, 125 jenoside yakorewe abatutsi ("genocide against the Tutsi") in, 649 iournalism in, 599 judicial defenders in, 174 judicial delays in, 190 judicial hierarchy in, 242 judicial incompetence in, 182 judicial institutions in, 211 judicial personnel in, 96, 99 judicial salaries in, 101 judicial system in, 144, 154, 205 judiciary in, 100 judiciary violence during the reign of King Rwabugiri, 602 jurisdiction of chambres specialisées in, 146 Justice and Peace Commission of the Diocese of Butare in, 217 justice charade in, 477 justice without reconciliation in, 646 Kabgayi massacre in, 351 Kabgayi parish in, 587 Kamarampaka stadium in, 504 Kanombe airport in, 472 Kibeho massacre in, 687 Kigali Central Prison in, 535 Kigali chambre specialisée in, 171 Kigali Court of Appeal in, 186 Kigali Genocide Memorial in, 471 Kigali Public Prison in, 112 King Rwabugiri in, 323, 692 Kinyarwanda neologism amahano in, 215 komeza (army of walkers) in, 114 kwibuka as sovereign command in, 637

Lake Kivu in, 125 as a landscape of suffering, 141 language of customary law in, 235 language of divisionism in, 519 language of genocide ideology in, 519 language of genocide in, 604 law of damages in, 159 Law Reform Commission of, 242 lawfare as a continuation of war by other means in, 671 lawfare in precolonial times in, 692 layered despotism in, 337 layered despotism in the history of, 358 Legal and Constitutional Commission of, 237 "legal civil war" in, 86 legal development in, 703 legal revolution in, 676 from legalism to lawfare in, 700 legislation in, 271 leta (state) in, 332 lieux de mémoire in, 438, 471, 605, 619 Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR) in, 480, 496 living with genocide as a struggle in, 600 Local Defense Force (LDF) in, 314, 336, 688 long-run consequences of violence in, 86 long-standing grievances in, 432 makeshift nature of cachots in, 105 mandataires en justice in, 174 manhunts in, 110 manufacturing of consent in, 360 mass incarceration in, 113 meaning of communication in, 457 meaning of umuryango in, 531 Memorandum of Agreement on the Rule of Law of August 18, 1992 in, 108 mémorisation forcée in, 605 mental models in, 690, 698 micro-power in, 554 militarism in, 474 militarization of ingando in, 690 militarization of society in, 126, 688 military culture of Nyiginya kingdom in, 692 military discipline in, 689 Military High Court of Kanombe in, 517 military socialization in, 685 military training in, 690 Ministry of Defense (MINADEF) in, 309 Ministry of Education (MINEDUC) in, 309 Ministry of Finance and Economic Planning

(MINECOFIN) of, 562

311, 491

Ministry of Foreign Affairs (MINAFFET) in,



730 Index

Rwanda (cont.) Ministry of Gender and the Promotion of Women (MIGEPROFE) in, 311 Ministry of Health (MINISANTE) in, 311 Ministry of Internal Affairs (MINITER) in, Ministry of Justice (MINIJUST) in, 97, 98, 106, 167, 220, 240, 254, 272, 303, 479 Ministry of Local Government (MINALOC) in, 232, 239, 311 Ministry of National Unity and Civic Engagement (MINIBUMWE) of, 443 Ministry of Youth, Sports, and Culture (MIJESPOC) in, 311 misrepresentation of 1994 genocide in, 4 missionaries in, 523 mistrust in, 463, 620 mobilization of excesses of Local Defense Force in, 688 modernity of the genocide in, 666 morality in, 474 mortuary practices in, 437 mouvance présidentielle in, 667 Mouvement républicain national pour la démocratie et le développement (MRND) in, 519 Mulindi military prison in, 126 Mushaka Parish in, 215 mwami Musinga in, 522 mwami Ndori in, 353 mythico-history in, 441 mythology of "unity of Rwandans" in, 219, 687, nation building in, 445 National Assembly in, 221, 254 National Commission for Human Rights of, 523 National Commission for the Fight against Genocide (CNLG) of, 240, 444 National Commission of Unity and Reconciliation (CNUR) in, 311 National Council of Magistrates (Conseil national de la magristature) in, 98 National Electoral Commission (NEC) in, 260, 314 National Heroes Memorial in, 682 National Human Rights Commission (CNDH) National Itorero Commission (NIC) of, 444 National Liberation Museum Park in, 473 National Rehabilitation Service (NRS) in, 124 National Security Service of, 527

National University of Rwanda (UNR) in, 98, 311, 484 necropower in, 570 network of persecution in, 441 networked power of the state in, 337 Nkanka gacaca appeal court in, 594 norm entrepreneurs in, 479 Ntarama church in, 615 number of court clerks in, 94 number of defendants in group trials, 171 number of detainees in, 111, 189 number of grands génocidaires in, 431 number of judicial institutions in, 94 number of judicial police inspectors in, 94 number of magistrates in, 94 number of prosecutors in, 94 nutritional shortfalls in, 568 Nyabarongo river in, 139 Nyabisindu commune in, 499 Nyamata chambre specialisée in, 171 Nyamata Church in, 614 Nyanza in, 499 Nyaruguru chiefdom in, 390 Nyiginya kingdom in, 353 Nyumba church in, 391 nyumbakumi (ten-house groups) in, 271 obedience to authority in, 689 obstacles to reconciliation in, 447 Office for the Promotion, Sale, and Import of Agricultural Products (OPPROVIA) in, 114 Office of the President in, 221 Office of the Prosecutor General of, 170, 360 onset of lawfare in, 676 ontological destruction in, 507 oral tradition in, 226 orchestrators of the 1994 genocide in, 667 orientalist view of, 665 as a parameter to choice in, 85 participation as a civic duty in, 545 path to genocide in, 668 path-dependent explanation of lawfare in, 699 pathological effects of imihigo (performance contracts) in, 532 pathologies of governmentality in, 231 performance of public executions in, 426 performing morality in, 475 period of authoritarian renewal in, 167 permanent state of exception in, 86 persecution by prosecution in, 422 from perverse institutionalism to extremist institutionalism in, 699 petty crime in, 135 physical versus symbolic violence in, 673 Plan of Action for Justice in, 97

National Unity and Reconciliation

627, 649

Commission (NURC) of, 239, 384, 444,



Index 731

planners of the 1944 genocide, 668 police forces in, 119 policy of national unity and reconciliation in, 548 policy of reconciliation as demeaning in, 647 political economy of lawfare in, 699 political parties in, 107 politics of space in, 438 polysemy of social encounters in, 552 population of, 438 population of prisons and cachots in, 104 as a postcolony, 78, 524 post-genocide nomoi in, 521 post-genocide regime of as a terror formation, 79 post-genocide state as behemoth, 124 from postmodernity to premodernity in, 26 potential for interethnic co-operation in, 603 poverty in, 375 practice of ceceka in, 550 practice of gutunga agatoki (pointing with fingers) in, 111 practice of gutwerera in, 352 practice of umuganda in, 270 pragmatic institutionalism in, 167 precolonial history of, 686 préfectures in, 95, 97 premise of inequality and, 693 presentation of detainees in, 363 presidential and parliamentary elections in, 82, 94, 196, 347, 414, 676 Presidential Decree No. 26/2001 in, 264 Presidential Directive No. 12/2001 in, 259 presidential elections in, 352 pretrial detention in, 124 preventive detention, 122, 182 principle of legality in, 157 prisons and cachots (community lock-ups) in, 103, 104, 189, 375, 408, 534 privileged signifiers in, 445 process of bureaucratization in, 295 process of mobilization in, 359 process of sensitization in, 295 propaganda in, 690 Prosecutor General offices in, 362 Prosecutor v. Pauline Nyiramasuhuko et al. and, 498 provinces in, 271 provisional release of detainees in, 110, 190 psychosocial consequences of the 1994 genocide in, 611 public display of corpses in, 605 public executions in, 418 public shaming in, 532 Public Transport Authority (ONATRACOM) in, 114

pull of Christianity in, 523 purges in, 344 racialization of Tutsi in, 523 Radio Rwanda in, 689 Radio télévision libre des mille collines (RTLM) in, 491, 599 ranking-and-monitoring in, 532 rationality of the 1994 genocide in, 668 rearrests of detainees in, 169 reconciliation as skin-deep in, 639 reconciliation in, 268, 461, 603 reconciliation téléguidé in, 626 reform of judicial system in, 308 refusal to co-operate with gacaca courts in, 436 reign of mwami Rwabugiri in, 443 reign of terror in, 599 Rekeraho Military Tribunal in, 160 relationship between war making and state making in, 351 release of detainees in, 169, 408 religious communities in, 217 religious network in, 525 remembering to forget, 579 remnants of Falcon 50 presidential jet in, 473 repertoires of legal violence in, 64 representationally reductive photography of the genocide in, 666 reprisal killings and disappearances in, 123 responsables and reconciliation in, 627 responsables in, 318, 329 returnees in, 316 revenge fantasies in, 622 revenge in, 128 revenues of, 676 rhetoric of divisionism in, 600 rhetoric of forgiveness in, 624 rhetoric of genocide ideology in, 600 rhetoric of home-grown solutions in, 446, 670 rhetoric of liberation in, 687 rhetoric of "New Rwanda" in, 445 rise of totalitarianism in, 439 RPA atrocities in, 587 RPF version of the history of the genocide in, 476 Ruhengeri central prison in, 361 Ruhengeri Court of Appeal, 161 Ruhengeri Court of First Instance in, 161 rule of violence as a modality of government in, 85 rule of violence in, 82, 126 rules of the game in, 451 as rural panopticon, 348 rural poor in, 550, 612 rural population in, 436



732 Index

Rwanda (cont.) Rwanda Art Museum in, 472 Rwanda Governance Board in, 354 Rwanda Trading Company in, 114 Rwandan Defense Forces (RDF) in, 527 Rwandan Office of Information (ORINFOR) in, 482 Rwandan Patriotic Front's invasion of, 682 Rwanda's Office for Industrial Cultivation (OCIR) in, 114 RWANDEX warehouses in, 114 sans-dossiers (detainees without case files) in, 169 "Saturday Meetings" in the Office of the President of, 241 screening of The Arusha Tapes in, 483 scripted performances of reconciliation in, 609 Second Republic of, 260, 688 secondary burials in, 436 sectors in, 271 self-abasement in, 541 self-limiting behavior in, 337 self-reinforcing logic of dictatorship in, 326 sensitization as a technology of rule in, 627 sensitization in, 479 Service national des juridictions gacaca (SNJG) in, 249 settlement patterns in, 439 Seventh-day Adventists in, 241 shadow of violence in, 85 shaming of population in, 480 shortage of defense counsel in, 165 silencing of political opposition in, 674 Sixth Chamber of the Supreme Court of, 384 socially dead in, 77 sociopsychological interventions in, 437 versus South Africa, 702 sovereign dictatorship in, 85 sovereign power in, 549 sovereign state in, 626 Sovu gacaca court in, 549 spoiled identities in, 591 Starbucks in, 426 starvation in, 550 state in, 329 state of siege in, 81 state strength in, 337 state-led efforts of memorialization in, 606 statistical data about chambres specialisées in, strategic self-harm of Hutu in, 538 structural deformation of the public sphere in, 583 structured contingency of lawfare in, 701

subterfuge associate with, 5 supply of Codes et lois du Rwanda in, 97 Supreme Court of, 100, 122, 185, 187, 242, 249, 272, 668 as surveillance state, 339, 346, 458, 530 survivor guilt in, 438 system of ocular control in, 343 targeting of non-denominational churches in, 525 targeting of Rwandan dissidents in the United Kingdom and, 14 technocratic facade in, 695 thanatopower in, 570 thanatourists in, 5 thanopolitics in, 182 theater of reconciliation in, 630 theater of transitional justice, 547 theaters of conflict in, 672 theaters of sovereignty in, 334 Theunis trial and the "New Rwanda" in, 528 threat of ontological destruction in, 141 "topographies of cruelty" in, 104 topography of, 340 tradition of violence in, 460 training of judges in, 152 training seminars for judges in, 187 transformation of mentalités in, 444 transformation of strategy of conflict in, 676 transition from a commissarial dictatorship to a sovereign dictatorship of, 82 transition from genocidal rule to authoritarian rule in, 691 transitional injustice in, see injustice, transitional transitional justice as a leading cause of social death in, 702 transitional justice as a political weapon in, 677 transitional justice imaginary in, 151 Transitional National Assembly (TNA) in, 107 traveaux d'interêt général (TIG) in, 264 triage commissions (commissions de triage) in, 167 triage committees in, 167 Tribunal de chefferie in, 203 Tribunal de Parquet in, 205 Tribunal de territoire in, 203 Tribunal du mwami in, 203 trust in, 639 Tutsi supremacy in, 692 "Tutsification" of the state in, 649 ubiquity of violence in, 85 ubuhake in, 600 uburetwa (system of coercive prestation) in, 267, 270

subjectivity of Hutu in, 541



Index 733

as a fighting organization, 691

ubwiyunge as harmony ideology in, 633 Ukurikiyimfura Military Tribunal in, 160 umuganda (system of coercive voluntarism) in, UN Human Rights Committee and, 528 uncivil society in, 581 uniforms of security forces in, 688 United Nations Commission of Experts and, 666 United Nations Committee against Torture Unity and Reconciliation Summit in, 526 unplotted strategy of lawfare in, 701 urgwawa (banana beer) in, 628 use of Pegasus spyware in, 440 utugari (cells) in, 331 Vatican and, 522 violence as a rational ritual in, 443 violence as common knowledge in, 443 violence of commemoration in, 606 violence of confinement in, 138 violence of dislocation in, 135 violence of memorialization in, 605 violence of ndi umunyarwanda in, 649 violent entrepreneurs in, 669, 695 violent specialists in, 431, 698 violent way of doing things in, 673 Virunga mountains in, 475 Vision 2020 for, 354, 562 "war of the cachots" in, 122 weapons of the weak in, 430 weight of the state in, 355 Western gaze on, 5 Rwanda Diaspora Global Convention, 527 Rwanda National Congress (RNC), 183 Rwandan countryside fear and loathing in, o Rwandan Patriotic Army (RPA), 12, 134, 196, 681 Directory of Military Intelligence of, 12 international arrest warrants for forty highranking officers of, 586 Kibeho massacre and, 687 organizational and personal differences between RPF and, 681 responsibility for international crimes of, 442 Rwandan Patriotic Front (RPF) as an alien body, 693 calculus of conflict of, 671 calculus of rule of, 542 Declaration of July 17, 1994, 107 disinformation campaign by, 586 doctrine of military necessity and, 685 dragnet approach to guilt of, 110 excessive moralism of, 644 exclusionary nomos of, 297

as guardians of the state, 571 fundamental assumptions about post-genocidal power of, 31 and gacaca courts, 241 guerilla strategy of, 684 guerilla warfare and, 680, 683 history of the genocide of, 476 imposition of forgiveness by, 648 institutional extremism of, 678, 693 institutional history as a military organization institutional transformation in exile of, 681 invention of tradition by, 248 as ishaka, 531 Kibeho massacre and, 687 leadership of, 690 liberation theology of, 474 massacres of, 130 and meaning of Umuryango FPR-Inkotanyi, 343 military culture of, 678, 686, 687 military institutional prerogatives of, 687 military norms and values of, 685 military socialization and, 685 National Executive Committee (NEC) of, 518 new nomos of, 514 nomos of, 671 organizational and personal differences between RPA and, 681 organizational culture of, 682, 683, 691 performance of necropower by, 104 playbook of, 683 presence in the countryside of, 341 propaganda by, 690 as a rebel organization, 682 from rebels to rulers, 687 reformation in the Virunga mountains of, 683 from refugees to rebels, 679 responsibility for international crimes of, 442 and the rhetoric of liberation, 687 rhetoric of reconciliation of, 128 Rwandan Alliance for National Unity (RANU) and, 681 strategy of victimhood of, 515 swerve toward extremist institutionalism of, 694 transformation from a revolutionary to a governing party of, 82 Tutsi exiles and, 683 as umuryango, 531 unity-machine of, 299 use of disciplinary power and biopower, 127 violent entrepreneurs of, 132 violent way of doing things of, 134 waiting game of, 567



734

Rwandanicity, 7, 198, 476 "Rwandanness," 7 Rwasamanzi, Gaston, 527 Rwigyema, Fred, 132, 682, 686 Ryan, Jr., Allan A., 222 Saint-Just, Louise Antoine, 426 Sarat, Austin, 28

on Robert Cover, 59 Scarry, Elaine, 587 Schabas, William, 183 Schelling, Thomas, 663, 671 theory of conflict of, 677 Schmitt, Carl, 47

theory of conflict of, 677
Schmitt, Carl, 47
concept of the political of, 60
on constitutional dictatorship, 145
distinction between commissary and
sovereign dictatorship of, 82
on French Revolution, 80
on governmental violence, 81
theory of dictatorship of, 80
scientificity

and subjectivity, 658 Scotland, 446 Scott, James C., 2, 248.

Scott, James C., 3, 248, 430, 669 Scullier, Caroline, 188

security dilemmas, 641 Sekamana, Dénys, 500 self

technology of, 536 self-exterminating savage stereotype of, 665 self-reinforcing dictatorship

concept of, 87 logic of, 87 in post-genocide Rwanda, 87

Sendashonga, Seth, 689

assassination of, 689 sensitization

euphemism of, 479 strategies of, 376 as a technology of rule, 627

sensitization, process of, 295 Service national des juridictions gacaca

(SNJG), 249, 303 agents of, 563

organizational hierarchy of, 323 replacing the Département des juridictions

gacaca, 307 Seventh-day Adventists mobile baptistry of, 241 Sezibera, Richard, 344 shaming concept of, 481

Index

Shapiro, Ian, 702 Shapiro, Martin, 250, 359 on the function of courts in the countryside, Shepsle, Kenneth, 236 shirking, concept of, 302 Shklar, Judith, 142, 597 on injustice, 50 on legalism, 55 show trial, concept of, 425 Shyaka Mugabe, Aggée, 447 Sibomana, André, 342, 598 Sierra Leone, 139 signification, 446 silence, 455 cartography of, 576 Franz Kafka on, 577 methodological turn to, 588 as multivocal, 577 rhetoric of, 432, 577 as self-reinforcing, 578 structuring effect of, 578 walls of, 432 wounds of, 646 silent war concept of, 672 Simbarikure, Assiel, 395 Simburudari, Theodore, 268, 563 Simon, Herbert on approximate rationality, 536 simulacrum from below, 465 concept of, 289 and Gilles Deleuze, 291 and transitional justice, 290, 386 Sindikubwabo, Théodore, 392 Singapore authoritarian developmental state of, 636 Skinner, Stephen, 41 slippage, concept of, 302 Slovo, Gillian, 606 slow death concept of, 569 state of exception and, 570 Smelser, Neil, 197 Smith, Stephen, 693 social death, 77, 564 concept of, 135, 585, 702 and lawfare, 135 and ontological destruction, 68 social performance, 478 social spacing, concept of, 332

socialization



army as an agent of, 685	psychosocial, 349
of danger, 695	state of exception
society	Agamben's argument, 74
"primitive" versus "civilized," 332	concept of, 74
Sofsky, Wolfgang, 552, 564, 572	and French Revolution, 80
South Africa, 196, 669, 703	idea of, 80
reconciliation without justice in, 646	Mbembe on, 77
rhetoric of truth and reconciliation in, 606	mnemonic, 477
Rivonia Trial in, 425	permanent, 419
versus Rwanda, 703	Schmitt's concept of, 74
Truth and Reconciliation Commission (TRC)	slow death and, 570
of, 448, 606	temporary versus permanent, 80
truth-and-reconciliation model of transitional	state of siege
justice in, 536	Mbembe on, 77, 81
sovereign	state-building
absolute authority of, 702	imperative of, 245
sovereignty, 218	Stepan, Alfred, 687
colonial and postcolonial forms of, 79	stigmatization, 481
performance of, 127	strategic dilemmas, 641
theaters of, 334	strategic innovation, 674
Soviet Union, 425, 444, 538, 540	structural differentiation
Sovu	concept of, 197
community, 549, 581	structural violence, 71, 295, 664
sector, 625	structure of feeling, 18, 700
Special Rapporteur of the UN Commission on	concept of, 669
Human Rights, 109	structured contingency
specialization	concept of, 85, 196, 701
process of, 197	subaltern experience, 571
speech, 460	subaltern subjectivities
self-suppression of, 452	concept of, 585
speech acts, 457	subjectivation
Spivak, Gayatri, 585, 586	dissensual, 453
spoiled identities	subjectivity
concept of, 591	and scientificity, 658
Srinivasan, Amia, 348	substitution
Stalin, 540	principle of, 672
Stam, Allan, 513	subterfuge
state	photography and, 387
concept of	Sudanese People's Liberation Movement, 682
versus concept of government, 342	suffering
versus concept of regime, 342	memory of, 540
predatory, 338	signs of, 665
formation of, 53, 351, 353, 671, 674,	Sundaram, Anjan, 424, 577
698	Sundberg, Molly, 341
idea of, 248	sunk costs
jurispathic, 581	concept of, 672
punitive, 546	Sunstein, Cass, 270
rightsizing of, 335	Supreme Court of Rwanda
roots of, 531	Department of Courts and Tribunals of,
Tillyean logic of, 671	185
waiting for, 552	Département des juridictions gacaca (DJG)
state making	of, 249
as organized crime, 675	President of, 272
state of emergency	Sixth Chamber of, 384



surveillance	Theunis, Guy, 202
coercive, 440	trial of, 517
communities, 458	Thomson, Susan, 19
concept of, 339	Tilly, Charles, 298, 475, 663, 671, 675
daily exercise of, 411, 546	bellicist theory of state formation of, 53, 351
"high-tech" and "spy-tech" technologies of, 533	on warfare, 53
and NSO Group, 440	time
panoptical, 533	camp, 564
societies, 458	court, 564
synoptical, 533	elastic, 567
as a technology of rule, 339	elasticity of, 573
surveillant assemblage	at the grassroots, 574
concept of, 534	polychronic attitude to, 464
survival	timepass
social performance of, 648	concept of, 553
Swiss Agency for Development and Cooperation,	Tocqueville, Alexis de, 697
232	total institution, 685
symbolic violence, concept of, 296	concept of, 564
symbols, commodification of, 290	total terror
synod idasanzwe (synod extraordinaire), 215	concept of, 440
synopticism	Hannah Arendt on, 440
concept of, 533	totalitarian education
Syria	Hannah Arendt on, 445
emplotted horror in, 434	totalitarianism
system	versus authoritarianism, 441
concept of, 57	hallmark of, 438
concept of, 5/	Hannah Arendt and, 438
tabulation	rise of, 439
technology of, 532	
	surveillance assemblages in, 438 tradition
Tamanaha, Brian, 24 Tanzania, 657	enforcement of, 207
Tutsi refugees in, 679	_ '
Tapscott, Rebecca, 411	invention of, 195 transitional education, 354
Taylor, Christopher	transitional injustice, 6, 9, 564, 664, 671
on the poetics of violence, 67	administration of, 249
on violence performances in Rwanda, 67	theater of, 514
technology	transitional justice, 3
and productivity, 674	abyss of, 466
Teitel, Ruti, 27	administration of, 126, 295
temporality	apology and, 447
and legality, 554	as bargaining power, 664
terror	behavioral logics and, 671
cultural face of, 442	bloodless violence of, 702
Tertsakian, Carina, 111, 538	buzzwords of, 387
testimonial injustice	compensation and, 447
concept of, 582, 588	daring experiment in, 4
synchronic and diachronic dimensions of, 588	dark sides of, 124, 588
as a wrong, 583	decolonization of, 6
testimony, 469, 477	demand for, 152, 461
violence of, 582	dialogical requirements of, 216
thanatopolitics, 73	end times of, 6
thanatopower	experience of, 560
concept of, 570	experiment in, 670
Thelen, Kathleen, 27	expressive function of, 458



genealogical method and, 705	Twagiramungu, Noel, 428, 496
imposition of, 507	Twahirwa, Ladislas, 225, 227
as international justice, 466	Twain, Mark, 697
and interstitiality, 655	tyranny
as leading cause of social death in Rwanda, 702	concept of, 440
the lifeworlds of others and, 437	Hannah Arendt on, 440
as local justice, 466	
lustration and, 514	U.S. Agency for International Development
marketing of, 448	(USAID), 110, 232
performativity of, 475	and the promotion of gacaca courts, 363
phenomenology of, 40, 653, 705	U.S. Department of State, 14, 419
as political weapon, 677	U.S. House of Representatives, 10
presuppositions about, 705	ubumwe
reality of, 290, 387	as an invented tradition, 517
simulacrum of, 290, 386	rhetoric of, 298, 300
social imaginaries of, 25	ubuntu
socioeconomic determinants of, 569	as an invented tradition, 517
talking cure and, 453	ubutabere bwunga (justice that bridges gaps), 18
teleology of, 655	ubwiyunge
theater of, 455, 547	violence of, 624
toolbox of, 239	Uganda, 411
transfiguring tropes of, 387	complex victimhood in, 611
and transitional justice imaginary, 151	Luwero stronghold of RPF in, 681
truth-and-reconciliation model of, 536	Luwero Triangle, 684
utopic degeneration of, 292	National Resistance Army of Uganda (NRA), 679
in the vernacular, 4, 670	origins of the Rwandan Patriotic Front (RPF)
violence of, 6	in, 679
transitional justice imaginary, 291, 458	Paul Kagame and military intelligence in, 680
traumatisme, 462	Paul Kagame as a refugee in, 679
Traveaux d'interêt général (TIG), 264	refugee camps in, 238
original institutional design of, 265	Rwandan Alliance for National Unity (RANU)
trials	in, 681
destructive, 520	Tutsi community in, 681
didactic, 521	Tutsi refugee in, 679
Trocaire, 95	Uganda National Liberation Army and, 684, 685
truncated empiricism, 8	umuganda, policy of, 388
trust	umunyinya (a type of Acacia tree), 18
as a commodity, 463	symbolism of, 18
trustworthiness, 463, 532	umuryango (family, lineage), 343
truth	idea of, 346
commodification of, 600	Umutara, province of, 316
concept of, 696	umutware w'imiryango (head of family), 213
dialogical, 388	UN Commission on Human Rights, 114
relative versus absolute, 705	UN General Assembly, 133, 255
restorative function of, 653	UN High Commissioner for Human Rights, 306
rhetoric of, 387	UN Human Rights Committee, 528
Truth and Reconciliation Commission of South	UN Human Rights Field Operation in Rwanda
Africa, 7, 250	(UNHRFOR), 306
truth finding, 497	UN Office of the High Commissioner for Human
truth telling, 583	Rights (UNHCHR), 223
routinization of, 613	UN secretary-general, 502
trauma of, 613	UN Security Council, 132, 587, 666
Tullock, Gordon, 15	UN Special Rapporteur of the Commission for
Tutsification, process of, 429	Human Rights, 99, 102



UN special representative of the Commission of	Vatican, 522
Human Rights, 195, 239, 255	Vaughan, Diane
uncertainty	and analytic ethnography, 31
decision making under, 672	vengeance
relative versus absolute, 536	culture of, 426
unfreedom	Verpoorten, Marijke, 3
space of, 438	victimhood
United Kingdom	fear of, 624, 641
MI5 warnings in, 14	imagery of, 488
Rwandan dissidents in, 14	strategy of, 488
United Nations (UN), 487	Vidal, Claudine, 12, 605
Gersony report and, 489	Vietnam War, 12
United Nations Assistance Mission in Rwanda	violation
(UNAMIR), 114	idea of, 556
United Nations Children's Fund (UNICEF),	and violence, 556, 568
610	violence
United Nations Commission of Experts on	agentic, 514
Rwanda, 666	basic structure of, 69
United Nations Committee against Torture, 14	categorical, 668
United Nations Committee on the Elimination	as common knowledge, 443
of Racial Discrimination, 95	continuum of, 19
United Nations Development Programme	covert, 419
(UNDP), 98	cumulative radicalization of, 667
United Nations High Commissioner for Refugees	discursive, 129
(UNHCR), 93, 96, 131	of dislocation, 135
United Nations Human Rights Field Operation	epistemic, 585
in Rwanda (UNHRFOR), 95, 99	essence of, 555
United Nations Trust Fund for Rwanda, 97	etymology of, 556
United Nations World Food Programme	euphemized, 557
(UNWFP), 568	everyday, 561, 585
United States, 486, 650, 685	excursus on, 555
administration of George W. Bush of, 587	expressive logic of, 67
Department of Homeland Security in, 413	fist-meets-face view of, 556
Department of State of, 505	as generative force, 20
House of Representatives of, 505	governmental, 443
jury system in, 242	idea of, 556
military training of Paul Kagame in, 682	inhibitions to, 440
National Public Radio in, 8	institutional, 559
United States Agency for International	interpretive, 295, 516
Development (USAID), 96, 305	intimacy of, 665
Universal Declaration of Human Rights, 108	Kafka on, 50
universal jurisdiction	of labor, 267
principle of, 581	large-scale, 419, 673
utilitarianism, 245	latency of, 677
Uvin, Peter, 220	latent, 677
Uwamugira, Chantal	long-run consequences of, 86
trial of, 162	low-grade, 454
Uwibambe, Jean Pierre	in the margins, 460
trial of, 182	memories of, 604
- 7	modern, 695
van Tuyll, Hubert, 672	monopoly on the use of, 361
Vanhove, Julien, 203	neighborly, 609
Vansina, Jan, 32, 198, 251, 353, 692	nonquantifiable features of, 71
	1



as ontological feature of law, 61	sociality of, 554
organizational culture of, 299	violence of, 559
over the <i>longue durée</i> , 697	as violent habit, 555
overt, 419	Waldorf, Lars, 19
performative, 66	Walzer, Michael, 427
personal, 559	war
perspectival, 69	American way of, 12
physical, 673	internal and external, 673
quiet forms of, 556	silent, 672
quite, 566	war, simulation of, 289
as rational ritual, 443	war crimes trials
revolutionary, 586	didactic functions of, 506
rule of, 71, 599	war machines
rule of in Rwanda, 66	Gilles Deleuze and Félix Guattari on, 70
rule of in Syria, 66	war making
small-scale, 419	as organized crime, 675
socialization of danger and, 695	warfare
structural, 295, 448, 514	counterinsurgency, 667
symbolic, 296, 334, 419, 673	decline of, 673
taxonomies of, 564	diminishing returns from, 673
temporal logic of, 564	guerilla, 683
through and against knowledge, 585	internal and external, 673
tradition of, 460	irregular system of, 546
varieties of, 66, 417, 546	and legalism, 691
and violation, 556, 568	transformation of, 671
and violent entrepreneurs, 132	transition to lawfare from, 677
withholding of, 677	Washington, D.C., 486
without agency, 65, 513	ways of seeing
violent amateurs, 673	privileged versus subjugated, 658
violent display, 397	Weber, Max, 253, 351
violent entrepreneurs, 300, 669	ideal types of authority of, 351
violent legalism, 57, 426	ideal types of rule of, 55
violent legalization	Kafka and, 571
process of, 197	Wedeen, Lisa, 456
violent performances, 67	Weimar Germany, 562
violent practices, 428	Weingast, Barry R., 32, 677
violent specialists, 673	Weinstein, Jeremy, 683
violent speech acts, 528	Weza, Sammay Bahati alias Nshamihigo,
Virunga mountains, 421	Siméon, 501
visual ethnography, 35	Whitehead, Alfred North, 511
and the methodology of the social sciences,	Wieseltier, Leon, 579
37	will to improve
<i>)</i>	concept of, 700
Wagner, Michele, 116, 224	will to punish, 50
and the invention of gacaca, 232	Williams, Raymond, 18, 669
as a norm entrepreneur, 232	Windows software, 672
Wagner-Pacifici, Robin, 651	within-case comparisons, 697
waiting	Wittgenstein, Ludwig, 91, 428
as accelerant of suffering, 566	World Bank, 21, 426, 487
as dead time, 567	World Development Report, 22
as discipline, 554	Wrong, Michela, 79, 413, 473, 488
generative and oppressive dimensions of, 552	o, , , , , , , , , , , , , , ,
and hyperreality, 571	Yemen, 456
	* 7.17*



740

Zaire refugee camps in, 490 Zambia, 635 Zarembo, Alan, 119 Zelizer, Barbie, 665 Index

Žižek, Slavoj, 530 Zorbas, Eugenia, 606 Zuboff, Shoshana and the information panopticon, 340