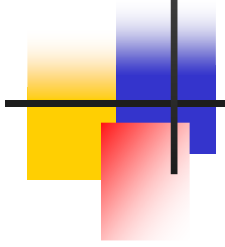




# Conflict and Land Tenure in Rwanda

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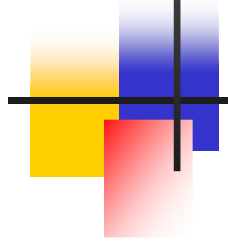
Shinichi TAKEUCHI  
(JICA Research Institute)



# Arguments of the paper

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- For stable land rights, the legitimacy of government is very important.



# Introduction

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- Politics can strongly influence on land tenure.  
Armed conflict is one of such cases.
- Rwandan civil war in the 1990s changed drastically the land tenure.
- The paper examines how it changed, why it changed, and what we can learn from the event. It tries to contextualize the change in Rwandan history and reflects on policy implications.



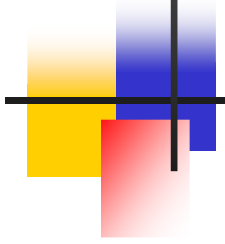
# Rwandan Civil War: 1990~94

- In October 1990, Government led by president Habyarimana was challenged by a guerrilla, the Rwandan Patriotic Front (RPF).
- RPF was established in Uganda by the second generation of refugees, who had fled their homeland due to political turbulence around the independence (so-called “social revolution”). They were mainly Tutsi.
- President Habyarimana was a Hutu born in the north-western part of the country. He did not allow the Tutsi refugees to come back to Rwanda.



The RPF won the civil war in 1994, thus causing tremendous flows of refugees and returnees.

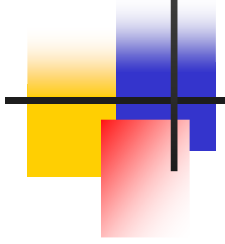
- Return of **old-case** refugees. They had escaped the country due to the “social revolution,” and were mainly Tutsi. After the independence, governments did not allow them to come back. They returned massively as soon as the RPF took power.
- Outflow of **new-case** refugees. They escaped the country when RPF won the war, because leaders of defeated government threatened ordinary Hutu people that RPF would retaliate them. They stayed in refugee camps until around 1996~97.



# Division of lands

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- Old-case refugees acquired lands by division with original inhabitants.
- The case was the most visible in eastern part of Rwanda. When old-case refugees came back in 1994, local authorities directed them to stay in vacant land around there, rather than to go to their birthplace.
- They acquired lands by equally dividing properties of original inhabitants.



# Data on land holdings

- The pre-war data (Table 1) indicates the general narrowness of the land holdings, and regional difference (East and South).
- From the post-war field survey (Table 2), the same regional difference can be confirmed. The small inequality of land holdings in the East was caused by equal land division between old-case and new-case returnees.

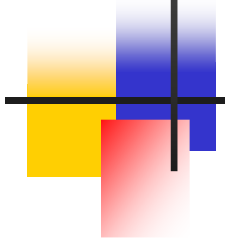


# Meanings of the land division

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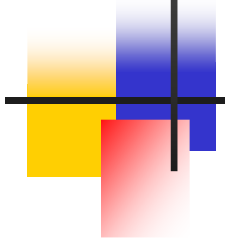
- This can be interpreted from two aspects:
  - Distribution of resource for supporters of RPF regime.
  - Inevitable care for those who had been prohibited to return the homeland, and whose family lands had been often confiscated.





## Results of land division

- The land division was a radical policy, as original inhabitants had to give half of their land properties for old-case returnees.
- However, it has not brought about massive exhibition of dissatisfaction to date.



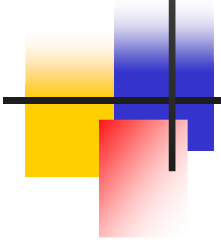
## Abunzi

- Having investigated cases of *Abunzi*, which is a local judicial system dealing with everyday dispute, we found that the most numerous cases were land conflicts within family. As for land problems with old-case returnees, only few cases were dealt. The land division is a *fait accompli*. (Figure 1 and 2)



# Why have original inhabitants accepted the division?

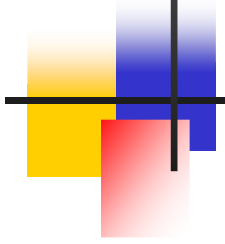
- Military victory of the RPF. Their power of enforcement.
- Many supporters of RPF among local leaders. (Table 3)



# Implications of peasants' acceptance

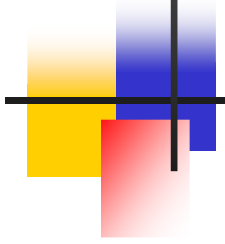
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- Legitimacy of the land rights that old-case returnees have acquired by division, is closely linked with the stability of actual RPF-led government.
- If the RPF- led government would destabilize, it is likely that the land rights of old-case returnees will also be destabilized.



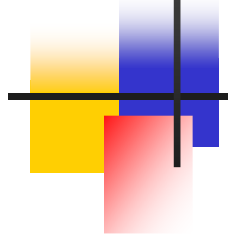
## Historical background (1)

- After the outflow of old-case refugees, due to the “social revolution,” their family lands had been often confiscated, mainly in the 1960s, under the direction of local administrative chiefs, who subsequently distributed them arbitrarily.



## Historical background (2)

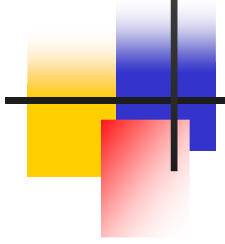
- In Rwandan history, land rights have tended to be politically influenced. In pre-colonial Rwanda, pastoral landlords exerted strong power to distribution of lands. The system was strengthened under the colonial regime.



## Concluding Remarks

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- In Rwanda, macro-level political change has strongly affected on micro-level land rights.
- Drastic change of land tenure after 1994 has long historical background.
- Political intervention in land holdings (in the 1960s) led to another political intervention in lands (in the 1990s).



# Policy implications

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- Legitimacy to the government is indispensable for long-term stability of land rights.
- In order to establish the legitimacy among people,
  - In micro-level, pro-poor land policy will be effective.
  - In macro-level, inclusive democracy should be promoted.