

## Memorialisation and its controversies: Policy insights from Burundi

Patrick Hajayandi

### Introduction

Until recently, memorialisation was not considered an important tool to be used in fostering transitional justice processes. However, the situation is gradually changing and the use of memorialisation is gaining momentum as one of the instruments to address the traumatic past. Brandon Hamber, a prominent expert on transitional justice, defines memorialisation as a combination of various processes and forms of collective remembrance. He insists that this process is fundamental for a society trying to recover from trauma and atrocity.<sup>1</sup> The healing of a wounded society is an integral part of transitional justice processes and memorialisation contributes to this at various levels: acknowledging the pain of victims, contributing to truth recovery and paying tribute to unsung heroes.

The African Union Transitional Justice Policy (AUTJP) has also brought memorialisation to the forefront, highlighting its important role as part of measures that go beyond the immediate transitional period. These measures are like stepping stones towards truth recovery, reconciliation and healing within societies that are grappling with legacies of a violent past.

The AUTJP stresses the importance of memorialisation as a tool that allows people to acknowledge the victims of violence and their pain.

As a long-term process, memorialisation institutionalises societal dialogue across generations and strongly contributes to the fight against impunity in the national discourse.<sup>2</sup>

Implementing memorialisation projects and other related initiatives offers the advantage of involving in transitional justice processes large numbers of people of different ages and from different layers of society. Memorialisation can have both top-down and bottom-up approaches as it can be initiated either by governments or by communities, in particular communities of victims. Memorialisation is in essence an inclusive and democratic process unless it is distorted for political reasons.

In many cases, the historical events memorialised are highly contested, especially in societies divided along ethnic, racial, religious or other forms of identity. In these cases, there may be differing or even antagonistic narratives about the past atrocities and who played a key role in them. When a society attempts to address the legacy of violence in its history, there are often groups that are unhappy with the initiative. But memorialisation is imperative when societies genuinely try to address the controversies surrounding a traumatic and violent past. An inclusive memorialisation process could help create spaces where the underlying issues behind the antagonistic

narratives can be addressed and where common ground for dialogue and healing can be established.

In the context of Burundi, memorialisation has been a controversial issue within the transitional justice process, with antagonistic narratives and perceptions about who is a victim and who is a perpetrator in the violent conflicts that have occurred in Burundi since the period of the struggle for independence.

There has never been a shared narrative or consensus about how these events unfolded, who the real victims were, who masterminded the chaos and who the real perpetrator were. The two main ethnic groups – the Hutu and the Tutsi – accuse each other of the crimes committed. Members of each group claim to be the only victims while downplaying the pain suffered by other groups. It is thus important to create spaces for collective memory, for shared narratives to be brought forth and for people to confront the past through an honest dialogue. In this way, new societal foundations can be laid.

## **A need for memorialisation in Burundi: Historical background**

Burundi is a nation of wounded memories and contested histories. Its historical trajectory since the struggle for independence in the 1960s has been marked by violence and crimes which have never been addressed, starting with the assassination of the first prime minister of the Kingdom of Burundi, Prince Louis Rwagasore, on 13 October 1961. His death set in motion a series of tragic events that culminated in the mass killings a decade later of around 300 000 Hutu intellectuals, who were massacred between 1972 and 1973 under the indifferent eye of the international community.<sup>3</sup>

The year 1988 saw the Ntega and Marangara massacres in the north of the country, with around 20 000 Hutu being decimated.<sup>4</sup> Despite being confined to two districts, the 1988 crisis was a harbinger of what would happen five years later, in 1993. Following the armed forces' assassination of the first Hutu president, Melchior Ndadaye, on 21 October 1993, in one of the bloodiest coups on the African continent, the United Nations (UN) Special Envoy in Burundi described the country as on the brink of total collapse.<sup>5</sup> Hundreds of thousands of people, both Tutsi and Hutu, lost their lives in the mass violence and killings that were triggered by the coup and the decimation of the political leadership. In total, an estimated 2.5% of the population was

slaughtered by both sides, as noted by the former US ambassador to Burundi, Robert Krueger.<sup>6</sup>

Since the fall of Burundi's monarchy in 1966 and the advent of a military and repressive regime which orchestrated the 1972 genocide and other mass killings, it has been very difficult to piece together a coherent account of all the tragedies the country has endured and to establish who is responsible for perpetrating the crimes. The military regime stayed in power for more than 30 years, during which time it was able to control information related to those crimes and dictate the narratives. This has fuelled existing controversies over what really happened. Today the debate continues around who qualifies as a victim and who as a perpetrator in the different periods of bloodletting. Memorialisation as part of the truth-seeking process is one way to address the challenge.

## **Challenges to memorialisation in Burundi**

The politics of memory and the way narratives of traumatic events are used in a given society can shape individual and community perceptions of the past, especially when that past is characterised by contradictions about what happened and who played what role. In such a context, memorialisation represents both a promising and a risky instrument in the hands of the political elite, particularly those tasked with the implementation of transitional justice mechanisms, and in particular the national reconciliation process.

If adequately used and in an inclusive manner, memorialisation holds the promise of bringing a divided society together around contested issues. In other words, it can help in creating a space where groups of people contesting historical facts are likely to find common ground. This becomes possible when people are allowed to speak out and share what they know about the violent past, or what they experienced during the violent crises.

However, when used in a partisan and exclusive way or when it is politicised for some reason, memorialisation can be risky and could undermine the reconciliation process. In a society attempting to come to terms with the past, the politicising of memorialisation for partisan interests is counterproductive and can easily derail other reconciliation processes. Therefore, this is one important challenge that needs to be considered whenever initiatives focused on dealing with a violent past are being planned, in particular the memorialisation process.

Another challenge that tends to undermine not only memorialisation but also the transitional justice process as a whole, is when perpetrators of past atrocities are still powerful enough to influence the political dynamics of a nation as it attempts to address the past.

In the Burundi context, the signing of the Arusha Peace and Reconciliation Agreement (the Arusha Accords) in August 2000 allowed some alleged perpetrators to enjoy a provisional immunity that was initially envisioned to encourage rebel group members to lay down weapons and return to Burundi in the framework of the peace process implementation.<sup>7</sup> These are people thought to have played an important role in the violence that took the lives of tens of thousands of people during the civil war that erupted in 1993. Unfortunately, following a decade of atrocities, the main concern for the facilitator team was not to arrest those who committed crimes but to reach a ceasefire and ultimately bring an end to violent clashes between the armed movements and the Burundi armed forces. As a result, a number of those suspected of fostering violence were rewarded with key positions in government.

A direct consequence was the delay in implementing the clauses related to the establishment of transitional justice mechanisms in Burundi. For instance, from August 2000 when the Arusha Accords were signed, it took until 2014 for the decree institutionalising the Truth and Reconciliation Commission (TRC) to be signed. Obviously, this long delay is explained by a number of factors, including that Burundi continued to struggle with insecurity long after the signing of the ceasefire. However, the lack of political will also played a role in delaying the creation of the TRC and other related transitional justice mechanisms.

A problem that has remained difficult to address is that different communities of victims organise separate commemorative activities across the country. The exclusive character of such ceremonies is of particular concern as it perpetuates the distinction between 'us' and 'them'. In practice, both the Tutsi and Hutu communities commemorate their own respective martyrs without acknowledging the other's. There is still a tendency to fight for acknowledgement of the suffering of their own victims while denying the same for other victims. The TRC has an important role to play in ensuring there is a common space where the suffering of both Hutu and Tutsi victims is acknowledged, and tribute is paid where it is due.

## Initiatives to address challenges, and the IJR's role

Initially, the implementation of transitional justice mechanisms in the Burundian context was led by a structure known as the Tripartite Steering Committee, which was in operation between 2008 and 2010. The Committee was composed of the UN's Operation in Burundi (ONUB), the Burundi government (GoB) and civil society representatives, and was tasked with deciding which transitional justice mechanisms would be best for Burundi to address the past and deal with accountability for atrocities committed.<sup>8</sup> Differing views and lack of consensus between the three key actors resulted in a delay in implementing the transitional justice provision of the Arusha Accords. As noted, it was only in 2014 that the TRC was finally established, in a process full of controversies.

Since then, the Institute for Justice and Reconciliation (IJR) has assisted the work of the Burundi TRC in various capacities and forms. The first activity was a two-week study tour aimed at familiarising the commissioners with transitional justice processes by learning from former members of the South African TRC. The study tour looked at the theory and practices of truth commissions around the globe, with a particular focus on South Africa as a case study. This was followed by the training of media staff on how to report on the work of truth commissions in a way that promotes rather than obstructs reconciliation.

Several other initiatives focused on memorialisation have been completed or are currently under way. These include a documentary film, *1972 Broken Hearts*,<sup>9</sup> containing testimonies about what happened in 1972, as well as a photobook – *Faces and Traces: Paying Tribute to Unsung Heroes*<sup>10</sup> – about people who protected or saved others during the civil war in 1993. These initiatives are an invaluable contribution to the truth-seeking process and the documentation of historic facts. Hopefully, they will be included among tools used in education programmes dealing with the past or in promoting accountability for crimes committed.

*1972 Broken Hearts* has played – and continues to play – an important role in breaking the silence on issues that were considered taboo during the military regimes of Michel Micombero, Jean-Baptiste Bagaza and Pierre Buyoya. Micombero's repressive regime imposed a total silence on what happened under his rule between 1972 and 1973, and it was

prohibited for widows and orphans to mourn or cry for their loved ones who were killed in the 1972 genocide. Over time, the wounds from that tragedy grew deeper. As a consequence, Burundian society became prone to violence as an alternative way of expressing and exteriorising pain, frustration and anger. Successive eruptions of violence in the late 1980s and early 1990s attest to this. From then on, speaking out and breaking the imposed silence became an imperative for Burundian society.

The documentary film has given courage to those who were afraid of sharing their painful experiences. By breaking the silence, it has shown that it is now possible to speak out without fear. Sharing past experiences in this way contributes to healing the wounds of the traumatic past.

*Faces and Traces: Paying Tribute to Unsung Heroes* offers the voices of ordinary people in the discussion on the traumatic past of Burundi, with a focus on acts of goodness in a time of trouble and uncertainties. The book contains extraordinary stories of people who stood firmly by their values and did what was needed to save lives by offering shelter, food and medical care, hiding the targeted victims of violence, and other acts of kindness. These are the people to whom this book is dedicated.

By telling the stories of people who helped or saved others, who put their lives on the line during the most troubled times, who manifested the spirit of ubuntu in simple but dedicated ways, the book pays tribute to their noble deeds, acknowledging them as living examples of what true humanity should be, in good times and bad.

The film and the book are both tools for memorialisation, and both projects look at the present and the future simultaneously.

On the one hand, they bring into the present what happened during the years of ethnic violence – a time that the young generation knows little about. On the other hand, they serve to archive the stories told, thus conserving the memory for generations to come.

## Key policy insights

- Memorialisation processes can take different forms and every country has its preferences – there is no one-size-fits-all approach. It is important to understand what works best in each country or context and focus on that.
- Memorialisation processes, more than any other transitional justice mechanisms, place the victims of atrocities at the centre. The political leadership needs to ensure that the voices of victims are heard and taken into consideration so that transitional justice mechanisms are meaningful and affected people take ownership of the process.
- Memorialisation processes play a key role in educating the new generation and fostering a culture of non-impunity. Ignoring the importance of memorialisation places younger generations at risk of repeating the same mistakes. It is important to allow them to read the dark pages of a shameful or tragic past and to be aware of the wrongs done to society so that they are able to avoid falling into the same trap.
- When the memorialisation process is inclusive enough and gives space for all contending voices/narratives to be heard, it allows a broken society to lay down a new foundation and to repair the social fabric torn apart by violence, repression or exclusion. Memorialisation processes help society to start healing from the wounds of the past – and political will is paramount for this to happen.
- A broad range of activities and infrastructures can promote memorialisation. These include museums, monuments, memorial sites and other physical spaces, commemorative celebrations, the renaming of places, and creative arts which facilitate storytelling, such as books, films, exhibitions and songs. They all play a significant role in educating or informing people, raising awareness and preventing the repetition of crimes and the perpetuation of impunity.

## Policy recommendations drawn from Burundi

The successful outcome of transitional justice processes such as memorialisation depends heavily on the political leadership's attitude and commitment to creating new foundations for a society in need of healing and restoration. For societies experiencing ethnic, racial, religious or other divisions, all stakeholders and actors involved in the transitional justice process need to ensure that memorialisation (or any other process) is as inclusive as possible. It is important to remember that memorialisation initiatives 'reflect and represent not just society's history but more specifically how that history is viewed'.<sup>11</sup>

### Governments

- Governments and political leadership should ensure that there is a sense of ownership of the memorialisation process. In a society with divisions and antagonistic narratives, it is important to ensure buy-in from all sides.
- Similarly, governments should encourage public participation and contributions. The implementation of transitional justice processes tends to be top-down, leaving little space for public opinion. This is counterproductive and victims of past atrocities in particular need to be involved in memorialisation processes. This approach reinforces a sense of community empowerment and ownership of the process.
- Apart from ensuring inclusiveness at all levels of decision-making, governments should also encourage the creation of conditions that lead to improved relations across divided societies. Memorialisation processes need to include a space for dialogue to foster inclusive narratives and critical reflection on the past. This will allow wounded communities to face the unsettling and ugly truths about their history, with the aim of changing perceptions and developing empathy towards those considered enemies in the past.

### Civil society

- Civil society should focus on establishing channels through which suggestions from community members reach the decision-makers, especially the political leadership in charge of implementing the memorialisation process. This will ensure that top-down and bottom-up approaches go hand in hand.
- Civil society should invest in creating spaces for commemoration in a way that promotes acknowledgement of the pain of every victim, regardless of which 'side' they are on.

### International partners

- International partners should commit themselves to supporting the memorialisation process through financial and other means. Unlike other aspects of transitional justice processes that may be relatively short term, memorialisation is always a long-term project, which can prove to be very costly. Financial and moral support from the international community is therefore necessary to make sure that memorialisation contributes to the rebuilding of a divided society.
- International partners should help governments and civil society to restore the social foundations destroyed by crimes, violence and atrocities. This will allow the international community to be in a position to hold these actors accountable and to ensure that justice prevails.
- International partners must avoid the temptation of trying to control or dictate how the process should be implemented. In some contexts, negative outcomes – or the lack of outcomes – have been linked to the fact that international partners attempted to lead the process. They often do not have a proper understanding of local realities, and by trying to play a leading role, they prevent local and national communities from taking ownership of the process.

## Endnotes

- 1 B Hamber and L Sevchenko, Utopian Dreams or Practical Possibilities? The Challenges of Evaluating the Impact of Memorialization in Societies in Transition, *The International Journal of Transitional Justice*, 4, 2010, 397–420, doi: 10.1093/ijtj/ijq018.
- 2 The African Union Transitional Justice Policy, adopted in February 2019, [https://au.int/sites/default/files/documents/36541-doc-au\\_tj\\_policy\\_eng\\_web.pdf](https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf)
- 3 P Hajayandi, ed., *Faces and Traces: Paying Tribute to Unsung Heroes*. The Institute for Justice and Reconciliation, 2022, <https://www.ijr.org.za/home/wp-content/uploads/2022/08/Faces-and-traces-Paying-tribute-to-unsung-heroes.pdf>.
- 4 Lemarchand R. Burundi: The killing fields revisited, *Journal of the Opinion* (Cambridge University Press) 18:1, 1989, 22-28. ]
- 5 A Ould-Abdallah, *Burundi on the Brink, 1993–95: A UN Special Envoy Reflects on Preventive Diplomacy*. United States Institute of Peace, 2000.
- 6 R Krueger and K Krueger, *From Bloodshed to Hope in Burundi: Our Embassy Years During Genocide*. University of Texas Press, 2007.
- 7 Human Rights Watch, Everyday Victims: Civilians in the Burundian War, 22 December 2003, A1520, available at: <https://www.refworld.org/docid/402d1c274.html>.]
- 8 Pierre Robert and Augustin Ngendakuriyo, Strengthening Transitional Justice Processes in Burundi, *UNDEF Final Evaluation Report*, 2011, [https://www.un.org/democracyfund/sites/www.un.org.democracyfund/files/burundi\\_-\\_udf-07-136-bdi\\_-\\_evaluation\\_report.pdf](https://www.un.org/democracyfund/sites/www.un.org.democracyfund/files/burundi_-_udf-07-136-bdi_-_evaluation_report.pdf).
- 9 See <https://www.ijr.org.za/2020/10/05/1972-broken-hearts-a-documentary-film-to-heal-the-hearts-of-burundians/>.
- 10 P Hajayandi, ed., *Faces and Traces: Paying Tribute to Unsung Heroes*. The Institute for Justice and Reconciliation, 2022, <https://www.ijr.org.za/home/wp-content/uploads/2022/08/Faces-and-traces-Paying-tribute-to-unsung-heroes.pdf>
- 11 E Weeks, Memorializing an Ideal: Representations of Inclusivity in Canada’s National Public Monuments, *London Journal of Canadian Studies*, 34(7), 2019, 123–148, p124. DOI: <https://doi.org/10.14324/111.444.ljcs.2019v34.007>.

## Acronyms

Arusha Accords	Arusha Peace and Reconciliation Agreement	ONUB	UN’s Operation in Burundi
AUTJP	African Union Transitional Justice Policy	TRC	Truth and Reconciliation Commission
GoB	Burundi government	UN	United Nations
IJR	Institute for Justice and Reconciliation		

## About the author

Patrick Hajayandi is an expert in peacebuilding processes, a researcher, a policy analyst and a trainer with 13 years of work experience in various fields, including transitional justice, governance, elections, political transitions, memorialisation, demobilisation and reintegration. He contributes to peacebuilding and transitional justice through research, knowledge generation, capacity building and the creation of spaces for dialogue with the use of media tools for peace consolidation.

Currently, Patrick works as a Senior Project Leader for the Peacebuilding Intervention Programme of the Institute for Justice and Reconciliation (IJR) based in Cape Town, South Africa. He has worked towards the establishment of transitional justice mechanisms in Burundi, the Central African Republic, Ethiopia and South Sudan.

Patrick has published a number of edited books, book chapters and articles on peace processes, memory and African politics. His most recently edited book on memory is titled *Faces and Traces: Paying Tribute to Unsung Heroes*.

## ABOUT THE INSTITUTE FOR JUSTICE AND RECONCILIATION

The Institute for Justice and Reconciliation (IJR), established in 2000, is a pan-African organisation that works collaboratively with governments, inter-governmental and civil society actors to contribute towards building fair, democratic and inclusive societies across the continent, through transitional justice and peacebuilding interventions. The IJR's work is informed by the insights gained from working with governmental stakeholders and grassroots communities in countries such as Burundi, Central African Republic, Ethiopia, Eastern Democratic Republic of the Congo, Lesotho, Malawi, Mozambique, South Sudan, South Africa and Zimbabwe. Historically, the IJR has worked on interventions in Ghana, Kenya, Nigeria, Rwanda and Uganda. Internationally, the IJR has provided strategic and technical advice to stakeholders in Colombia, South Korea, Sri Lanka, Thailand, UK and USA.

The IJR is a trusted advisor to key decision makers and inter-governmental actors on transitional justice and peacebuilding initiatives, and engages with the AU, Southern African Development Community, EAC, Intergovernmental Authority on Development, International Conference on the Great Lakes Region, European Union and the United Nations (UN) system. The IJR has partnered with the UN Development Programme (UNDP) on a number of in-country interventions in Africa. On this basis, in 2021, the IJR was tasked by the UNDP to develop its Guidelines on Mental Health, Psychosocial Support and Peacebuilding. The IJR has positioned itself as a provider of choice of reliable qualitative data on public perception in the areas of peace and security. The pioneering South African Reconciliation Barometer enables the IJR to be the leading African think tank in terms of providing public opinion data in these areas. We welcome collaboration with like-minded partners and invite you to find out more about our work on our website: [www.ijr.org.za](http://www.ijr.org.za).

The IJR expresses its appreciation to the Swedish International Development Agency (SIDA) and the Swedish government for its generous support to the Institute. The views expressed in this policy brief remain those of the author.



### CONTACT US

Tel: +27 21 202 4071  
Email: [info@ijr.org.za](mailto:info@ijr.org.za)

### Physical and Postal Address

105 Hatfield Street  
Gardens  
8001  
Cape Town  
South Africa



[www.ijr.org.za](http://www.ijr.org.za)

The opinions expressed in this paper do not necessarily reflect those of the Institute for Justice and Reconciliation (IJR). Authors contribute to the IJR Policy Brief series in their personal capacity.

© IJR 2023

Designed, typeset and proofread by COMPRESS.dsl | 800807 | [www.compressdsl.com](http://www.compressdsl.com)