

‘We Came To Realize We Are Judges’: Moral Careers of Elected Lay Jurists in Rwanda’s *Gacaca* Courts

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ABSTRACT

In the wake of the 1994 genocide, Rwanda’s government created the *Gacaca* courts to hold suspected perpetrators accountable. Although much has been written about these courts, researchers know comparatively less about the 250,000 individuals who served as *Gacaca* court judges (*inyangamugayo*). We draw upon 135 interviews to explore how the *inyangamugayo* entered and adapted to their new public roles as moral arbiters, how these judges understood *Gacaca*’s missions, and how their social identities evolved over the course of multiple status transitions. Building on Erving Goffman’s sequential approach to moral careers, we trace the process of becoming a judge. In doing so, we highlight the two overarching missions that surfaced during the interviews – justice and reconciliation – and how the judges continued to view themselves as *inyangamugayo* even after the courts closed.

KEYWORDS: Moral careers, symbolic interactionism, judges, *Gacaca*

RWANDA

We met Jacques, a thin man in a threadbare t-shirt who looked older than his 62 years, in his modest home. He had served for a decade as a judge in Rwanda’s *Gacaca* courts, elected by his neighbors as a person of integrity despite his lack of wealth or formal education. During our conversation, Jacques recounted several trials, including one that involved ‘two big men’ in his community – a government official and a large business owner. When asked whether it was intimidating to try people of such wealth and power, he replied, ‘Of course!’ But, Jacques quickly assured us that it was nevertheless possible, noting, ‘We came to realize we *are* judges,’ (emphasis added).

This article traces the shifts in identity that Jacques and a sample of a quarter-million other individuals experienced while serving as *Gacaca* court judges. These

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courts were created when the Rwandan government modified a historically-informed justice practice to try people accused of genocide. To staff the courts, each community elected panels of judges. The judges, known as *inyangamugayo*, or persons of integrity, volunteered their time to try grave crimes each week between 2002 and 2012.¹

Despite their vital role in the *Gacaca* court system, few studies have considered the remarkable passage from ordinary citizen to judge and the transformative effects on those who served. There has also been little examination of how the *inyangamugayo*'s subjective understandings and experiences helped constitute the courts. We consequently interviewed 135 of these locally-elected lay judges in 2015 and 2016. Through our interviews with the *inyangamugayo*, we explored how they entered and adapted to their public positions as moral arbiters, how these judges understood *Gacaca*'s mission and their role, and how their social identities evolved across multiple status transitions.

Specifically, we consider the *inyangamugayo* through the lens of self-presentation and the moral career. Goffman introduced the term 'moral career' to emphasize the evolution of individuals' subjective interpretations of themselves and the world as they move through a career.² Sociologists have since analyzed many professional and non-professional moral careers. Here, we extend this concept to comprehend the role of a transitional justice court judge and, in doing so, contribute to research on identity and self-concept. We likewise contribute to the literature on *Gacaca* by investigating the normative and meaning-laden aspects of judgeship that operated alongside dynamics that other scholars have identified.

More broadly, learning what happens when citizens are called to render high-stakes judgments on their neighbors is important for understanding community courts and transitional justice endeavors worldwide. Indeed, many practitioners encourage localized transitional justice mechanisms.³ Although Rwanda's government created the *Gacaca* system, courts were located in communities across the country,⁴ meaning that the operation of *Gacaca* may be relevant to larger discussions regarding localized transitional justice.

In what follows, we begin with an overview of the *Gacaca* court system and its judges. Next, we review scholarship on judicial and moral careers, followed by a summary of the 135 interviews we conducted with randomly-selected *inyangamugayo*. Building on Goffman's sequential approach to moral careers, we then trace the process of becoming a judge and illustrate how the *inyangamugayo* understood their role, highlighting the two overarching missions that surfaced repeatedly during the interviews – achieving 'reconciliation' and 'doing justice' – as well as how the judges

1 Some courts closed early, though closure data are unavailable.

2 Erving Goffman, 'The Moral Career of the Mental Patient,' *Psychiatry* 22(2) (1959): 123-142.

3 Patricia Lundy and Mark McGovern, 'Whose Justice? Rethinking Transitional Justice from the Bottom Up,' *Journal of Law and Society* 35(2) (2008): 265-292; Paul Greedy and Simon Robins, 'From Transitional to Transformative Justice: A New Agenda for Practice,' *International Journal of Transitional Justice* 8(3) (2014): 339-61.

4 Rosalind Shaw, Lars Waldorf and Pierre Hazan, ed. *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* (Stanford: Stanford University Press, 2010).

continued to view themselves as *inyangamugayo* even after the courts closed.⁵ We conclude by situating our findings within existing literature on the *inyangamugayo*.

GACACA COURTS AND THEIR INYANGAMUGAYO

The *Gacaca* and their *inyangamugayo* emerged after a devastating genocide that began in April 1994, when the Rwandan President's plane was shot down. Rwanda had seen decades of tension between its two main ethnic groups and a civil war.⁶ Just hours after the plane crash, targeted killing of Tutsi – as well as of Hutu, who would not participate in the violence – began.⁷

Several months later, the United Nations Security Council created the International Criminal Tribunal for Rwanda (ICTR) to try those who instigated and/or participated in the violence. The ICTR eventually indicted approximately 100 people. Hundreds of thousands of others – ranging from civilians to soldiers and public-office holders – had also perpetrated violence,⁸ but the ICTR lacked the mandate and capacity to try these individuals, who were instead to be tried by Rwanda's national courts.

Overwhelmed by the destructive effects of the genocide and the massive caseload, the national courts had only managed to process a small fraction of the cases by 2000.⁹ In response, the government adapted an older dispute resolution mechanism – the *Gacaca* courts – to try most cases. *Gacaca* means 'grass,' and as this name implies, pre-colonial hearings took place in outdoor spaces. Community elders led these hearings, which typically responded to petty crimes and emphasized restitution.¹⁰

After 1994, however, the government substantially modified the institution, essentially creating a new organizational form. Post-conflict *Gacaca* was constituted as a transitional justice mechanism meant to try crimes of genocide. Unlike traditional *Gacaca*, the new *Gacaca* courts had close ties to the state, which established them through a series of decrees known as Organic Laws (for more, see footnote).¹¹

5 Ibid.

6 These 'ethnic' groups were social classes influenced by colonialism.

7 Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch, 1999); Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and Genocide in Rwanda* (New Jersey: Princeton University Press, 2001); Scott Straus, *The Order of Genocide: Race, Power, and War in Rwanda* (New York: Cornell University Press, 2006); Lee Ann Fujii, *Killing Neighbors: Webs of Violence in Rwanda* (New York: Cornell University Press, 2011 [first published 2009]).

8 Straus supra n 7.

9 Phil Clark, *The Gacaca Courts, Post Genocide-Justice and Reconciliation in Rwanda: Justice without Lawyers* (Oxford: Oxford University Press, 2010); Paul Christoph Bornkamm, *Rwanda's Gacaca Courts: Between Retribution and Reparation* (New York: Oxford University Press, 2012).

10 Bornkamm, supra n 9.

11 Lars Waldorf, 'Rwanda's Railing Experiment in Restorative Justice' in *Handbook of Restorative Justice: A Global Perspective*, ed. Dennis Sullivan and Larry Tift (New York: Routledge, 2006); Nicholas A. Jones, *The Courts of Genocide: Politics and the Rule of Law in Rwanda and Arusha* (London: Routledge-Cavendish, 2009); Clark, supra n 9; Bornkamm, supra n 9; Hollie Nyseth Brehm, Christopher Uggen and Jean-Damascene Gasanabo, 'Genocide, Justice, and Rwanda's Gacaca Courts,' *Journal of Contemporary Criminal Justice* 33(3) (2014): 333-352; Anuradha Chakravarty, *Investing in Authoritarian Rule: Punishment and Patronage in Rwanda's Gacaca Courts for Genocide Crimes* (New York: Cambridge University Press, 2015); Bert Ingelaere, *Inside Rwanda's Gacaca Courts: Seeking Justice After Genocide*

As directed by the government, the courts had five stated objectives: (1) identifying what happened during the genocide; (2) increasing trial speed; (3) fighting impunity; (4) promoting reconciliation; and (5) demonstrating the Rwandan people's problem-solving capacity (National Service of *Gacaca* Jurisdictions 2012). To be clear, scholars have raised important questions about both the goals themselves and the courts' capacity to achieve them. Clark described some goals – like increasing the speed of trials – as more pragmatic and others – like contributing to reconciliation – as profound.¹² Others have emphasized the importance of particular goals. Ingelaere,¹³ for example, argued that the courts were largely retributive and that the government designed them with little input from a populace that it then compelled to participate.¹⁴ Chakravarty pointed to the presence of another unstated goal: consolidating and cementing state power.¹⁵

These courts were operational at the cell and sector levels of geographic administration. Courts at the cell level had jurisdiction over property crimes, and courts at the broader sector level tried crimes against people.¹⁶ Each level of court typically consisted of a general assembly, a bench of judges,¹⁷ a president, and a coordinating committee. Cases were tried in the geographic region where crimes occurred, with the number of courts determined by the local caseload.

ELECTED LAY JUDGES

At the beginning, the new court system faced a number of challenges, including a lack of trained personnel. The Organic Laws specified that local community members would preside over the courts as judges, or *inyangamugayo*, which translates to 'trustworthy person' or 'person of integrity.' No legal training was required. Rather, *inyangamugayo* had to be 21 years old, could not be suspected of genocide participation or have criminal records, and could not hold a government position.¹⁸ Moreover, the work was to be unpaid.¹⁹ Community elections chose hundreds of thousands of people to staff the courts in late 2001, and these new judges received training in 2002.²⁰ Specifically, law students and magistrates taught the *inyangamugayo* about court function, witness traumatization, and how to gather information. In their roles, the judges were expected to assemble information about the accused, schedule trials, solicit testimony, preside over court sessions, and make decisions regarding guilt and punishment. They worked at least one day per week at court and often worked additional days to prepare for trials.

(Wisconsin: University of Wisconsin Press, 2016); Kristin Conner Doughty, *Remediation in Rwanda: Grassroots Legal Forums* (Philadelphia: University of Pennsylvania Press, 2016).

12 Clark, *supra* n 9 at 26. Clark also addresses other objectives, like development.

13 Ingelaere, *supra* n 11.

14 Waldorf, *supra* n 11.

15 Chakravarty, *supra* n 11 at 24.

16 Cases were eventually divided into three categories. Category 1 was reserved for organizers, leaders, and those who committed rape and sexual torture. Category 2 included those who tortured, killed or intended to kill, and accomplices. Category 3 included property offenders.

17 The number of judges varied.

18 See Rwanda's Organic Law n° 40/2000 of 26 January 2001.

19 Some judges did receive tokens of appreciation, such as radios.

20 More men were initially elected, though the proportion of women judges rose alongside accusations of genocide participation.

After several years of preparation and an initial pilot phase, the *Gacaca* courts opened in March 2005 and have since garnered much scholarly attention. Earlier scholarship emphasized the orientations and operations of the courts.²¹ The system has also received sustained criticism, with many scholars suggesting it fell short of international legal standards by relying heavily on confessions, not having lawyers, and utilizing eyewitness testimony. The lack of trials for violence not strictly considered genocide has likewise been strongly critiqued.²² Others have focused on negative court outcomes, such as land disputes and rifts between neighbors,²³ hardened ethnic divides,²⁴ and retraumatization.²⁵ More positively, researchers note that the courts encouraged aspects of reconciliation,²⁶ increased participants' social capital generally,²⁷ and women's in particular.²⁸ Throughout this scholarship, however, researchers have consistently recognized the heavy hand of the government in creating and overseeing the court system, resulting in a complex interplay of state and local forces shaping court outcomes.²⁹

Within the literature on *Gacaca*, studies focusing on the judges have been surprisingly scant. Early research on the *inyangamugayo* addressed their election and initial perceptions.³⁰ For instance, Honeyman and colleagues conducted interviews with 39 *inyangamugayo*, documenting the *inyangamugayo*'s initial worries over their lack of formal education, limited training, and their own security.³¹

Since then, most studies of the *inyangamugayo* have been conducted within broader analyses of *Gacaca*. Doughty illustrated, for instance, how the *inyangamugayo* exhibited improvised authority in their role as intermediaries between the state and the populace.³² Importantly, Doughty also showed how they leveraged local networks,³³ as well as how they generally helped to cement state power. Yet, Doughty

21 For an excellent overview, see Clark, *supra* n 9 at 4-6, and Chakravarty, *supra* n 11 at 18-21.

22 Timothy Longman, 'An Assessment of Rwanda's Gacaca Courts,' *Peace Review* 21(3) (2009): 304-312; Susan Thomson, *Whispering Truth to Power: Everyday Resistance to Reconciliation in Postgenocide Rwanda* (Wisconsin: University of Wisconsin Press, 2013).

23 Jennie E. Burnet, 'The Injustice of Local Justice,' *Genocide Studies and Prevention* 3(2) (2008): 173-193.

24 Waldorf, *supra* n 11. See also Doná regarding decreased social trust. Giorgia Doná, 'Researching Children and Violence in Evolving Socio-Political Contexts,' in *Researching Violence in Africa*, ed. Christopher Cramer, Laura Hammond and John Pottier (Leiden/Boston: Brill, 2011).

25 Karen Bronéus, 'Truth-Telling as Talking Cure? Insecurity and Retraumatization in the Rwandan Gacaca Courts,' *Security Dialogue* 39(1) (2009): 55-76.

26 Clark, *supra* n 9.

27 Bernard Rimé, Patrick Kanyangara Vincent Yzerbyt, and Dario Paez, 'The Impact of *Gacaca* Tribunals in Rwanda,' *European Journal of Social Psychology* 41(6) (2011): 695-706.

28 Francine Mukandori, 'Rwandan Women's Empowerment through Their Participation in the Post-Genocide *Gacaca* Courts: An Exploratory Study' (MA thesis, University of Johannesburg, 2014).

29 Ingelaere, *supra* n 11.

30 Simon Gasibirege, 'The Election of Inyangamugayo Judges: Break Up or Continuity?,' *Notes of the Conflict Management Centre* 6(2002): 93-127; Catherine Honeyman, Shakirah Hudani, Alfa Tiruneh, Justina Hierta, Leila Chirayath, Andrew Iliff and Jens Meierhenrich, 'Establishing Collective Norms: Potentials for Participatory Justice in Rwanda,' *Peace and Conflict: Journal of Peace Psychology* 10(1) (2004): 1-24.

31 Honeyman et al., *supra* n 30.

32 Doughty, *supra* n 18.

33 See also Hollie Nyseth Brehm, Christi Smith, and Evelyn Gertz, 'Producing Expertise in a Transitional Justice Setting: Judges at Rwanda's Gacaca Courts,' *Law & Social Inquiry* 44(1) (2019): 78-101.

clarified that, ‘to consider these Rwandans as proxies for uniformly exercised regime power is inaccurate and erases the complexity of how they exercised law-based mediation as a mode of power.’³⁴

Chakravarty addressed the material and political benefits of serving as a judge, such as opportunities for holding local leadership after service in *Gacaca*. She argued the government made such benefits available to help incentivize service in an unpaid, demanding role, noting further that the government afforded the judges agency. Indeed, some judges used their new power and associated agency to help accused family members and friends during trials – an inappropriate dynamic we return to in our discussion.³⁵

Finally, Palmer interviewed 50 people – including *inyangamugayo* and state-level *Gacaca* officials – to address how these actors viewed the court system. She found that most *inyangamugayo* with whom she spoke saw *Gacaca* as key to ascertaining the truth about the genocide. For these judges, the truth involved understanding how the conflict played out in communities and determining where peoples’ remains were located.³⁶ The second most commonly mentioned justification for *Gacaca* was accountability, though the *inyangamugayo* in her sample focused more on determining individual guilt than on sentencing and punishment.

Here, we complement this existing work on judges’ pragmatic or self-interested motives by focusing on how the *inyangamugayo* entered and adapted to their new public roles as moral arbiters; how they understood *Gacaca*’s mission and their role within it; and how the *inyangamugayo*’s identities, or self-concepts, evolved over the course of multiple status transitions. Though some studies have focused on other aspects of the judges’ roles, we center our analysis on the evolution of judges’ ideas about the courts and themselves; in our discussion, we address how these ideas align with and extend existing research.

JUDICIAL AND MORAL CAREERS

Much scholarship has examined judicial careers in Western contexts. For instance, Moran assessed the careers of judges as elite decision-makers, while Liñán and colleagues analyzed the relationship between judicial career goals and decisions.³⁷ Others have traced turning points in judicial careers,³⁸ such as promotions or retirement.

34 Doughty, supra n 11 at 194.

35 Chakravarty supra n 11.

36 Nicola Palmer, *Courts in Conflict: Interpreting the Layers of Justice in Post-Genocide Rwanda* (New York: Oxford University Press, 2015), 127.

37 Leslie J. Moran, ‘Judicial Pictures as Legal Life-Writing Data and a Research Method,’ *Journal of Law and Society* 42(1) (2015): 74-101; Anibal Pérez-Liñán, Barry Ames and Mitchell A. Seligson, ‘Strategy, Careers, and Judicial Decisions: Lessons from the Bolivian Courts,’ *The Journal of Politics* 68(2) (2006): 284-295.

38 Thomas G. Hansford, Elisha Carol Savchak and Donald R. Songer, ‘Politics, Careerism, and the Voluntary Departures of U.S. District Court Judges,’ *American Politics Research* 38(6) (2010): 986-1014; Ursula Castellano, ‘The Politics of Benchcraft: The Role of Judges in Mental Health Courts,’ *Law & Social Inquiry* 42(2) (2017): 398-422.

Less work has examined the careers of judges who serve in transitional justice courts.³⁹ Furthermore, although some researchers have analyzed the judges who staff international transitional justice courts,⁴⁰ little attention has been paid to the individuals who step into judge-like roles in localized transitional justice settings. Given rising interest in such settings, assessments of judges' experiences are warranted.⁴¹ In this case, although the *Gacaca* courts were not locally autonomous, they were located within communities and staffed by community members.

Accordingly, we examine the meanings surrounding the sequence and tenure of the *inyangamugayo's* service, and to do so, we use the concept of the moral career. This concept was developed by Everett Hughes and his students, including Erving Goffman.⁴² The 'career,' as it was defined by Goffman, refers to 'any social strand of any person's course through life' common to a set of people in a given social context.⁴³ Goffman originally introduced the term 'moral career' to emphasize the evolution of individuals' subjective interpretations of themselves and the world as they move through a career, which might include anything from the career of public-school teachers or medical students to that of patients at mental hospitals or the straight parents of gay children.⁴⁴

Taking stock of Goffman's and other's work, Barley identified four key aspects of the (moral) career concept. First, the career has both a public, objective aspect and a personal, subjective one. The public, objective aspect refers to the series of positions, offices, statuses, or situations that a person moves through over time. By contrast, the personal, subjective aspect refers to individuals' evolving subjective interpretations of themselves, their role, and the world around them.⁴⁵ As such, the concept of a career parallels Goffman's notion of a front and a backstage in which an individual has a public-facing self that they perform and a backstage self that is more private.⁴⁶

39 Leslie Vinjamuri and Jack Snyder, 'Advocacy and Scholarship in the Study of International War Crime Tribunals and Transitional Justice,' *Annual Review of Political Science* 12(2004): 345-62. See also Wilson's work on Commissioners in South Africa: Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa* (Cambridge: Cambridge University Press, 2001).

40 John Hagan, *Justice in the Balkans: Prosecuting War Crimes in the Hague Tribunal* (Chicago: Chicago University Press, 2003). See also Sandrine Lefranc and Frédéric Vairel, 'The Emergence of Transitional Justice as a Professional International Practice' in *Dealing with Wars and Dictatorships*, ed. L. Israel and G. Mouralis (The Hague: TMC Asser Press, 2014).

41 Lundy and McGovern supra n 3; Gready and Robins supra n 3.

42 Stephen R. Barley, 'Careers, Identities, and Institutions: The Legacy of the Chicago School of Sociology,' in *Handbook of Career Theory*, ed. Michael B. Arthur, Douglas T. Hall and Barbara S. Lawrence (Cambridge: Cambridge University Press, 1989).

43 Goffman, supra n 2; Barley, supra n 42.

44 Howard S. Becker, 'The Career of the Chicago Public School Teacher,' *American Journal of Sociology* 57(1952): 470-477; Howard S. Becker, Blanche Geer, Everett C. Hughes and Anselm L. Strauss, *Boys in White: Student Culture in Medical School* (Chicago: University of Chicago Press, 1961); Goffman, supra n 2; J.L. Johnson and Amy L. Best, 'Radical Normals: The Moral Career of Straight Parents as Public Advocates for Their Gay Children,' *Symbolic Interactionism* 35(3) (2012): 321-339.

45 Barley, supra n 42.

46 Erving Goffman, *The Presentation of Self in Everyday Life* (Doubleday, 1956).

Second, as part of a moral career, individuals pass through 'a sequence of roles.'⁴⁷ For Goffman, careers involve a 'regular sequence of changes . . . in the person's self and in his framework of imagery for judging himself and others.'⁴⁸ Indeed, Goffman believed that identities are not stable and instead evolve over time.⁴⁹ As part of such a progression, individuals sometimes have moral experiences, or 'happenings that mark a turning point. . .' in how they view themselves and the world.⁵⁰ As they are socialized into each new role, individuals also acquire a new rhetoric for justifying their actions and even new motives for action.

Third, Barley stipulates that careers are 'properties of collectives.'⁵¹ Moral careers often take place within the context of formal organizations, such as courts or mental hospitals. These organizations allocate 'character and being,' and also distribute duties and rewards.⁵²

Fourth, careers link individuals to the larger social structure. Essentially, institutions encode career scripts (norms, interpretive schema, and resources), which shape individual action and interaction. In turn, individual action and interaction enacts career scripts, and career scripts constitute institutions. It follows that moral careers provide a way to conceptualize how shared institutions are constituted by individual action. Barley thus urged scholars to study moral careers to better comprehend the social structuring of the individual action and interaction that constitutes institutions.⁵³

We suggest that Rwanda's *inyangamugayo* can be understood as having moved through a distinct moral career. Beginning with their election, the *inyangamugayo* progressed through a sequence of roles, and their moral careers included an initial selection and training phase, a period serving as a judge, and a post-*Gacaca* phase. The moral-careers framework directs our attention to how their progress through this sequence shaped the *inyangamugayo*'s subjective interpretations and identities.

Documenting *inyangamugayo*'s moral careers also elucidates the micro-foundations of *Gacaca*.⁵⁴ Moral careers have mostly been studied within the context of established institutions. The internal workings of *Gacaca* are consequently of particular interest because the *Gacaca* system was essentially new. The informal rules that comprise established formal organizations had thus yet to be established, and the *inyangamugayo* helped construct them.⁵⁵ Again, the Rwandan government

47 David N. Solomon, 'Sociological Perspectives on Occupations' in *Institutions and the Person*, ed. Howard Saul Becker, Blanche Geer, David Riesman and Robert S. Weiss (Chicago: Aldine, 1968), as cited by Barley, supra n 42 at 46.

48 Goffman, supra n 2 at 123.

49 Goffman, supra n 2.

50 Goffman, supra n 2 at 141.

51 Barley, supra n 42 at 49.

52 Simon Johnson Williams, 'Appraising Goffman,' *British Journal of Sociology* 37(1986): 348-69, 361; E. Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (Penguin Press, 1961).

53 Barley, supra n 42.

54 Ibid.

55 Don H. Zimmerman, 'The Practicalities of Rule Use' in *Understanding Everyday Life: Toward the Reconstruction of Sociological Knowledge*, ed. Jack D. Douglas (Chicago: Aldine, 1970); Pete Richardson, 'Doing Things with Wood: Builders, Managers, and Wittgenstein in an Idaho Sawmill,' *Critique of Anthropology* 29(2009): 160-82.

established some formal rules and exercised a heavy hand over the courts' creation.⁵⁶ However, researchers have illustrated that the judges had agency within the process, as demonstrated by Doughty's examination of how they wielded authority over their courts,⁵⁷ and Chakravarty's analysis of how the state gave judges leeway and 'extraordinary power over the population' as an incentive.⁵⁸ Put simply, with more than 12,000 courts across the country, it was largely up to the newly-minted judges to implement government-instituted rules and to make decisions where no rules applied.

We consequently pose several questions about the moral careers of the *inyangamugayo*. How did the *inyangamugayo*'s identities shift over time? Did any 'moral experiences' mark a turning point in the moral career of the *inyangamugayo*? What were these judges' subjective interpretations of *Gacaca*'s mission and their roles within it? And how did the *inyangamugayo*'s view of *Gacaca* and their roles conform to, build upon, or vary from the explicit rules that had been provided to them?

METHODS

To examine the moral careers of the *inyangamugayo*, we interviewed 135 former *inyangamugayo* in Rwanda in June 2015 and May/June 2016, in accordance with the first author's university Institutional Review Board. Participants were selected through a stratified-random-sampling procedure. Specifically, we chose four sectors near the capital city of Kigali:⁵⁹ Gikondo, Gahanga, Masaka, and Mwurire. These sectors were chosen for their comparatively urban (Gikondo), semi-rural (Gahanga, Masaka), and rural (Mwurire) compositions and their proximity to one another.

Using a list of all *Gacaca* court trials obtained through the National Commission for the Fight Against Genocide, we selected 20 trials from each of the four sectors using a random number generator. Then, working in the *Gacaca* court archives, we identified all judges involved in the randomly selected trials. This included judges who served in cell, sector, and appeals courts. We then obtained phone numbers and invited them to participate in the study. If this was not possible, we went to their home and invited them to participate. Participation was entirely voluntary; three former judges declined participation,⁶⁰ while others had moved or passed away. In total, we completed 135 interviews.

We conducted interviews in English and Kinyarwanda.⁶¹ English-speaking interviewers worked with translators to conduct the interviews in Kinyarwanda (which all respondents chose), while one interviewer conducted interviews alone, as Kinyarwanda is his native language. This allowed us to examine whether there were interviewer effects across foreign and native scholars, and all results presented below were prevalent themes in interviews irrespective of the interviewer's native language.

56 Ingelaere, supra n 11.

57 Doughty, supra n 11; Chakravarty, supra n 11.

58 Chakravarty, supra n 11 at 294.

59 Each sector contains numerous cells.

60 Their stated reasons were that they were 'too busy' for the interview, though there is no way to assess this. For one of the three, however, we later found out he was purportedly involved in corruption, which likely impacted his decision to decline.

61 The first author conducted interviews each time, and the third author administered interviews in 2015.

Table I. Participant Characteristics (N=135)

Average Age	50
Age Range	33-86
Tutsi	67 (49.6%)
Hutu	64 (47.4%)
Other Ethnicity	4 (3.0%)
Sector	29 (21.5%)
Gikondo	32 (23.7%)
Gahanga	34 (25.2%)
Masaka	40 (29.6%)
Mwurire	
Men	80 (59.3%)
Women	55 (40.7%)
Formal Employment ⁶²	19 (14.1%)
Education (Highest Level) ⁶³	13 (9.6%)
None	53 (39.3%)
Some Primary	31 (23.0%)
Finished Primary	17 (12.6%)
Secondary	11 (8.1%)
Vocational	4 (3.0%)
Post-Secondary	
Court Level	71 (5.3%)
Cell	64 (47.4%)
Sector	12 (8.9%)
Appeals	
Officer Position	32 (23.7%)
President	13 (9.6%)
Vice President	31 (23.0%)
Secretary	

The interviews typically took place within or outside of respondents' homes and lasted between one and two hours.⁶⁴ Each followed a semi-structured interview guide that addressed participants' lives before 1994, the genocide, and their subsequent involvement as *inyangamugayo*. Interviews also focused on their elections, duties, and opinions of courts. Additionally, we asked targeted questions about how they viewed themselves and how they thought others viewed them.

Although it can be sensitive to discuss ethnicity in Rwanda today,⁶⁵ the participants' experiences during the genocide as well as their self-labels enabled us to ascertain that 67 of the judges were Tutsi, 64 were Hutu, and four were born in

62 Formal employment is contrasted with subsistence farming.

63 Six respondents did not disclose their highest level of education.

64 Interviews that took place outside were outside of the view of passersby.

65 Thomson, *supra* n 22.

neighboring countries and did not discuss an ethnic identity. Eighty of the *inyangamugayo* were men, and 55 were women. Ages ranged from 33 to 86, and the average age was 50 years old. Most had completed primary school, as shown in Table I.

Before presenting our results, it is important to address generalizability and Rwanda's research climate. We do not suggest that our findings are generalizable to all *inyangamugayo*. Yet, as we employed a stratified random sampling procedure, they are likely representative of the *inyangamugayo* in the sectors of Gikondo (29), Gahanga (32), Masaka (34), and Mwirire (40). Gikondo is 100 percent urban.⁶⁶ Gahanga and Masaka are each semi-urban, as 42 percent of Gahanga's residents and 49 percent of Masaka's residents reside in an urban area. Meanwhile, Mwirire is 100 percent rural. For comparison, 12 percent of Rwandans live in urban areas. Three of the four sectors are thus more urban than the average sector – a factor we return to in our discussion.

Regarding Rwanda's research climate, scholars may worry that respondents would be reluctant to discuss the *Gacaca* courts in any manner that did not portray them positively.⁶⁷ Yet, few participants failed to share criticism of *Gacaca* or negative consequences of their participation. During both the consent process and the interviews, we stressed that the results would be confidential and that no names or personally-identifiable information would be published. Accordingly, all names used in this manuscript are pseudonyms. Of course, some *inyangamugayo* may still have been reluctant to share critiques of *Gacaca*. Indeed, respondents expressed a generally positive view of the courts that may have been influenced, at least in part, by a reluctance to criticize government initiatives. Because this analysis is focused on how judges saw themselves and how they believe the community perceived them, however, such reticence is unlikely to be a significant source of bias.

We read transcripts to inductively ascertain key themes and then created a coding scheme based on inductive themes and previous literature. A team of coders (including the first and second author) then applied this scheme in coding the interview transcripts in NVivo. The first author met regularly with all coders to discuss coding and randomly assessed their work. To assess and ensure reliability, a second team of coders followed the same process, and themes and quotes presented below were consistently present.

RESULTS: CAREERS OF RWANDA'S ELECTED LAY JURISTS

We trace three stages in the progression of the *inyangamugayo*'s careers: (1) becoming a judge, which includes participants' thoughts upon their nomination and their rationale for accepting the position; (2) enacting the role, which includes entry into the position, performance of codified and uncoded tasks, and the structuring of their work by what they perceived as *Gacaca*'s two central aims: justice and

66 Minnesota Population Center, Integrated Public Use Microdata Series, International: Version 7.2 [dataset] (Minneapolis: IPUMS, 2019). <https://doi.org/10.18128/D020.V7.2>

67 See: Chi Mgbako, 'Ingando Solidarity Camps: Reconciliation and Political Indoctrination in Post-Genocide Rwanda,' *Harvard Human Rights Journal* 18 (2005): 201-24; Andrea Purdeková, "'Even If I Am Not Here, There Are So Many Eyes': Surveillance and State Reach in Rwanda,' *Journal of Modern African Studies* 49(3) (2011): 475-97.

reconciliation; and (3) integrating the role and public identity of *inyangamugayo* into a post-*Gacaca* self.

Becoming a Judge

None of the judges with whom we spoke had a legal background. Instead, they were farmers, nurses, teachers, tailors, and businesspeople. Many vividly recalled how community members were asked to suggest *inyangamugayo* candidates before a general assembly of adult Rwandans. Immaculee, a 38-year-old from Gikondo, explained this public interaction ritual, noting, ‘The process started with the sector meeting. We had it in a stadium. . . . When we got there as the whole population of the sector, we divided ourselves by considering the cell. . . .’

A ‘circuit of agents and agencies’ participated in the passage from citizen to *inyangamugayo*.⁶⁸ First, local leaders presiding over these meetings called for nominations. Olive, a 56-year-old from Gikondo, recounted: ‘Somebody proposed my name Then I had to go in front. I was very, very nervous.’ Jean Pierre, a 68-year-old from Mwirire, likewise remembered, ‘Someone suggested my name, and I also wanted it.’

Following nominations, community members often discussed the nominees’ merits and values. Indeed, according to Presidential Order 12/01, the *inyangamugayo* were to have ‘good morals and conduct,’ as well as ‘be truthful and characterized by a spirit of sharing.’ Community members then elected *inyangamugayo* through popular vote. As Josephine, a 46-year-old from Mwirire, explained, ‘It was an open ballot. They could line [up] behind you. . . . Those who had many votes became judges.’

Many respondents recalled their nomination as a pleasant and humbling surprise, highlighting what their nomination signaled about others’ impressions of them. Rose, a 56-year-old from Gahanga, shared, ‘I was happy because people proposed my name. Actually, they trusted me, so I was ready to serve.’ Gaudence, a 47-year-old from Gikondo, likewise exclaimed, ‘I was very happy because they were calling us *inyangamugayo*: people of integrity. I was very happy with their trust.’ Their nomination marked the first turning point in the moral careers of the *inyangamugayo*. For most, being selected by their communities as a person of integrity was an affecting ‘moral experience.’⁶⁹ As we shall see, this moral experience signaled both a perceived elevation in social status and a long-standing shift in most of our respondents’ self-concepts – illustrating Goffman’s point that formal organizations are involved in allocation of ‘character and being.’

Upon being elected, many prospective judges – especially women and people of lower socioeconomic status – recalled feeling apprehensive, mirroring others’ findings about judges’ initial feelings.⁷⁰ Because the ‘identity kit’ for professional judges typically includes education and role preparation, some *inyangamugayo* doubted their preparedness.⁷¹ Sixty-five-year-old Noel from Gikondo cited his lack of education: ‘I said, “I never went to school. I never even completed high school. How am I going to manage being a judge?”’ Marceline, a 64-year-old from Gahanga, similarly

68 Goffman, *supra* n 2 at 135.

69 Goffman, *supra* n 2 at 141.

70 Honeyman et al., *supra* n 30; Doughty, *supra* n 11.

71 Goffman, *supra* n 2.

explained, 'We were wondering how we are going to judge others when we do not have skills in matters of laws.' Oscar, a 66-year-old from Mwirire, said, 'I asked myself many questions. How am I going to work when I never went to school to do laws?'

Some were also concerned about the grave nature of the cases. Dorothee, a 50-year-old from Masaka, explained: 'Imagine judging cases of people who were killed when you were there. . . I thought it was a difficult task to accomplish.' Several *inyangamugayo* even doubted the court system. Epiphanie, a 60-year-old from Gikondo, explained, 'I could not see any importance in *Gacaca*,' while Jean Damascene, a 61-year-old from Gikondo, noted, 'We never thought it could achieve anything.' Some judges – especially survivors – were also afraid. Olive recalled, for instance, that she 'wanted to resist at first' because she feared she would be killed. Jean Baptiste, a 71-year-old from Gikondo, likewise said he was 'not too happy . . . because of the history; even those that you were going to sentence could kill you.'

Despite this apprehension and doubt, these individuals agreed to step into the role, beginning the transition from citizen to judge. *Inyangamugayo* often explained this decision in terms of patriotic duty, an expressed motivation that aligned with the rhetoric and moral expectations associated with the *inyangamugayo* role. As Immaculee explained, 'I was willing to contribute and help the country.' Similarly, Marianne, a 53-year-old from Gikondo, told us that she accepted the position because she had a 'duty of reconciling the Rwandans,' while Helen, a 56-year-old from Mwirire, said yes 'to save my country, to serve my country.'

Judges also cited their selection by fellow community members and the trust and esteem associated with the role as reasons for accepting the position. This suggests that being offered the esteemed social status of *inyangamugayo* may have helped persuade some individuals to take on the unpaid, labor-intensive, and potentially risky work – again highlighting the meaning-laden nature of the status transition. Mathias, a 46-year-old from Mwirire, mentioned his fellow citizens' trust: 'Imagine a person who never went to school. Imagine a person who does not know anything about laws *to be trusted by the country that you are going to help in solving its problems*,' (emphasis added). Noel explained that, 'I knew very well that those people who elected me knew who I was,' while Marc, a 50-year-old from Mwirire, likewise stated, 'Because the population had trust in me, I accepted to serve.' At times, these reflected appraisals – a person's perception of how others see or evaluate them – even stemmed from additional convincing by community members. For instance, Epiphanie said no at first, though her fellow nominees asked her to reconsider. She explained, 'They approached me and said, "We will be with you. We will work together. Please help us."'

In short, participants generally explained that they accepted the position out of patriotic obligation and because of the status and positive identity that was associated with being designated a 'person of integrity.' This finding extends Doughty's observation that many judges described their elections with a combination of 'patriotism, humility, and uncertainty.'⁷² To be certain, accepting a position due to patriotism or desire for public esteem and self-worth does not preclude other motivations.

72 Doughty, *supra* n 11 at 199.

Chakravarty documented, for instance, that many judges were motivated by material benefits tied to increased social stature. We do not doubt that such motivations existed as well, and the government mandate may have also left some feeling as if they could not decline their election.⁷³ Given our focus on moral careers, however, we emphasize that the positive meaning and identity associated with judgeship were likewise incentivizing factors. Indeed, human behavior is complex and rarely tied to one motivation.

Enacting the Role

Training quickly followed. Odette, a 54-year-old from Gahanga, explained that *inyangamugayo* learned ‘how to try cases,’ ‘how to pose questions to either party,’ ‘the articles of law,’ and ‘how to resolve conflict.’ Strategies to remain unbiased and impartial were also included. As Epiphanie put it, ‘We were also advised not to have emotions. . . so you have to avoid being emotional and to that extent you have to be fair to everybody.’ Other participants, like Josee, a 38-year-old from Mwurire, told us they were trained to avoid retraumatizing witnesses and defendants, in line with prior literature on training.⁷⁴

The training sessions facilitated respondents’ status transitions to becoming *inyangamugayo*. Judges shared that their confidence increased as they were trained and entered the new role. Mariko, a 40-year-old from Mwurire, narrated a typical sequence: ‘On the first day of my election, I was not feeling competent to try cases. . .but we were taken for trainings, and later on I got used to and liked it.’ Ultimately, the ‘setting and the house rules’ made clear to the *inyangamugayo* that they were, after all, judges with important duties.⁷⁵ Even those who initially expressed hesitation ‘tried to excel in what we were doing,’ as Marceline explained. These sentiments were generally expressed, though farmers with little to no education like Jacques (quoted in our introduction) were among those who were most likely to discuss gaining confidence.

As respondents stepped into the role of judge, they described aligning their self-concepts with the position. Typically, this involved identifying with the standards they believed to be appropriate for an *inyangamugayo*. These standards included the display of integrity and impartiality, which had been emphasized at the trainings and were embedded in the very meaning of the word ‘*inyangamugayo*.’

For instance, most respondents explained community members selected them because they were people of integrity. Some even told us that they found out they were a person of integrity through their election, illustrating how the role impacted their identities. For instance, Olive shared, ‘It is difficult to know if you are a person of integrity,’ saying she realized she was a person of integrity when she was elected to serve as a judge. Clementine, a 50-year-old from Gahanga, illustrated another common theme when noting she was selected as a judge because she ‘. . . was impartial. They saw justice in me.’

73 Chakravarty supra n 11; Doughty, supra n 11 at 199; Ingelaere supra n 11.

74 Bornkamm, supra n 9; Doughty, supra n 11.

75 Goffman, supra n 52 at 151.

To be certain, not all judges expressed the same level of commitment or showed signs of having brought their self-concepts into alignment with the role. For instance, one judge described stepping away from the position because the time commitment interfered with his business, and others simply did not discuss shifts in self-concepts. Nevertheless, the vast majority of respondents described trying to live up to the standards associated with the new role. Indeed, Chakravarty found that judges needed to *appear* as people of integrity in order to keep their positions.⁷⁶ These findings extend and illustrate this point. In line with the moral career concept, we find that becoming a judge often involved an inward-facing transition in self-concept as well as an outward-facing shift related to how judges engaged in the world and ‘performed’ their identity.⁷⁷ Many judges appear to have experienced internal *and* external changes as they aligned their self-concepts with the new role – changes that were likely mutually reinforcing.

As the judges tried to live up to the role, they engaged in numerous formal, codified tasks, including gathering and assessing information about accused participants; finding witnesses; presiding over trials; deciding case outcomes; and keeping records. In addition to performing these codified duties, the judges reported that they took on extra tasks – essentially shaping *Gacaca* as an institution. For instance, numerous judges mentioned the importance of addressing trauma, suggesting that some came to view themselves as akin to counselors above and beyond the mandate to avoid witness retraumatization discussed at trainings. Recalling a trial for rape, Immaculee explained the judges decided to ‘postpone the trial [for] six months so that we could first . . . provide counseling to the one who was raped and the one who raped.’ Ferdinand, a 60-year-old from Gahanga, likewise told us about a trial in which ‘one mom got trauma and she ran away. *As the president of the court, I had to run after her. . . to help her get a normal situation*’ (emphasis added).

Another uncoded duty of the judges was serving as the unofficial ambassadors of *Gacaca*. Many participants described working with fellow community members to ensure that the courts functioned smoothly. In their eyes, this was important because community members provided testimony. Especially at the outset, this meant that judges had to convince people to get involved. Elina, a 50-year-old from Gikondo, explained that they constantly ‘invite(d) all people in the cell to discuss the issues of the genocide.’ Then, as trials unfolded, the *inyangamugayo* strove to ensure community members were content with court proceedings and thus with their performance as judges. Innocent shared, for instance, that many survivors disliked the short prison sentences, while accused individuals were often hesitant to discuss their crimes. Innocent felt it was his duty to convince those who committed genocide to testify and to explain the benefits of short prison sentences to survivors.

These actions, which were initiated by the judges themselves, likely facilitated the courts’ operation. Again, moral careers link individuals to larger social structures; institutions shape actions, while peoples’ actions also shape institutions in recursive processes. In this case, respondents may have been motivated to take on such

76 Chakravarty, *supra* 11 at 300.

77 Goffman, *supra* n 46.

apparently beneficial, uncodified duties by their personal identification with the *inyangamugayo* role, in turn shaping *Gacaca* as an institution.

More broadly, our interviews shed light on how the *inyangamugayo* viewed *Gacaca's* mission and, by extension, their role. Although the Organic Laws establishing *Gacaca* named five goals, respondents described two of these – reconciliation and doing justice – as particularly important. These two goals featured prominently in the judges' expressed conceptions of themselves and their roles, again illustrating both the private and public aspects of the career, as well as how individuals shaped *Gacaca*.

First, most respondents named reconciling Rwandans as their primary mission or goal. Esperance, a 71-year-old from Gikondo, explained: 'I was supposed to play a big role in reconciliation. Listen to those who had committed crimes, help to integrate them into the community, and even listen to other parties of the victims. That was the major role and the major duty.'

According to Papias, a 54-year-old judge from Mwurire, the 'objective was putting people together and living together.' Clementine, a 50-year-old from Gahanga, similarly stated, 'I wanted to restore actually that brotherhood that existed before.' Michele, a 49-year-old from Mwurire, likewise saw his duty as helping people reach a 'common understanding.'

In discussing reconciliation, participants also echoed a well-known government goal of 'unity and reconciliation,' though they notably referenced 'reconciliation' more regularly. When pressed on what reconciliation meant, however, the answers varied. For many respondents, reconciliation seemed to signify simply living side-by-side without violence. For others, however, reconciliation had a deeper meaning tied to reaching common understanding and restored (or newfound) social relationships.

The second most commonly mentioned mission was providing justice. Gaspard, a 69-year-old from Masaka, explained, 'Our main task was giving the people justice.' Clementine likewise noted, 'Everybody wanted the justice. I remember our main responsibility and duty was actually being fair, listening to parties – to *both* parties – and then we give justice.'

Although a minority of respondents mentioned helping those who had been wrongfully accused, most tied justice to punishment. As Odette explained, 'It was important to punish criminals. . .impunity had to stop.' Some participants discussed how justice was needed to deter specific individuals from reoffending. In Rose's opinion, 'They needed to be punished to make sure they do not repeat what they did.' General deterrence – or ensuring that *others* learn from the punishment of wrongdoers – was also a common theme. Innocent, a 47-year-old from Gikondo, believed, for instance, that the *Gacaca* courts were a needed corrective: ". . .1994 was not the first time people were killed. . . It had happened in 1959, 1964, 1970s. There was impunity during all those years. . . It was a good lesson to teach people that impunity should not prevail. . .So if you kill, you will be punished. It was a good strategy to stop killing."

Olive likewise explained that punishment was necessary because ' . . .the younger generation should learn' – again tying punishment to deterrence.

Balancing the two missions of reconciliation and justice was not easy. Rafael, a 45-year-old from Gahanga, illustrated this delicate balance with a story about a newly-elected *inyangamugayo* who asked a question during training:

He asked, “What if a defendant comes. He confesses that he destroyed the house and looted a goat, but he forgets a small thing: a calabash. Would you consider that person as a person who has confessed?” [The facilitator] laughed and said, “No please. . .What is the importance of a calabash now? It is useless. We need to put things into context. . .People should confess but you should also be flexible and think about how we should put people together.”

Frodouard, a 54-year-old in Gahanga, commented on the balance as well, explaining:

. . .you cannot imagine someone killing 5, 10, 20 people. Then that person is sentenced maybe 19 years. Even if it is one person [killed], that is a light punishment because *Gacaca* was there to reconcile people. . .It was about mediation because those punishments to me seemed to be actually light.

Thus, the judges described gaining confidence as they underwent training and began their duties. Their stories illustrate how they aligned their self-concepts with the characteristics they believed judges needed to emanate. The judges shaped and helped define their new role – and thus the court system – as they undertook uncodified tasks such as counselling and essentially serving as ambassadors. Moreover, as they went about their duties, the *inyangamugayo* reported working to further *Gacaca*'s overarching missions, which they viewed as reconciliation and justice.

Post-Gacaca Self

Finally, as our interviews occurred between three and four years after the last trials, participants reflected on whether they believed their efforts achieved the intended goals. Likely due to their commitments as ambassadors of *Gacaca*, they were overwhelmingly positive throughout our conversations, with most suggesting the courts had contributed to reconciliation and justice. Many *inyangamugayo* likewise exhibited a fierce sense of pride, explaining that the role continues to influence how they view themselves and how others see them.

Numerous participants pointed to their perceptions of healing, forgiveness, and warming community relations that resulted from the *Gacaca* court process. As Venant, a 55-year-old from Mwirire, explained, ‘Before *Gacaca* people could not meet and look each other in the face, could not look in each other’s eyes.’ Mariko likewise stated, ‘The real impact of participating in *Gacaca* courts to me is that. . . people were mediated now. . .They can talk.’ Similarly, Madaleine, a 62-year-old from Gikondo, said *Gacaca* ‘made it possible for survivors and perpetrators to meet and discuss what happened.’ Again, such quotes illustrate how judges understood reconciliation, ranging from people once again living side-by-side to the reaching of deeper understanding.

In addition, many highlighted punishment, pointing toward the mere fact of the courts' existence as evidence of justice. Such sentiments were often intertwined with a reference to the speed of trials. This was one of the government's stated objectives for *Gacaca*, and while it did not surface prominently as a perceived mission, many judges mentioned speed as an accomplishment. Olive explained, '*Gacaca* achieved a lot. Cases were tried in a short period. It would have taken many years in other courts.' Belancilla, a 72-year-old from Gahanga, likewise noted, '*Gacaca* courts achieved a lot because without *Gacaca*, it was not possible to try all these cases.'

To be clear, we do not comment on whether *Gacaca* achieved these goals – which could not be ascertained through interviews with judges – but rather report that the judges highlight these perceived achievements, which are intimately tied to their views of the role and of themselves. Additionally, these positive accounts did not mean that the judges did not see problems with the court system. In fact, most participants offered critiques. Some, for instance, expressed dismay with the lack of follow-through on certain sentences. As Jean Pierre noted, 'Many people were not compensated on time [for property stolen during the genocide], and even [up to] now some are not yet compensated.'

Numerous judges also discussed corruption, suggesting that poverty made some *inyangamugayo* vulnerable to bribery. For example, Isaac, a 35-year-old from Gikondo, characterized *Gacaca* as '90 percent fair' and fair for 'ordinary people', but told us wealthy and well-connected persons could sometimes use bribes to escape punishment. These judges uniformly discussed such corruption with disdain, suggesting that it tarnished the public image of all *inyangamugayo*. While it is possible that some judges with whom we spoke engaged in corruption as well, no one admitted to such acts – perhaps due to their impression management during the interview.⁷⁸

Despite these and other perceived flaws in the broader system, participants viewed their individual roles positively and derived great pride from perceived accomplishments. Frodouard told us, 'I am also still proud of having participated in giving justice to people and punishing those who committed the crimes.' Odette likewise explained, 'I am proud of seeing the people we reconciled living together in harmony.' Along with these statements, many judges voluntarily showed us certificates they had received in public recognition ceremonies.

Other judges felt that although they had not fully lived up to the *inyangamugayo* standard when elected, they had become a person of integrity *through* their service. Odette, for example, described how she adopted an orphan because 'that is what a person of integrity would do,' crediting the *Gacaca* courts for helping her realize her integrity. Reverien, a 42-year-old from Gahanga, likewise stated, 'Participating in *Gacaca* showed me that I am a person of integrity, and I made sure that I maintained it.'

Indeed, many participants continually try to live up to how they believe their neighbors view them, again illustrating that their moral careers extended beyond their years on the bench. While their judgeship was itself a noteworthy status transition, the *inyangamugayo* nevertheless sought to maintain their positive social statuses and self-concepts. Olive explained, 'I am always careful. I do not want to lose my

78 Goffman, *supra* n 46.

integrity.’ Liberatha, a 46-year-old from Gikondo, similarly stated, ‘When community members, when neighbors, tell you that you are a person of integrity, you have to keep that standard. . . so that is an influence.’ Michele also expressed these sentiments and explained he was elected because neighbors ‘had never seen you doing wrong or something bad,’ later noting that he must safeguard this public image. Indeed, after sharing that she had adopted a child because she was a person of integrity, Odette told us, ‘It [being a person of integrity] does not stop [after] participating in *Gacaca*. You have to guard that; you have to protect that, your integrity. I think that shows that being a judge itself is not enough. You need to do other things to prove your integrity.’

In line with Goffman’s notion of front-stage performance, these judges were careful to maintain their image as persons of integrity. To be clear, Goffman did not suggest that such performances are not genuine, but rather that people offer carefully-crafted presentations of self with the intention of cultivating a certain impression. We cannot know the internal veracity of peoples’ outward-facing selves, though the nature of impression management via a front and backstage may account for contradictions between the judges’ public-facing maintenance of their roles and their more private actions. Regardless, the retired judges’ efforts to maintain their positive image as *inyangamugayo* illustrates the great value they placed in upholding that image.

Participants are thus still striving to be *inyangamugayo* and are continually assessing how their neighbors view them. Gerard, a 75-year-old from Masaka, noted, ‘Not only was my whole family proud of my service in the *Gacaca* courts, but the community and neighbors were proud of me,’ while Jacques, a 62-year-old from Gikondo, explained that ‘up until now, we are respected.’ In fact, some judges believed that people came to see them as people of integrity due to their service. Francine, a 60-year-old from Gikondo, told us, ‘Of course, people respect me because I participated in the *Gacaca* courts as a judge.’ Marceline likewise explained, ‘When we are in village meetings, most of the time they [neighbors] refer to us saying, “This one is honest,” or “Remember how she behaved during *Gacaca* courts.”’ Finally, James, a 36-year-old from Masaka, told us, ‘People trust me now more than before due to my participation. Both neighbors and leaders have trust in me.’

The moral reorientation of self that began with their selection as judges consequently did not end with *Gacaca*. Rather, four years on, the judges still saw themselves as *inyangamugayo*. They continually engaged in what Goffman called ‘impression management’ by ‘being careful’ and assessing whether and how their neighbors continue to view them as people of integrity.

DISCUSSION AND CONCLUSION

This article describes findings from interviews with 135 lay jurists within Rwanda’s *Gacaca* court system who devoted their efforts to this work for approximately a decade. Employing the concept of the moral career, we have examined how the judges’ identities and subjective perceptions evolved as they entered into and assumed their roles, as well as how their service continued to influence their identities years later. We have, moreover, investigated how the *inyangamugayo* viewed their role and how they may have influenced *Gacaca* as an institution.

With their election, the judges embarked on a moral career and an accompanying reorientation of the self. Doing so involved the assumption of a new status, and the judges stepped into their roles with apprehension and doubt. But, in addition to other probable motivations for accepting the position,⁷⁹ their selection by their communities, as well as the positive identity and esteem associated with the role, appears to have motivated many.

How the *inyangamugayo* viewed and fulfilled their roles sheds light on the micro-foundations of the *Gacaca* system. The moral career of the *inyangamugayo* was pursued within the context of a new organizational form that was formally established by the Rwandan government. In the absence of preexisting informal norms that help constitute formal organizations, it was up to the *inyangamugayo* to provide them. Within this context, respondents' dominant interpretation of *Gacaca's* core missions – as centered on the achievement of reconciliation and justice – appears to have influenced how they understood and enacted their roles. Specifically, our interviews suggest that respondents viewed reconciliation as involving the achievement of peaceful coexistence, while justice was tied to punishment.

Notably, these results diverge from Palmer's findings, which again placed ascertaining the truth and achieving justice (though not tied to punishment) as two major goals.⁸⁰ These differences could be a result of numerous factors, though as our interviews took place *after* the courts closed, timing may play a role, and future research should assess how views of an organizations' goals evolve. Yet, it is also worth noting that some of our respondents did see ascertaining the truth as part of the reconciliation process. Furthermore, while respondents emphasized punishment as tied to justice (which was less common amongst Palmer's respondents), justice did surface prominently in our interviews, as they also did in Palmer's.

More broadly, these findings illustrate that the *Gacaca* courts had a lasting effect on the Rwandans who presided over them. Looking back, many participants felt that their service enabled them to live up to their designation as *inyangamugayo*. Even though the courts have closed, numerous judges hope they will still be seen as people of integrity. In line with notions of front-stage performance, they continue to reflect on how others view them and strive to maintain their public image.

These findings align with and extend existing research on *Gacaca*. For instance, our emphasis on the normative aspects of judgeship aligns with Doughty's analysis, which indicated that the judges generally took seriously the principles of compromise and unity.⁸¹ Yet, our findings may initially appear at odds with other prior research, especially Chakravarty's work on how *inyangamugayo* were motivated by personal interest and gain. Nevertheless, as Chakravarty pointed out, a 'combination of incentives, ambition, and a *genuine desire to do right (in most cases at least)*' drove the judges (emphasis added).⁸² We agree, and while Chakravarty emphasized material incentives and ambition, our research found that this 'desire to do right' is central to judges' identity and self-presentation. Indeed, as noted above, Goffman described

79 Chakravarty, *supra* n 11.

80 Palmer, *supra* n 36 at 138-139. Palmer does highlight reconciliation as another goal.

81 Doughty, *supra* n 11 at 220-221 and 210.

82 Chakravarty, *supra* n 11 at 317.

formal organizations like *Gacaca* as allocating both ‘character and being’ and rewards. Furthermore, enhanced public esteem and feelings of self-worth conferred by the *inyangamugayo* identity may also have been experienced as a reward.

To extend these lines of research, more information is needed about judges who operated in diverse spaces. For instance, Chakravarty’s sample was largely comprised of rural Hutu judges on cell courts who held officer positions, while ours was largely urban Hutu and Tutsi judges on both sector and cell courts, with half having served in officer positions at some point (see Table 1 for exact counts). The experiences and ambitions of people in the respective samples may thus have differed substantially. Furthermore, Chakravarty found that many of the judges knew or were related to defendants (which impacted corruption),⁸³ something that was surely more common amongst Hutu and in rural areas. The combination of more ambition tied to officer aspirations, more Hutu judges, and more rural judges in Chakravarty’s sample as compared to ours may point toward important differences amongst judges, though we are unable to precisely ascertain the significance of such variation. Furthermore, as noted above, the fact that our interviews took place after the courts closed – as compared to other research cited – may also impact differences in findings, such that longer-term follow-up studies may be fruitful.

Future research could also address gendered differences in judges’ moral careers. Scholarship has suggested that women drew empowerment from serving as judges,⁸⁴ which could be further elaborated. We also saw some evidence that judges of lower socioeconomic status voiced more patriotism and described greater elevations in status, which should likewise be further explored.

More broadly, *Gacaca* is an example of the localized transitional justice mechanisms that are increasingly implemented worldwide. Though local participation is only one form of localization, the participation of lay people in transitional justice efforts has been seen in Uganda’s *mato oput*, Timor Leste’s *nahe biti*, and Sierra Leone’s truth and reconciliation commission, among other places. Our findings indicate that localized transitional justice mechanisms can exert meaningful influences on the identities and lives of the people implementing them. We likewise suggest that paying attention to how judges view themselves and their roles sheds light on the constitution of localized transitional justice mechanisms.

What was achieved by Rwanda’s *Gacaca* courts was accomplished in large part through the *inyangamugayo*. This study suggests that the subjective interpretations of these lay judges was important to the functioning of *Gacaca*. It would be premature to conclude that the *inyangamugayo*’s experiences confirm the general viability of *Gacaca*-like systems. Indeed, the Rwandan government was heavily involved in organizing *Gacaca*, including ushering some 250,000 regular citizens into moral careers as *inyangamugayo*. Such robust governmental support is not always available, and whether it is in fact advantageous is not the topic of this article. Nevertheless, understanding the moral careers of the Rwandans who stepped into these roles bears significance for a country still feeling the effects of mass violence, as well as for other countries considering transitional justice efforts.

83 Chakravarty, *supra* n 11 at 287-288.

84 Mukandori, *supra* n 28.