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**Resolving Interpersonal Conflicts through Accessible Justice in
Rwanda:**

The Contribution of Access to Justice Bureaus

Gasasira Gasana John

University of Nairobi- Kenya and staff at the University of Rwanda

Email: gasanajohn@gmail.com (Corresponding author).

Margaret W. Gachihi

Lecturer, department of history, University of Nairobi

Herbert Misigo Amatsimbi

Lecturer, department of history, University of Nairobi

Etienne Ruwebana

Senior lecturer, School of law, University of Rwanda

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Abstract

This article examines the contribution of accessible justice to conflict resolution and its translation into sustainable peace. It adopts a case study of Access to Justice Bureaus- a judicial service established by the Government of Rwanda to help people access free legal remedies. Subsequently, the study investigates how far granting people access to justice helps in resolving conflicts between members of the community. While most of the work on justice in post-conflict settings addresses justice for crimes tied to mass violence, this study charts a new territory and broadly looks at how peace is built through the accessibility of justice for crimes not tied to mass violence. Based on the experiences and perceptions of 40 individual interviews and 5 focus group discussions, findings show that there is a significant relationship between the accessibility of judicial services and a peaceful relationship between members of society. In this study, the legal services provided ensured respect for the rule of law, conflict mediation, and restoration of social bonds between members of the society.

Key words: Interpersonal, Conflict, Accesible justice, Access to Justice Bureaus, Conflict resolution, Rwanda.

Introduction

A number of studies show that Rwanda's colonial past has been characterized by ethnic divisions which precipitated atrocious events among them, the the 1994 genocide against the Tutsi (Des Forges, 2011; Newbury, 1988; Vansina, 2005). Although Rwanda was made up of three groups before colonialism, scholars argue that they were tied to social classes other than ethnic groups – the Hutu tilled the land, the Twa were gatherers and potters, and the Tutsi owned cows and reaped the associated economic advantages (Lemarchand, 1970; Mamdani, 2001; Newbury, 1978).

When Belgian colonialists came to Rwanda, they ethnicized the existing identities by suggesting that the Tutsi were taller, lighter, and had less 'African' features as compared to both the Hutu and Twa (Mamdani, 2001). Smitten with

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the Tutsi who dominated the Rwanda's monarchy, colonialists suggested that they were more intelligent and endowed with advanced leadership qualities as compared to the rest of the two groups. Consequently, they enacted policies that favored their continued dominance despite being a numerical minority that did not comprise more than 15 percent of the total population (Prunier, 1997).

Like many other African colonies, during the 1950s the leadership of King Mutara III Rudahigwa started asking for independence which angered the Belgians and shifted the favor to the Hutu. They mentored Hutu politicians in the formation of political organizations that argued for their emancipation from the Tutsi domination. In 1959, Hutu politicians mobilized the mass to express discontent at years of perceived marginalization and subjugation by the numerically minority Tutsi. A movement for Hutu emancipation emerged, culminating in the institution of a Hutu-led government at Rwanda's independence in 1962. Violence and discrimination against the Tutsi accompanied this power shift, and tens of thousands of Tutsi fled Rwanda to neighboring countries among them Uganda, the Democratic Republic of Congo (then Zaire), Burundi, and Tanzania (Des Forges, 1999; Hintjens 1999; Reyntjens, 1995).

At the turn of events, on 5 July 1973, a new Hutu President called Juvénal Habyarimana took power through a coup and his regime continued to discriminate against the Tutsi (Des Forges, 1999; Prunier, 1997). After nearly 30 years, battle-tested Tutsi military officers in President Museveni's army formed an armed movement, known as the Rwandan Patriotic Front (RPF) and on 1 October 1990, attacked Rwanda's northern border with Uganda. Propaganda against the RPF swept through the country's radio stations and newspapers and soon all Tutsi were associated with the enemy (Thompson, 2007). To end the civil war, the government and the RPF signed several peace protocols known as the Arusha Accords (Des Forges, 1999; Prunier, 1997; Straus, 2006). However, sporadic violence amidst an economic downturn, intra-group cleavages, and a looming power-sharing deal with the RPF threatened the Hutu who were desperate to cling to power (Gentil, 2010; Longman, 2011; Verwimp, 2013).

On the evening of 6 April 1994, President Habyarimana's plane was shot down as it was landing in Kigali, killing all occupants on board. This assassination marked the beginning of the genocide, and soon Tutsi and moderate

Hutu throughout Rwanda became the target of attacks (Kimonyo, 2016; Straus, 2019). The RPF also re-initiated its war in Rwanda and over several months, hundreds of thousands of Hutu civilians engaged in genocidal violence (Straus, 2004). The war and genocide ended with the RPF toppling the government on 4 July 1994.

In the aftermath of the genocide, different justice mechanisms were established to try the hundreds of thousands of people suspected of participating in the genocidal violence (Bornkamm, 2012; Doughty, 2016; Ingelaere, 2016; Jones, 2009). The mechanisms included the International Criminal Tribunal for Rwanda formed on 8 November 1994 by the United Nations Resolution 955 on the request of the Government of Rwanda (Stromseth, 2006).

Formal courts were also revamped to dispense justice even though out of 70 prosecutors and 758 judges that the country had before the genocide, only 12 prosecutors and 244 judges had survived the war and genocide (Nyseth et al., 2014). In addition, Rwandan prisons which had been built to hold 45,000 prisoners were now overcrowded with close to 120,000 prisoners (Molenaar, 2005; Nyseth et al., 2014) and the Government of Rwanda remodeled the *gacaca* courts (a court system traditionally used in Rwanda for settling minor crimes) to try genocide cases (Clark, 2007; Nyseth et al., 2014).

Although the war and genocide are blamed for having ruined Rwanda's institutions among them the judiciary, literature posits that even before the genocide, the Rwandan justice system was marred by impunity as evidenced by different episodes of sporadic killings between the years 1959, 1962, 1966, 1970, and 1973 up to 1990 where the perpetrators were not held accountable (Adelman & Astri, 1999; Brannigan & Jones, 2009; Nmaju, 2011; Prunier, 1997; Straus, 2013).

In order to have an effective justice system, in 2004 the Government of Rwanda embarked on overall judicial reforms (Rugege, 2020). It is expounded that the reforms were undertaken to address various challenges, among them, the lack of universal access to quality justice (Sebastian, 2010; Uvin & Mironko, 2003). It is also argued that the new government believed that sustainable peace could not be achieved without an effective and equitably accessible justice (Sebastian, 2010).

Consequently, it is within this process of judicial reforms that Access to Justice Bureaus were initiated in 2007, specifically not as a response to genocide crimes but for ordinary crimes which could escalate into violence if left unaddressed (Ministry of Justice report, 2014). It should be noted that although crimes tied to the genocide were handled by *gacaca* courts, formal courts, and the International Criminal Tribunal for Rwanda, the few unexecuted *gacaca* courts' decisions can be handled by these bureaus alongside ordinary cases.

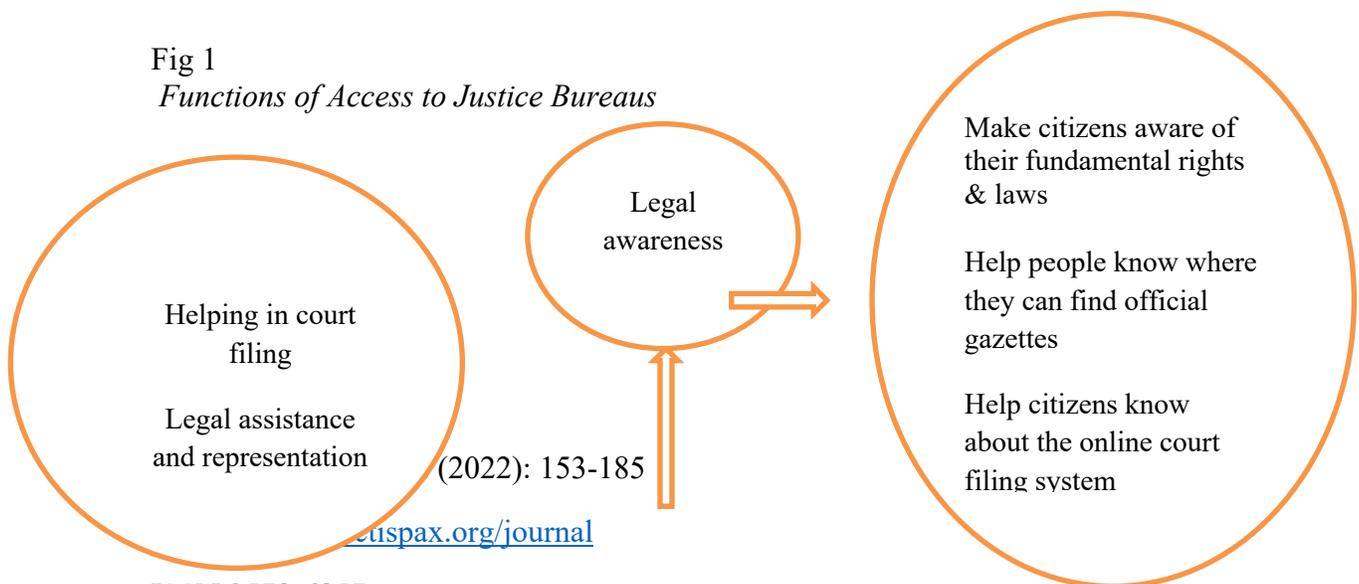
In 2019, the Ministry of Justice reported that close to 52,000 (4 percent) cases tried by the *gacaca* courts had not yet been enforced (<https://imvahonshya.co.rw>). The director in charge of the Access to Justice Department in the Ministry of Justice, Urujeni Martine promised to handle these cases through different mechanisms among them Access to Justice Bureaus (<https://imvahonshya.co.rw>). This means that though the bureaus were not created for this purpose, they can be used for dealing with unexecuted genocide cases. When Access to Justice Bureaus were created, Rwanda was facing many problems including the lack of equitable access to justice. Through what it calls the Justice, Reconciliation, Law, and Order (JRLO) sector, the government maintained that peace could only be built through access to equitable justice and among the mechanisms for achieving this was the establishment of institutions like Access to Justice Bureaus (Sebastian, 2010).

Therefore, this study argues that literature on access to justice and peacebuilding is mostly dominated by transitional justice mechanisms that are tied to mass violence. Therefore, it bridges this knowledge gap by examining the role of accessible justice institutions in resolving interpersonal conflicts. Consequently, the study examines the role that Access to Justice Bureaus play in making justice accessible to people, it interrogates the approaches used by the bureaus in resolving conflicts and finally explores how people appreciate these conflict resolution efforts in Rwanda's peacebuilding process. In the following sections, it gives an overview of Access to Justice Bureaus, followed by a review of existing literature, it then addresses the theoretical perspectives explaining Access to Justice Bureaus, describes the methodology, presents the results and winds up by discussing the findings and draw a conclusion.

Understanding Access to Justice Bureaus

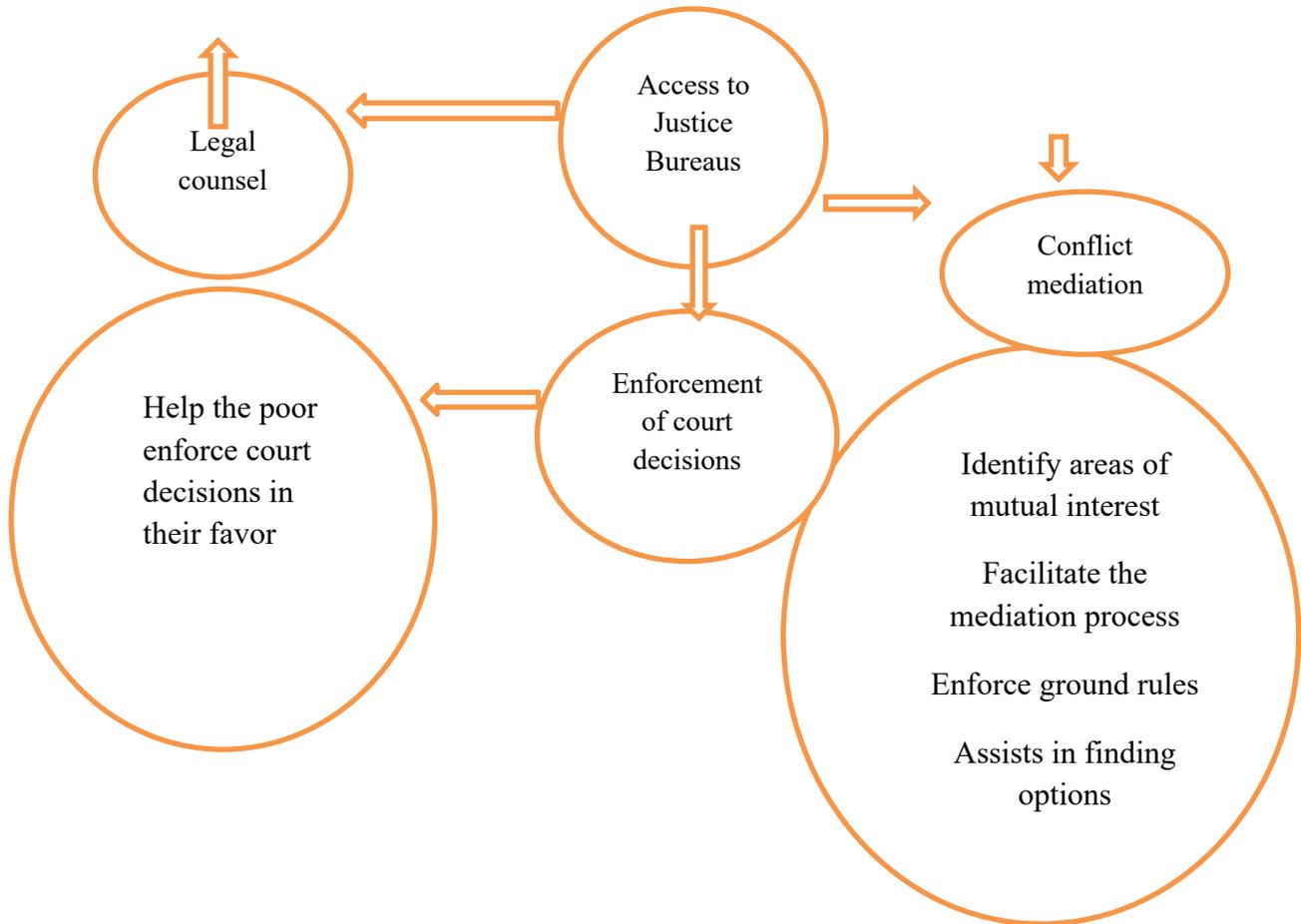
Access to Justice Bureaus are legal offices which were established by the Government of Rwanda in 2007. They are staffed by three lawyers in each of the 30 districts that make up the country. The main aims of the bureaus are to: 1) Provide legal counsel and representation to the poor 2) Enforce court decisions on the behalf of the poor 3) Create legal awareness and, 4) Build peace through mediation of conflicting parties (<https://www.minijust.gov.rw>). These four main functions of the bureaus are divided among the three lawyers. One of the lawyers is the access to justice district coordinator and is also in charge of representing the indigent in courts. The second lawyer is in charge of court decision enforcement and the coordination of local conflict mediation committees in the district, and the third one is in charge of handling issues related to gender based violence. The functions of legal awareness creation and conflict mediation are handled collectively among the three lawyers. The division of tasks amongst the three lawyers ensures the effective functioning of the bureaus in relation to the delivery of the legal services. Figure 1 below explains the four major functions of Access to Justice Bureaus in a detailed manner.

Fig 1
Functions of Access to Justice Bureaus



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Note. This figure was produced by the authors to illustrate the functions of Access to Justice Bureaus.

As illustrated in Figure 1, Access to Justice Bureaus were created to dispense free legal remedies through four different functions: conflict mediation, legal counsel and representation, legal awareness, and enforcement of the court decisions.

The bureaus play a mediation role by bringing conflicting parties together and mediating in the conflict by first identifying the areas of mutual interest that led to the conflict and then facilitating a mediation process by using rules that facilitate mediation. The bureaus generate different options that lead to a definitive resolution for the grievance and also provide legal counsel and represent the poor in court free of charge.

Additionally, the bureaus create legal awareness. For example, they provide people with information on where they can find official gazettes, help them in using the online court filing system, and spreading awareness about their fundamental rights and how to claim them if they are violated.

Lastly, access to Justice Bureaus also help in enforcing the court decisions on behalf of the poor free of charge. Of these functions, legal representation and enforcement of the court decisions are reserved for the poor, while the rest of the services are open to all citizens (Rugege, 2020). To be eligible for the services reserved for the poor, one must produce an indigence certificate issued by a competent authority. Rwandans are categorized into five socioeconomic categories locally called *Ubudehe*. Categories A and B consist of self-reliant households with diverse life choices while categories C and D comprise of households that partly benefit from social protection. Only those in category E get full state social protection including all free legal services (<https://www.newtimes.co.rw>).

Access to justice lawyers create awareness of the available legal services through community meetings and radio talk shows. The bureaus handle both civil and criminal cases but only represent civil cases in court. Assistance for criminal matters is only limited to legal advice and orientation while those that need legal representation are referred to the Bar Association for pro-bono services. Lawyers at the Access to Justice Bureaus are government workers and cannot represent cases that involve government prosecutor as it can lead to conflict of interest.

Literature Review

Peace without justice is suppression and justice without peace is a new form of oppression (Bhoke, 2006; Petersmann, 2006; Sawatsky, 2009). Studies show that equitable access to justice is a key component of peacebuilding

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(UNHCHR, 2006). Furthermore, if perceived grievances are left unaddressed for a long period, they can lead to conflict. Literature attests that societies without mechanisms that resolve injustices are prone to conflict (Deutsch, 2011).

In post-conflict settings in particular, if people cannot access justice that protects their rights and addresses their legal needs, there is a risk that they will resort to violent means for dispute resolution. Subsequently, the rule of law has to ensure accessible justice as a remedy for problems afflicting post-conflict settings (Rajagopal, 2007; Stromseth, 2009).

Some studies highlight that rule of law is ensured not only through the application of the law but also when it is upheld as one of the major tools for building a stable society. Its distortion is a central factor in igniting conflicts (Herman & Ortega, 2012). Other studies posit that equitable access to justice that ensures legal remedies in conformity with fundamental rights is among the major components of the rule of law (Agrast et al., 2013; Botero & Ponce, 2011; Skaaning, 2010).

The United Nations Secretary General's Report on the Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies maintains that access to justice is not only important in peacebuilding but also in consolidating it (Annan, 2004). Certainly, maintaining peace in the long term cannot be done without confidence in the way justice institutions address disputes. Call (2005), for example, argues that accessible justice can forestall conflicts. He adds that mechanisms that are used for building peace after a war can also be used for preventing war. This means that if justice can be used for building peace after conflict, it can also be used for preventing conflict.

Accessible justice, especially in post-conflict settings can deter abuse and lead to sustainable peace by addressing grievances (Rauschenbach & Scalia, 2008). The United Nations Secretary General's report on the rule of law suggests that conflicts often arise because of the failure of a State's legal system to protect individuals' rights. If left unaddressed, injustice can lead to violence (United Nations, 2006). The report also argues that in many post-conflict settings, a large majority of the population has never had meaningful access to courts. Thus, installing courts that quickly resolve conflicts prevents violence. Conversely,

biased and corrupt courts and unfair laws perpetuate human rights violations and undermine the efforts to stabilize society (Hurst, 2006).

Rawls (2009) argues that a society becomes peaceful and stable when it reaches a consensus on the main principles of justice. Therefore, the peace that people experience after this process is referred to as the ‘fruits of justice’ (Fiebleman, 1993). Functioning justice systems support social order (Genn, 2010). By social order, the author means those efforts that prevent and mitigate violence. Hence, Access to Justice Bureaus is one of the mechanisms mandated to resolve conflicts thus supporting the restoration of a social order.

This paper addresses the nexus between accessible justice and conflict resolution mechanisms that contribute to sustainable peacebuilding. Extant literature on justice and peacebuilding mostly examines access to justice for crimes tied to mass atrocities (Fischer, 2011; Lundy & McGovern, 2008; Tabak, 2011; Teitel, 2003), and justice during the time of peace agreements (Bass, 2005; Binningsbø et al., 2012; Gloppen, 2005; Jost & Kay, 2010; Krcmaric 2014; Melander, 2009; Orentlicher, 1991), interpersonal conflict at the workplace (Spector & Bruk-Lee, 2008), how interpersonal conflicts affect the wellbeing of employees (Bono, McCullough, & Root, 2008; Bruk-Lee & Spector, 2006; Rahim, 2010). There is evidently little knowledge on the contribution of accessible justice to peacebuilding in normal times. This paper therefore, seeks to expand this scholarship by examining other mechanisms through which accessible justice can help in addressing conflicts thus impacting sustainable peacebuilding via the case of Access to Justice Bureaus in Rwanda.

Theoretical Framework

Observing the relationships between conflict, access to justice, and peacebuilding, scholars have sought to theorize possible underlying mechanisms linking these concepts in different ways. Some explain peacebuilding in terms of globalization (Clark, 2001; Cousens, 2001; Khong, 2001; Paris, 2001). Others theorize the promotion of democracy and market-based economic reforms as a driving force for building peace (Doyle, 2005; Lemay-Hébert, 2013; Newman, 2009).

Literature further shows that resolution of the conflicts can only be achieved by restoring justice and eliminating structural inequalities underlying conflict situations. Interventions should be made to redress economic, political, and social inequalities (Rapoport, 1960; Boulding, 1978; Boulding, 1992; Jeong 2009).

In this paper, the concepts of justice, conflict, and peacebuilding are anchored on Johan Galtung's peacebuilding theory (Galtung, 1969). Galtung's theory addresses both negative and positive peace, defining negative peace as a condition characterized by the absence of physical violence like war, and positive peace as the absence of structural violence or systematic injustices (Galtung et al., 2013; Shields, 2017). Galtung's theory further maintains that positive peace cannot exist in contexts that lack strong, accountable, and accessible institutions (Rissler & Shields, 2019). It underscores that positive peace entails the existence of social justice, equality, and the absence of structural or indirect violence (Barash, 2017). This means that peace is not only the absence of war but also the absence of all factors that can lead to war. Building on this theory, this paper argues that peace is not possible without an independent, strong, and responsive judiciary that addresses injustices.

Among the structural causes of conflict that Galtung discusses are unaddressed injustices due to the absence of proper conflict resolution mechanisms that ensure the protection of human rights (Cremin & Bevington, 2017; Toohey, 2013). Therefore, providing justice to litigants can be interpreted as a peacebuilding mechanism that tackles the potential causes of violence embedded in societal structures.

As expounded by literature, in societies where judicial institutions do not guarantee accessibility to justice, structural injustices are likely to persist. People (especially the illiterate) face the danger of conviction because they do not know how to establish their innocence hence leading to civil resentment that can result in violence (Nichol, 2009). Mische and Harris (2008) add that positive peace conditions lead to the creation of policies, norms, systems, and practices that respect human dignity, meet human needs, uphold standards of social justice, and sustain human and natural communities. Some studies also argue that justice is

not possible in contexts with structural inequalities as they may be prone to conflict (Sen, 1999; Sharp, 2011).

Building on the central tenets of Galtung's peace theory, this study argues that positive peace cannot be achieved without accessible justice. On the contrary, when institutions of justice are accessible, members of society get an opportunity to claim the restoration of their violated rights. Without accessible justice, there is a likelihood that conflicts will ensue because members of society have no mechanisms to claim their violated rights.

Methodology

This paper is part of an ongoing PhD research at the University of Nairobi, Kenya. The University of Nairobi requires a PhD student to publish two papers and a thesis in order to fulfill the PhD completion requirements. However, it should be noted that this paper is not an extract from the thesis but a standalone article that has not been published anywhere.

The study conducted interviews and focus group discussions over ten months between February and December 2019 with the help of a research assistant paid for by the University of Rwanda. Data collection through in-depth interviews and focus group discussions was important in getting deep insights and an understanding of the functioning of Access to Justice Bureaus. Both the interviews and focus group discussions were conducted in Kinyarwanda and transcribed and translated into English.

The participants in the study were approached with authorization from the Ministry of Justice which supervises Access to Justice Bureaus. The office of the minister authorized the authors to have access to a database of names of people who were legally assisted and from this database respondents were selected with the assistance of access to justice coordinators at the district level. The authors systematically sampled the names and the coordinators only helped in providing contacts of the selected service beneficiaries, local conflict mediators and local leaders.

The participants responded to seven open-ended questions on the assessment of the role that the Access to Justice Bureaus play in resolving interpersonal conflicts and how this eventually leads to sustainable peacebuilding. The specific questions were : 1) What do you know about Access to Justice Bureaus? 2) Who has access to them? 3) Which cases do they handle? 4) Which approaches do they use in resolving conflicts? 5) Are you happy with the approaches used in conflict resolution approaches by the bureaus? 6) Do you think they contribute to resolving interpersonal conflicts? and 7) Do they contribute to peacebuilding? If yes how?

Questions were designed in a broad and open-ended manner to get a wider picture of what people thought of the Access to Justice Bureaus and their role in resolving interpersonal conflicts. The participants included 10 access to justice lawyers, 10 local leaders, 10 local conflict mediators, and 60 access to justice service beneficiaries. Lawyers, local conflict mediators, and local leaders were selected through purposive sampling while the beneficiaries were selected through systematic sampling from the database provided by the access to justice offices.

Lawyers were interviewed to help understand the impact of the legal services that they provide, local leaders were interviewed because they knew the conflicts that Access to Justice Bureaus handle and could hence help understand if the bureaus had any impact; and local conflict mediators (*abunzi*) were interviewed because they work hand-in-hand with the bureaus and have information on how conflict mediation is handled. Lastly, access to justice beneficiaries were interviewed to help understand how their legal problems were handled and the impact this had on their relationship with their adversaries.

At the start of each interview and focus group discussion, the authors explained to the participants the benefits and consequences of taking part in the study and asked them to sign consent forms. They were also asked if they wanted to remain anonymous but none of them had problems with either disclosing their identities or tape recording the interviews. The interviews lasted between 50 minutes to an hour depending on what the respondents said, while focus group discussions lasted between 1 to 2 hours. All the participants who were contacted participated in the interviews leading to a 100 percent participation rate; 46 respondents were women while 44 were men.

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The participants were met at a location of their choice. Access to Justice Bureaus' lawyers and local leaders were interviewed in their offices, local conflict mediators and legal service beneficiaries who participated in individual interviews were interviewed in their homes while focus group discussions were conducted in cell offices (a geographical unit smaller than the district and the sector). Bus fares were reimbursed to those who participated in focus group discussions as this expense had been budgeted for. The participants were aged 18 years and above because in Rwanda anyone below this age is legally a minor and if they are involved in any case, they have to be legally represented by an adult.

Geographically, data was collected from five districts out of the 30 that make up Rwanda. Rwanda has four provinces and the city of Kigali. Each of the four provinces has a provincial capital in which the provincial offices are located. These provincial capitals have both urban and rural areas. The selection of four districts in the four provinces and one in the city of Kigali was based on the fact that they provided an opportunity to interview people from both rural and urban areas. From each of the four provincial districts, two sectors (lower administrative structures below the district) were selected: one urban and one rural. This was done to get a full picture of both rural and urban areas. For Kigali which has three districts, one district (Gasabo) was selected, and in total five districts were selected. The others were Rwamagana in the Eastern province, Musanze in the Northern province, Nyanza in the Southern province, and Karongi in the Western province.

Interviews were orthographically transcribed and simultaneously translated into English by reproducing all spoken words and sounds including hesitation, false starts, and cut-offs. Identifying what was common in the data and making sense of the commonalities remained important. This process helped explore important elements in the data in relation to the study's topic and the main research questions. Numerous patterns relevant for answering the main research questions were identified in the dataset.

A thematic analysis offered a way of coding and analyzing data systematically and then linking it to broader theoretical issues. Transcripts were mainly edited for brevity, removing any words/clauses that were not essential for understanding the overall meaning of what the participants had said. This was not done as a means of 'cleaning up the transcript' but the grammatical errors were

removed while keeping the details and full transcripts of the interviews. The researcher then familiarized himself with the data by reading and re-reading the transcripts and listening to audio recordings, especially those conducted, transcribed, and translated by the research assistant. Reading was done actively, analytically, and critically while thinking about and taking notes on what the data meant. This process involved asking questions like: How does the participant make sense of her/his experiences? What assumptions does s/he make while interpreting her/his experience? What kind of world is revealed through the account?

Data was analyzed systematically through coding using NVivo. All features of the data relevant for the research questions were identified to interpret the data. Data extracts were later identified with codes and written down after marking the texts associated with them. The data analysis started taking shape when codes were shifted to themes, an exercise which ensured that everything important in the data concerning the research questions was considered in the analysis.

Patterned responses were coded and the data reviewed to identify similarities and overlapping between the codes. Themes that shared some unifying features were clustered together to reflect and describe a coherent and meaningful pattern that told an overall story. Miscellaneous themes were used for making new themes and those that did not connect to the main research questions were discarded. Potential themes were then reviewed by developing them in relation to the coded data in the dataset and the quality of the data was established by re-reading it to ascertain if the themes captured the relevant data.

Defining and naming themes helped in identifying what was unique and specific about each theme. Data assessment was done to check if the themes had a singular focus, they were related, and were not repetitive and overlapping. Deep analytic work was done through a thematic analysis for getting details using extracts to set out a story from the developed themes. The last phase of this process was producing the report. In making sure that this paper speaks from the data, the analysis phase and article writing were interwoven. Article writing was directly connected to the writing of notes, memos, and the analysis. The analysis also helped in the proper use of data by avoiding repetitions, paraphrasing, and

passive writing thus logically connecting themes in a meaningful manner to tell a compelling and coherent story based on the data.

Findings

Analysis of interviews conducted using the seven primary questions revealed that three major themes emerged. These strands include among others 1) Access to Justice Bureaus assist in the mediation of conflicting parties and create better relationships 2) Access to Justice Bureaus ensure rule of law by treating people equally 3) Access to Justice Bureaus restore social bonds between people hence making them feel valued within the society. These strands were further refined during the analysis phase and formed different themes suggesting that accessible justice is tied to conflict resolution and peacebuilding in at least three main ways: 1) Conflict settlement through mediation 2) Strengthening rule of law through accessible justice and finally, 3) Restoration of social bonds and creation of a sense of belonging.

The participants gave different accounts during the interviews and focus group discussions that support these themes. This study observes that the concept of access to justice is wider than the work of Access to Justice Bureaus and its findings are limited to the mandate of Access to Justice Bureaus. For example, Access to Justice Bureaus represent clients in courts but do not have full control over the decisions that the judges make. A represented litigant may get an unfair court verdict not because of the bureaus but because of the inefficiencies in the court system. Therefore, it is important to understand that Access to Justice Bureaus make a contribution in making justice accessible but they do not represent access to justice in all its entirety as will be highlighted by the following accounts.

Conflict Settlement Through Mediation

Most of the participants recounted how Access to Justice Bureaus resolved conflicts and mended relationships through mediation. They added that this helped them live more harmoniously after long periods of conflict. They expounded that lawyers advised them that resolving conflicts by mediation was better than litigation because it facilitates reconciliation after a conflict. Siborurema Vincent commended the bureaus for helping him to peacefully settle

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a dispute with his brother, “I had a conflict with my brother because he denied me access to a son I sired with his wife. Family members failed to solve the problem but Access to Justice Bureaus reconciled us and all is well (Individual interview 28 , September 15, 2019).” Similarly, Twizerimana, testified that Access to Justice Bureaus helped in resolving conflicts through mediation. He explained that his land case with a neighbor was resolved after mediation by the Access to Justice Bureaus and he was now living in harmony with his neighbor. He emphasized that as opposed to litigation, mediation improves relationships between community members (Individual interview 05, February 20, 2019).

Like Twizerimana, another beneficiary, Nadine, explained that the bureaus were very important for mediating conflicts between members of the community. She added that a conflict she had with her sister over land inherited from their parents had lasted for many years without a solution. When she learned of the bureaus, she reported the case and which was resolved before it was taken to court (Individual interview 32 September 19, 2019).

Karambizi Ephrem from Gasabo who had marital problems with his wife explained how the bureaus helped in mediating their conflict. He explained that his wife had inherited land from her parents and did not want to co-own it with him yet they were married with equal rights to acquired property. After a long dispute, and after mediation by family and friends failed, he learned of Access to Justice Bureaus which made his wife understand what the law says and the issue was solved amicably (Individual interview 48, December 18, 2019).

Niyomugenga Cassim explained that he had a land dispute with his brother after their parents passed away and the Access to Justice Bureaus mediated and they shared the land fairly and were now living together in harmony (Individual interview 35, November 05, 2019).

These, and many other respondents commended Access to Justice Bureaus for using mediation as the best approach to conflict resolution. They explained that this approach not only found solutions but also improved relationships between people in conflict as testified by access to justice lawyer Claude Ngaboyisonga:

We use many approaches for conflict resolution, but we prefer mediation when possible. Mediation not only resolves disputes but also mends relationships thus being a good approach. Litigating for our clients is only done where mediation cannot have an impact. We do this because we want a society where people have rights but also live in harmony (Individual interview 09 , February 27, 2019).

Emeritha Musanganire, a local leader in Karongi district agreed saying that as local leaders, they commend the bureaus not only for helping people get their legal rights but also for handling it in a manner that builds social cohesion:

I know of many cases which the bureaus have helped through mediation and are now living together in harmony. Although taking matters to the court gives people their rights, I believe mediation is better because this also mends relationships. Litigation should always be used as a last option (Individual interview 33, September 22, 2019).

Although the bureaus were commended for mediating conflicts, some respondents argued that in some cases people needed litigation and not mediation so that the offenders could face the consequences of their crimes. Sharing these sentiments was Juliet whose boyfriend refused to provide financial support to their child. When she went to the bureaus, they asked her to use mediation but she needed litigation. As she explained, “I had a problem with my boyfriend who refused to provide child support. When I went to the bureaus to seek help, they subjected me to mediation though I wanted to take the matter to court so that I could get a binding decision (Individual interview 41, November 27, 2019).” Kabagwira Antoinette agreed and added that mediation was good but it should not be used in cases related to gender based violence. She added that most of the time abusive husbands deserve to be punished so that they can learn a lesson (Individual interview 43, December 09, 2019).

Wondering if the preference of mediation to litigation by Access to Justice Bureaus is not done for the mere purpose of finding legal solutions, the researcher sought clarity from access to justice lawyers who explained that reconciliation was very important while dealing with sensitive cases especially marital problems. They argued that rushing to courts may destroy relationships which would have been mended hence having long-term effects on the couple and their

children. For the lawyers, mediation came first, and litigation was used only where mediation was not possible. In addition, different reports show that people's satisfaction with the services of Access to Justice Bureaus is very high. In 2018, Rwanda Governance Scorecard-an annual report published by Rwanda Governance Board, shows that people's satisfaction with the services of Access to Justice Bureaus is at 78.06%, the same report shows that the level of citizen's satisfaction with these services was 82.60% in 2019 and was at 82.57% in 2020 respectively (Rwanda Governance Board, 2018; 2019;2020). Comparing this to the Ministry of justice annual reports on the same matter, reports also show high levels of citizen's satisfaction with the same services by Access to Justice Bureaus. It is reported that out of 20461 that were received, 20423 were resolved and only 38 cases were pending at the end of the year. Different approaches were used and among them mediation, court submission and representation, and orientation to other institutions. Out of all the mentioned cases only 3617 were represented in court. Although this represents only 17.68% of the cases received by the bureaus, the rest of the cases were handled through the use of diverse approaches depending on their gravity and nature hence yielding the mentioned satisfaction by both the reports and study findings.

Strengthening the rule of law through accessible justice

The respondents explained that Access to justice Bureaus helped in ensuring that people were treated equally and in accordance with the law. Angelique, an access to justice lawyer stated that the bureaus received every case irrespective of who brought it and against whom. She added that treating people equally was at the forefront of what they did and she believed that a society like Rwanda which has a history of violence needed to respect people's rights if peace was to be built, as explained, "It does not matter who you are to get justice. You know, this country's past was marred by injustices. Before 1994, some people could be summoned and would ask the summoning authority, '*Uzi icyondicyo?*' (Do you know who I am?). That meant that some people were untouchable but that period ended and today everyone is treated equally. We are in a society which had problems because of such behavior so if we want to build peace, the rule of law should be prioritized." Buregeya Nicodeme also thanked the bureaus for treating people equally and in accordance with the law by sharing the following sentiments:

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Access to Justice Bureaus ensure that people are treated equally before the law. They represented me in court and I won a case against a connected court bailiff. I had been warned by people that one of the high court judges was his brother-in-law and I could not get justice but I won (Individual interview 44, December 12, 2019).

Similarly, Maniragaba from Karongi commended the Access to Justice Bureaus for treating everyone equally before the law. He talked of how he won a land conflict against his uncle even though his uncle had political connections. He thanked the bureaus for treating everyone equally before the law and said this would help in ending injustices that could lead to violence (Individual interview 45, December 16, 2019).

Murenzi Innocent whose land had been grabbed by a police officer thanked the bureaus for helping him get justice despite threats from his powerful adversary. He pointed out that his neighbors had told him that having a conflict with a powerful police officer could cause him problems but the bureaus disapproved them by helping him regain the right to his property (Focus group discussion 04, September 16, 2019). Uwamurera Epiphania also emphasizes that the bureaus have been important in treating everyone equal. Holding the rich accountable was difficult in the past hence interfering with the rights of others but today, the bureaus ensure that everyone is treated in accordance to the law (Focus group discussion 05, November 12, 2019). Ntirandekura, a local leader from Nyanza district, also emphasized that rule of law is reached through accessible legal mechanisms that treat everyone equally and Access to Justice Bureaus are doing this (Individual interview 37, November 16, 2019). Ndungutse from Karongi too shared his sentiments by commending Access to Justice Bureaus for treating everyone equally before the law (Individual interview 30, September 17, 2019).

To these respondents, Access to Justice Bureaus ensure rule of law by treating everyone equally. They recounted different situations when they did not expect justice because of the stature of people they had grievances against. Additionally, they referred to the past where well-connected people could unfairly

treat the poor and go unpunished. They underlined that bureaus have been important in improving the respect of people's rights and the enforcement of the law. To concretize these findings, different reports were consulted to establish reliability the findings and among them is the Rwanda governance 2018 scorecard report which suggests that the bureaus have been very important in the consolidation rule of law in Rwanda. It elucidates that bureaus help in the delivery of justice independently, ethically, timely with the help of its three trained and competent lawyers. The report emphasizes that the bureaus train people on the use of ICT in the judiciary which is one of the most transparent ways on justice administration. This is implemented through online case filling in primary, intermediary, and high courts (Rwanda Governance Board, 2018; 2019). Additionally, the 2018 Ministry of Justice 2018 report explains that Access to Justice Bureaus strengthen rule of law through the dissemination of laws and regulations to people in the communities, representing the poor in courts and also helping the poor by enforcing their court decisions free of charge. It is explained that rule of law cannot be ensured when people do not know laws, when the poor are not represented in courts and when court decisions are not enforced for the completion of the justice process. From July 2018 to 30th June 2019, Access to Justice lawyers represented 677 indigents in courts (Ministry of Justice, 2019).

Restoration of Social Bonds and Creation of a Sense of Belonging

The respondents' perceptions and experiences show that Access to Justice Bureaus helped in restoring social bonds between conflicting parties. They explained that the bureaus helped in re-establishing contact and communication. Nyirahitimana Anastasia recounted how strained relationships between her and her neighbor improved as a result of Access to Justice Bureaus, "My neighbor shifted land demarcations and the local leaders failed to impartially decide the case so I approached Access to Justice Bureaus who mediated in the case and today we are in good terms."(Individual interview 31, September 17, 2019) Similarly, Kayirangwa Clarisse, a leader of Murinja cell in Nyanza, recounted that Access to Justice Bureaus helped by mediating in conflicts, "Taking matters to court cannot be as helpful as mediation. Courts apply the law where one side can lose heavily."(Individual interview 38, November 16, 2019). Umwiza Rose talked of how Access to Justice Bureaus made her feel that she belonged to society after restoring her violated rights as explained below:

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My ex-father-in-law who hated me for being a genocide survivor cut down my banana plantation. When I took the matter to the mediators, they took bribes and ruled in his favor which made me lose hope in the judiciary. I reported this to the bureaus who mediated and ordered compensation for me. I am now happy as I feel valued like everyone else (Individual interview 26, September 14, 2019).

Like Rose, Shadrack from Nyanza explained how he inherited a land dispute from his father but Access to Justice Bureaus helped him get justice:

My father died in 1993 when he had a land dispute with his brothers. The case was decided and enforced in 2012 when I could not see eye to eye with them. I had lost hope but Access to Justice Bureaus mediated and enforced the decision. Now I am thankful to the government that justice was done and our relationships were mended (Individual interview 34, November 02, 2019).

These accounts show how Access to Justice Bureaus have not only solved problems through litigation but also through mediation as an appropriate approach for facilitating reconciliation. One can argue that this not only helped in getting justice but also restored social bonds between neighbors. It initiated communication and interaction between former adversaries. However, as noted above, there are still some gaps that need to be addressed especially on the choice of the conflict resolution approach by the claimants. If necessary, enough explanations should be given on why the chosen approach is the best one to ensure accountability of the bureaus to the people they serve. If not done, provided services will remain unappreciated by some who come expecting litigation but mediated.

Discussion and Conclusion

This article used interviews and focus group discussions with 10 lawyers of Access to Justice Bureaus, 10 local conflict mediators, 10 local leaders, and 60 access to justice beneficiaries. These people were interviewed either because of their role in delivering access to justice services or because they used the services provided by the Access to Justice Bureaus. In doing so, the article examined the role that Access to Justice Bureaus play in resolving interpersonal conflicts and how this contributes to sustainable peacebuilding in Rwanda.

Our findings suggest that Access to Justice Bureaus resolved interpersonal conflicts through mediation. According to most of the respondents, mediation of conflicts was one of the best approaches for conflict resolution. Most respondents explained on how the bureaus held mediation sessions that were very important in resolving the conflicts by clarifying how they were now living in harmony with their former adversaries. According to the respondents, mediation was better than litigation because with mediation relationships were repaired thus building harmony in society. Some respondents even thanked the bureaus for doing what their families had failed to do in terms of mediating conflicts with their relatives. These findings align with prior studies which suggest that mediation encourages disputants to settle the differences by themselves hence fostering good relationships (Ross & Conlon, 2000).

This article extends existing knowledge by linking such a narrative technique to respondents' discussions of their past and the nature of the conflicts that they had experienced. Emphasizing the role of Access to Justice Bureaus in fostering mediation is not only based on interview narratives but also on the Ministry of Justice's annual reports which show that Access to Justice Bureaus have been very helpful in mediating different cases. In 2014-15, of the 22,510 cases received, 55 percent were handled through mediation. In 2016-17, the bureaus got 17,048 complaints of which 66.5 percent were handled through mediation and in 2018-19, it got 20,461 cases of which 70.1 percent were addressed through mediation (Ministry of Justice, 2015, Ministry of Justice, 2017, Ministry of Justice, 2019).

Although the bureaus were applauded for doing a commendable job, some respondents argued that clients should be left to choose their conflict resolution approach. This was mostly highlighted in matters related to gender-based violence. The access to justice lawyers explained that they considered family matters sensitive and important hence preferring mediation to litigation. They explained that this was due to the problems that arise when marriages are broken. Aligning this argument with existing studies, literature shows that the use of conventional legal systems in settling marital conflicts is difficult because lawyers have an adversarial nature which depicts them as warriors whose primary objective is winning for their clients instead of playing a reconciliatory role (Coogler, 1977). This behavior tends to convert disputes which may have been solved with gains to both parties and their children into conflicts in which one spouse's gain is the other's loss (Gulliver, 1979).

Furthermore, litigation practices have been denounced for exacerbating differences between litigants (Susskind and Ozawa 1985), promoting zero-sum solutions (Gordon 2000), failing to address issues underlying conflict (Bush and Folger 1994), doing little to advance the future relationship of the parties in dispute (Susskind and Ozawa 1985), and being costly and inefficient. Literature reveals that mediation is a means to empower disputants to reclaim ownership of their disputes from an unfair court system (Hedeem and Coy 2000).

On the rule of law, respondents explained that Access to justice Bureaus ensure that no one is above the law. Many of the respondents said that it did not matter who you were to get justice. They compared this to the past where some people were considered to be above the law because of their power and background. They argued that given Rwanda's past, facilitating access to justice is very helpful in preventing another conflict. Tying this argument to literature, this article concludes that there cannot be rule of law where there is no justice (Carothers, 2009; Chesterman, 2008; Scalia, 1989). Some studies also show that if people are treated equally before the law, there is likely to be peace, and failure to do so may lead to violence (Annan, 2004; Igbuzor, 2011; Mangu, 2007).

Restoration of social bonds and sense of belonging was seen as another major achievements of Access to Justice Bureaus by the respondents who indicated that the bureaus helped mend strained relationships making former adversaries live more harmoniously. They added that the bureaus not only helped

in mending relationships but made people feel that they belonged to society after the restoration of their violated rights. Tying this to literature, this article concludes that lack of accessible justice leads to discontent and resentment towards the government (Mutabazi, 2014). The respondents' accounts show that after long periods of feeling neglected, after getting justice victims felt accepted in society. The creation of community belongingness and social capital were found to be important in fostering social connections, mutual concerns, common symbols, and ongoing development (Kelman, 1999). At the same time, this also created networks, norms, and trust that enabled people to act and work together to reach individual and common goals (Rostila, 2011).

Finally, this article argues that despite its uniqueness in a post-genocide setting, there is substantial evidence to show that lessons learned from the Rwandan Access to Justice Bureaus can be applied to other times and places primarily because the cases studied were not entirely tied to the genocide. Through functions like mediation, legal aid and representation, legal awareness, and legal counsel, Access to Justice Bureaus have been able to resolve different legal matters. Accounts from the respondents showed that Access to Justice Bureaus should be applauded. A UNDP report commends and terms these bureaus to as "*Justice brought closer to home*" (<https://www.rw.undp.org>). However, for policy action, some challenges remain especially in the involvement of clients in the choice of a conflict resolution approach, and they may need to be resolved if Access to Justice Bureaus are to effectively dispense justice.

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