**Activity 1: Decision-Making During Genocide**

*Instructions for Educators*

This active learning case study focuses on complex decision-making during genocide. It illustrates the personal, social, and other situational factors that may influence individuals to engage in acts like killing or rescuing in the context of mass violence. It may be helpful to preface this exercise with a brief lecture reviewing literature on the determinants of individual action during genocide (see Fox & Nyseth Brehm 2019, Loyle 2009, and Luft 2015).

Provide each student with a copy of the scenario “Felix’s Story.” Give students approximately five minutes to read the scenario, encouraging them to take notes or underline aspects of the story they think are important for understanding why the main character, Felix, made the choices he did. This scenario is fictional, but it is based on historical facts and firsthand testimonies about the 1994 genocide in Rwanda. As such, students will need some prior knowledge of the history of the genocide to interpret this scenario.

After students have reviewed the scenario, divide the class into three groups and assign each group an analytical perspective to frame their discussion of the factors that may have influenced Felix’s decision-making. Group 1 will consider Felix’s personal ideas and feelings, Group 2 will consider Felix’s social ties, and Group 3 will consider other situational aspects. These factors are outlined below:

1. **Personal Ideas and Feelings**
	1. Felix’s biographical characteristics (e.g., ethnicity, age, gender, religion, socio-economic status, position in the family)
	2. Political and/or religious socialization
	3. Fear, stress, anxiety, and other negative emotions
2. **Social Ties**
	1. Felix’s prior relationships with the girl he saved and the man he killed
	2. Felix’s family members (e.g., their backgrounds, decisions, and resources)
	3. Felix’s friends (e.g., their backgrounds, decisions, and resources)
3. **Other Situational Aspects**
	1. Context of ongoing civil war and exposure to anti-Tutsi propaganda
	2. Proximity to violence (the speed of the genocide’s onset and intensity in Felix’s neighborhood)
	3. Influence of alcohol

Give students 10-15 minutes to discuss in their small groups. Each group should decide which factors from their assigned category they think are most important for understanding why Felix decided to both rescue AND kill. After this time has elapsed, call the class back together and ask for a representative from each group to briefly present the main points of their discussion. Consider summarizing these points on a whiteboard or presentation slide, where students can see a growing list of factors which may have influenced Felix’s decision-making.

To conclude, tie the discussion together by posing reflection questions to the class, such as:

* “Can we comfortably classify Felix as an upstander, a bystander, or a perpetrator? How does Felix illustrate each one of these categories?”
* “Do you think Felix is a good person or a bad person? Why?”
* “If one of the factors we just discussed were changed, do you think Felix might have acted differently? What might have made him decide not to rescue and/or kill?”
* “Do you think personal ideas/feelings, social ties, or other situational aspects matter the most in shaping decisions? Why?”

By the end of this exercise, students should be able to describe the various factors that contribute to individuals’ complex decision-processes during genocide.

*Scenario: Felix’s Story*

Felix is a 20-year-old Hutu man, living with his elderly parents and two young sisters. They are a relatively poor family, but they make enough money from their small farm to get by. Felix, who dropped out of high school, spends the weekdays working the fields, while his little sisters go to the Catholic primary school up the hill. On Sundays, the family attends services at the Catholic church together. They are fortunate to be far from the frontlines of the ongoing civil war between the Hutu-dominated Rwandan government and the Rwandan Patriotic Front, a Tutsi rebel force.

On April 6, 1994, Felix and his family are gathered around the radio, listening with disbelief to reports that the president has been killed in a plane crash. Felix fears that this could make the violence much worse, and the family decides that they should stay home until the situation calms down. However, Felix needs to continue reporting to his nightly patrol at the main village road. He has been going there for several months now and knows that, if he stops, militia members will knock on his door asking why he is not helping to protect the country from the rebels. He is afraid of not cooperating with the government during these uncertain times.

One night about a week later, Felix is walking home alone from an uneventful shift at the roadside checkpoint, when he meets a 7-year-old Tutsi girl—named Odette—fleeing from the hill where the village’s Catholic church is located. He recognizes that she is the child of one of his neighbors and that she used to go to school and play with his younger sisters. The girl tells him that she escaped a massacre at the church—where her parents and siblings still are—and asks him for help. Felix is deeply disturbed by what she tells him, and he decides to help her. He is glad that he was alone when she found him; he knows if there were others with him, they would have told him to kill her on the spot, and he may not have been able to resist them. Feeling lucky, Felix walks her back to his house under the cover of darkness.

With the three young girls in the other room, Felix asks his parents if they will hide Odette in their home. He explains that her parents are probably already dead. At first, his father is apprehensive, fearing what would happen to their family if anyone found out they were hiding a Tutsi. However, his mother convinces her husband, saying the girl is small and easy to hide, and they have enough to feed and clothe her. They decide to let Odette stay hidden in the girls’ room, where she can sleep locked in their closet out of sight.

Days go by, and the violence goes on. The family continues to listen to the radio together, which broadcasts instructions to crush the Tutsi cockroaches underfoot. Felix only leaves the house to go on his patrol, where some other young Hutu men tell him about the church massacre. The stories disturb him, and Felix tells his family they shouldn’t go to the church anymore. Despite the ongoing killings, Felix is grateful that his patrols have been uneventful. Most of the Tutsi in his neighborhood are already dead or avoid the main road, so he hasn’t encountered anyone else.

After patrolling one night, Felix’s Hutu friends ask him to join them for drinks at the local bar. Felix agrees, instead of going straight home. He misses hanging out with his friends and could use a drink to ease his anxieties about this horrific war and the Tutsi girl hidden in his house. A few beers in, it becomes clear this isn’t just a drink with friends. Soon, Felix’s friends start bragging about how many Tutsi they’ve each killed. When it’s Felix’s turn, he lies, saying he killed several while patrolling and dumped their bodies in a roadside ditch. The others laugh, and Felix hopes that will be the end of it. But soon someone suggests that they go out hunting for more. They get up to leave the bar, and Felix feels like he has no choice but to follow them.

Felix prays that they won’t find anyone, but they come upon a house where Felix knows a Tutsi family lives, though he doesn’t know them personally. The killing group is joined by others, wielding machetes and farming tools as weapons. They seem to materialize out of the night. Some of Felix’s friends burst through the door and find a Tutsi man inside, named Gregoire. They throw him into the dirt in front of Felix. Someone puts a machete in Felix’s hand. They all watch Felix as he kills the man. When the hunt is over, the group disperses. Felix runs home weeping, hoping that he can wash the blood off his hands before his family and Odette can see it. After that night, Felix never kills again.

*Notes on “Felix’s Story” for Educators*

Comments on the various factors that may have influenced Felix’s decision-making in the above scenario are provided below. These are based on historical facts about the genocide and scholarly research about the characteristics of those who rescued and those who killed in Rwanda. Students may raise these points on their own, or educators may prompt students to consider aspects outlined here. This list is not exhaustive, but it can assist educators in interpreting “Felix’s Story” and framing general class discussion.

1. **Personal Ideas and Feelings**
	1. Felix’s biographical characteristics
		1. Ethnicity, age, and gender – As a young Hutu man, Felix would have been expected to participate in the violence, and he fit the demographic of the typical participants in killing groups. Note, however, that many of the people who participated in the killings were slightly older (in their 30s).
		2. Religion – Catholics were both implicated and victimized during the genocide. Depending on the specific teachings of the religious leaders in his community, Felix might have been sensitized to rescue or kill.
		3. Socio-economic status – As a poor farmer, Felix would have lacked the financial resources to bribe local officials to avoid participating in night patrols or killing groups.
		4. Position in the family – As the oldest son in his family, Felix would have faced a social expectation to provide for and protect his younger sisters and elderly parents, even if that meant going out to kill.
	2. Political and/or religious socialization
		1. Political – Felix may have sympathized with the Hutu power movement or had Hutu family members in extremist political parties. He might have been exposed to extreme “othering” ideologies against the Tutsi, leading to hatred or dehumanization.
		2. Religious – Felix’s religious beliefs might have contradicted ideas of ethnic divisions and inspired him to rescue and/or help others during the violence as an act of faith. Conversely, Felix might have believed that God blessed the mission of the killers (some killing groups would go to churches and pray before committing killings).
	3. Fear, stress, anxiety, and other negative emotions
		1. Stress of wartime – Stress can be associated with increased aggression. Felix would have experienced prolonged stress from the overall political climate and the prior civil war, before he committed an act of killing during the genocide.
		2. Fears – Felix was afraid of what would happen if he did not go out on night patrol, if he did not join the killing group, or if he did not kill the Tutsi man in front of his peers. These emotions might have affected his perceptions of right/wrong at those moments.
2. **Social Ties**
	1. Felix’s prior relationships with the girl he saved and the man he killed
		1. The Tutsi girl – It was more common for people to rescue individuals they knew, including family, friends, and neighbors. Felix knew the Tutsi girl, and she was a friend of his sisters.
		2. The Tutsi man – Felix did not have a personal connection to the Tutsi man he killed, which might have made it easier for him to commit the act.
	2. Felix’s family members
		1. Willingness to co-rescue – It was more common for people to rescue in groups, especially among family members in a single home. Felix might not have been able to hide the Tutsi girl had his family members been unwilling to partake in the rescue with him.
		2. None participated in killings – None of Felix’s other family members participated in night patrols or killing groups. Had they, Felix might have been more likely to perpetrate violence alongside them.
		3. Resources – Felix’s family had space in their home and enough financial/material resources to hide a child, although their capacity to hide an adult or more than one person would have been limited.
	3. Felix’s friends
		1. Participation in killing groups – It was more common for people to participate in killing groups with their friends or other people in their social networks. Felix’s friends asked him to come to the bar and then pressured him to engage in killing. It might have been especially difficult for Felix to refuse those close to him, and he may have sought their approval by following along.
		2. Mostly other Hutu – Most of Felix’s friends were also Hutu, so he did not have to decide whether to save any Tutsi friends. If he had Tutsi friends, he might have tried to rescue them.
3. **Other Situational Aspects**
	1. Context of ongoing civil war and exposure to anti-Tutsi propaganda
		1. Ongoing civil war – The ongoing civil war meant that Felix was probably sensitized to view Tutsi as the “enemy” and to understand that the government expected “good” citizens to discriminate against Tutsi. He might have felt compelled to conform to those in authority or felt that killing Tutsi was justified as “self-defense.”
		2. Propaganda – It was common for anti-Tutsi propaganda and instructions for killing groups to be broadcast over the public radio, especially the state-run RTLM station. Felix heard these broadcasts, and they may have shaped his expectations that he should engage in killings and turn in Tutsi rather than rescue them.
	2. Proximity to violence
		1. The violence in Felix’s community had an early onset (days after the president’s plane crash) and was relatively intense (e.g., the massacre at the church in his neighborhood). Thus, Felix was likely too close to the violence to avoid it (in some more isolated communities, people could attempt to “wait it out,” as Felix’s family tried to do by staying home).
	3. Influence of alcohol
		1. It was common for killing groups to drink before going to “hunt.” Alcohol might have lowered Felix’s inhibitions as he engaged in the act of killing.

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**Activity 2: Gacaca Mock Trial**

*Instructions for Educators*

This active learning case study focuses on the pursuit of justice after genocide, especially in contexts with mass civilian participation. Specifically, it draws on the model of the *gacaca* courts, a community-based court system created after the 1994 genocide in Rwanda to try those who perpetrated genocide crimes. As such, this exercise enables students to ponder how the various factors explored in Activity 1⎯related to individual decision-making during genocide⎯may influence subjective determinations of just punishment. It may be helpful to preface this activity with a brief lecture on the history, structure, and function of the *gacaca* courts (see Chakravarty 2015, Clark 2010, Ingelaere 2016, and Nyseth Brehm et al. 2014).

This exercise is a mock *gacaca* trial. During *gacaca* trials, community members would gather in their local area to hear testimonies from defendants and witnesses, and a panel of elected judges (usually with little formal legal training) would decide on sentences based on the evidence gathered and the applicable laws. In this exercise, students will be divided into “committees” to debate and deliberate on an appropriate sentence for a hypothetical defendant. However, note that such “committees” were not a feature of the real *gacaca* trials.

Start by providing each student with a copy of the scenario “Felix’s Trial,” which is based on the fictional character in Activity 1. The scenario includes: A) Background information on Felix’s life since the genocide; B) Testimonial evidence provided by the defendant and several witnesses at Felix’s hypothetical trial; and C) Legal definitions, including a simplified description of the sentencing procedures for *gacaca* judges to follow as outlined by Rwandan law. After reviewing the scenario, divide students into three groups: 1) a committee of *gacaca* judges (this group should be an odd number, to break any ties!); 2) a committee that will argue for a **strict** sentence for Felix; and 3) a committee that will argue for a **light** sentence for Felix.

Give students 15-20 minutes to prepare their arguments. Specifically, students in Groups 2 and 3 should prepare 5-10 minute remarks outlining their recommended sentences for Felix, the evidence they believe best supports their claims, and any other rationale behind their recommendations (you may encourage students to go beyond the specificities of Felix’s case to broader arguments about the purpose or design of transitional justice mechanisms). Students in Group 1 should carefully review thesentencing guidelinesand determine the criteria they will use to evaluate the other committees’ arguments. After Groups 2 and 3 have presented their cases, give Group 1 about 10 minutes to deliberate on their arguments and another 5 minutes to present their verdict to the class.

Students should consider the following as they craft their arguments:

1. **What is the purpose of punishing Felix?**
	1. Consider multiple purposes and how these might be prioritized after genocide (e.g., providing justice for the victims’ families, deterring future crimes, strengthening the rule of law). Students may choose to argue for a primary and secondary purpose while making their case.
	2. Also, consider what role someone who perpetrated violence can/should play after a genocide. Can Felix be rehabilitated? How likely is it that Felix will kill again?
	3. More broadly, consider whether the aim of the *gacaca* trials is largely retributive (focused on punishing those who perpetrated crimes in accordance with the rule of law) or restorative (focused on restoring relationships in divided communities and providing healing for victims).
	4. How might the purpose of punishing Felix (and of the *gacaca* courts) be reflected in the type (prison vs. community service) and duration of his sentence?
2. **How might the specificities of Felix’s case influence what is considered a “just” punishment for him?** For example, consider:
	1. The nature and extent of Felix’s crime(s) (i.e. direct killing)
	2. Felix’s motives for killing and the roles fear, peer pressure, and social expectations played in his decision-making
	3. Felix’s decision to also rescue the Tutsi girl (specifically, what might this action indicate about his ideology and feelings towards the Tutsi?)
	4. How Felix’s act of violence may have influenced the pattern of violence in his community and in Rwanda overall
	5. The length of Felix’s pre-trial detention (i.e. time already served)
	6. Felix’s decision to confess (and the completeness of Felix’s confession)
	7. Felix’s public apology during his trial and the feelings of his victims’ families

To conclude, lead the class through a discussion reflecting on the exercise. You may choose to start by polling the class, asking: “Despite which committee you were on, do you personally think the sentence passed by our judges was fair given Felix’s case? Why or why not?” This question will give students who were arguing for a position they did not support the option to weigh in on the other side. Other possible questions include:

* “Is there a “right” answer for how to punish those who commit genocidal violence (that can be applied to all people at all times)? Why or why not?”
* “What about Felix’s case (personal, social, or situational factors) would need to change for you to change your opinion about his punishment?”

By the end of this activity, students should better understand the challenges involved in designing a post-conflict justice process that is widely perceived as fair. Students should also understand how the complex factors underpinning individual decision-making complicate ideas of fair punishment for atrocity crime.

*Scenario: Felix’s Trial*

1. **Background**

Felix, a Hutu man, was arrested in early 1995, along with many of his friends who had also committed genocide crimes in his community. He was imprisoned in pre-trial detention for 10 years. During that time, he was told to confess to his crimes by prison officials, fellow prisoners, and prison missionaries. Consequently, while in prison, Felix signed a written confession, knowing that it would likely lighten his sentence and believing it was the right thing to do. He returned to his home community to attend his *gacaca* trial in 2005.

1. **Testimonial Evidence**

Defendant: Felix

Felix described his crimes as they were recorded in his written confession. He admitted to having participated in night patrols during the genocide. He also confessed to joining a killing group with his friends and using a machete to kill Gregoire, a Tutsi man, outside of that man’s home. He described feeling pressured to join the killing group and fearing for his life if he did not commit the killing, although he admitted that the responsibility for the killing was his own. During his testimony, Felix turned to a representative of Gregoire’s family and apologized for the crime. Felix claimed that he did not kill anyone else during the genocide, and he wished he had never gotten involved in the killings.

Witness 1: Marcel

Marcel was one of Felix’s Hutu friends during the genocide. He testified to serving on night patrols with Felix. He accused Felix of killing several Tutsis and described hearing Felix brag about committing killings during night patrols. Specifically, Marcel testified to being a member of the killing group that raided Gregoire’s house and to watching Felix kill Gregoire with a machete. He thinks it is likely that Felix killed others, although he does not know of anyone by name. Marcel was also tried in *gacaca* and was convicted for participating in the killing group.

Witness 2: Samuel

Samuel is a Tutsi survivor and the oldest son of Gregoire. He is the only member of his family to survive the genocide. He testified that a killing group raided his house in the middle of the night. He did not see Felix among the killing group, but he identified several of the friends Felix had been with that night, including Marcel. He watched them drag his father out the front door, while he escaped out the back window of the house. The next morning, he returned home to find his father’s body. Gregoire had visibly been struck on the head with a machete. Samuel hastily buried his father’s body near the house and went to hide with neighbors until the violence ended. Samuel accepted Felix’s apology during the trial.

Witness 3: Edouard

Edouard is another Tutsi survivor in Felix’s community. He accused Felix of killing his Tutsi cousin, named Innocent. Edouard survived a massacre that occurred in the Catholic church in Felix’s community during the genocide. He claimed that his cousin fled from the church down the main road, where Felix was serving on patrol that night. Innocent’s body was later found in a ditch, with the bodies of several other Tutsi, nearby the roadblock that Felix manned. Edouard did not directly witness Felix killing his cousin, but he maintains that Felix is the killer.

Witness 4: Odette

Odette is the Tutsi girl who Felix rescued during the genocide. She described finding Felix patrolling the night of the church massacre. She testified that Felix immediately brought her to his home and hid her there throughout the violence. She recalled Felix returning home later than usual one night, around the time that Gregoire’s killing took place, but she did not witness Felix directly committing any acts of violence. Since her entire family was killed during the genocide, Odette was adopted by Felix’s parents and has continued living with them for the last 10 years.

1. **Legal Definitions**

Definition of Genocide: “Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

1. Killing members of the group;
2. Causing serious bodily or mental harm to members of the group;
3. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. Imposing measures intended to prevent births within the group;
5. Forcibly transferring children of the group to another group.”

Source: *Article II of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide*

*Gacaca*’s Sentencing Laws

The *gacaca* courts operated under Rwandan law, namely the Organic Law of 1996 and the Gacaca Law of 2001. Defendants were sorted into categories based on the nature of their crimes. Simplified definitions of the three categories of crimes are outlined below (for the complete definitions, refer to Clark 2010):

* Category 1: Planning, inciting, or leading the genocide and/or committing acts of sexualized violence.
* Category 2: Committing crimes against persons, including killing, torturing, desecrating corpses, injuring or causing bodily harm, and/or participating in a killing group.
* Category 3: Committing property crimes, including theft, looting, and/or destruction.

Since Felix has been accused of directly killing Gregoire and Innocent, he would be tried in **Category 2**. *Gacaca’s* sentencing laws stipulated the circumstances under which individuals from each category could receive lighter sentences, based on whether and when defendants confessed to their crimes (with a full confession before the trial being the ideal outcome).

While *gacaca* judges were held to specific legal standards for determining sentences (which are detailed in Clark 2010), judges often demonstrated some discretion. For this exercise, the judges should consider any factors (personal, social, or situational) which may justify issuing a stricter or lighter sentence for Felix, based on the arguments of the other committees.

Given Felix’s case, Groups 2 and 3 should select one of the sentences in the table below to advocate for. Group 1 (the judges) should ultimately select Felix’s sentence based on:

1. Whether they are convicting Felix for killing both Gregoire and Innocent (Note: if the judges believe there is enough evidence to support Felix’s killing of Innocent, then his confession would be considered incomplete, tending toward a stricter sentence).
2. Whether they determine that the primary purpose of Felix’s punishment is largely retributive (i.e. justifying a stricter sentence) or restorative (i.e. justifying a lighter sentence).
3. Whether they decide that the sum of the other factors (personal, social, and situational) in Felix’s case indicates that a lighter or stricter sentence is more appropriate.

**Possible Sentences for Felix**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Strictest | Stricter | Strict | Light | Lighter | Lightest |
| 15 years in prison | 10 years, including up to 5 years served in community service camp | 7 years, including up to 5 years served in community service camp | 5 years, including up to 3 years served in community service camp | 5 years in community service camp | 3 years in community service camp |

Note: Rwanda’s post-genocide community service camps (called TIG) enabled those who committed crimes to complete their sentences by performing labor outside of prisons, most often by building public infrastructure that had been destroyed during the genocide.

*Notes on “Felix’s Trial” for Educators*

There is no “key” to determine the right answer for how Felix should be sentenced. There are many ways the mock *gacaca* trial debate can unfold, based on which elements of Felix’s story students decide are important for constructing their arguments. However, comments on each of the testimonies are included below. Students may raise these points on their own, or educators may prompt students to consider aspects outlined here. This list is not exhaustive, but it can assist educators in interpreting “Felix’s Trial” and framing general class discussion.

**Defendant: Felix**

* Confession: The fact that Felix confessed before his trial and that his testimony during the trial matched his previous confession would have lent itself to a *lighter* sentence, according to *gacaca’s* laws.
	+ However, if Felix’s confession was determined incomplete (i.e. he omitted killing Innocent and the judges believe there is compelling evidence that he indeed killed Innocent) that would indicate a *stricter* sentence is needed.
* Direct Killing: Because Felix directly killed Gregoire, versus being a member of a killing group who did not engage in acts of killing, he may deserve a *stricter* sentence.
* Motivation: Felix described feeling pressured and afraid to commit the killing (demonstrating a lack of intent), which may be grounds for a *lighter* sentence. Also, the fact that Felix admitted his responsibility could be used to argue for either a *lighter* (i.e. Felix was willing to admit he was wrong/he does not falsely claim innocence) or *stricter* (i.e. the admission means he was not compelled to commit the act) sentence.
* Apology/Remorse: Because Felix demonstrated remorse for his actions and apologized publicly, he may deserve a *lighter* sentence.
* One-Time Killer: Because Felix only killed one person (Gregoire), versus being a notorious mass killer, this would lend itself to a *lighter* sentence. However, the *stricter* committee might argue that, although Felix only killed one person, his actions perpetuated the violence in his community and in Rwanda as a whole (including his participation in night patrols).
* Sum of Situational Factors: Because Felix only killed during the genocide, it could be argued that he is unlikely to kill again, perhaps indicating a *lighter* sentence is adequate.
* Pre-Trial Detention: The fact that Felix has already served 10 years in prison during pre-trial detention might lend itself to a *lighter* sentence.
* *Note: Students who have previously conducted Activity 1 might invoke other personal, social, or situational factors relevant to Felix’s case not elaborated on here.*

**Witness 1: Marcel**

* Corroborating Testimony on Gregoire: Marcel affirms that Felix’s confession/testimony about Gregoire’s killing is true and accurate, based on his eye-witness account.
* Felix’s Motivation: The fact that Marcel heard Felix brag about killing Tutsi might be interpreted as evidence of Felix’s intent to commit killings during the genocide (and point to a deeper genocidal ideology), supporting a *stricter* sentence.
* Accusation of More Killings: Marcel claims that Felix told him about committing more killings, which may indicate that Felix’s confession was incomplete.
* *Note: During gacaca, members of killing groups could provide evidence about crimes committed by their comrades during the information gathering procedures or even at their own trials.*

**Witness 2: Samuel**

* Corroborating Testimony on Gregoire: While Samuel did not see Felix the night of the killing, the details he provides are consistent with both Felix and Marcel’s accounts of the crime (including the manner in which Gregoire was killed).
* Extermination of Family: The fact that Samuel’s entire family was exterminated as a result of the killing group’s raid on his house may seem heinous enough to warrant a *stricter* sentence for Felix, in order to provide justice for the victim’s extreme suffering.
* Acceptance of Apology: The fact that Samuel chose to accept Felix’s apology during the trial may lend itself to a *lighter* punishment, by indicating that Samuel is not interested in strict retribution (although his feelings are ambiguous given the testimony).

**Witness 3: Edouard**

* Accusation of Killing Innocent: Edouard accuses Felix of committing a killing that he did not confess to. If this is deemed credible, then Felix’s confession would be considered incomplete, warranting a *stricter* sentence.
* Corroborating Marcel’s Accusation: The details of Edouard’s accusation track with Marcel’s account that Felix killed others besides Gregoire (i.e. the alleged killing took place on night patrol).
* Added Evidence from Activity 1 (if conducted): The details of Edouard’s accusation match the lie that Felix told to his Hutu friends in the bar the night of Gregoire’s killing (i.e. that he killed several Tutsi on night patrol and dumped them in a ditch, where Edouard says Innocent’s body was found). If it is argued that Felix lied about the other killings, this might demonstrate that he is innocent of Innocent’s killing.
* *Note: It was not uncommon during gacaca trials for more than one accusation to be leveraged against a defendant, and some defendants would admit to certain crimes and claim innocence in others. Witnesses could make false accusations due to a lack of knowledge, but they could also be motivated to fabricate crimes by other grudges/grievances against defendants. Edouard thus provides some nuance to Felix’s case and illustrates the difficulties of determining the “truth” on mostly hearsay.*

**Witness 4: Odette**

* Felix Rescued: By testifying that Felix rescued her during the genocide, Odette implies that Felix did not have a strong genocidal ideology or hatred of the Tutsi, because he chose not to kill her. This, combined with the fact that Felix’s family provided a home for Odette after she was orphaned (i.e. repaying/relieving the suffering of victims after the genocide), may support a *lighter* sentence for Felix.
* Refuting Edouard’s Accusation: Because Odette says that Felix took her to his home *immediately* the night of the church massacre, it seems unlikely that Felix could have killed Innocent that same night. Odette’s testimony might therefore be used to argue that Edouard’s accusation is false, and Felix’s confession was complete.
* Corroborating Testimony on Gregoire: The fact that Odette observed Felix coming home late around the time Gregoire was killed might be interpreted as evidence confirming the other accounts of that killing.

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