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Fighting Corruption while Undermining Accountability: The Case of Rwanda

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ABSTRACT

In recent years, Rwanda has been praised by a large number of donors and development experts for its recovery from the 1994 genocide, sustained economic growth and improvement of many socioeconomic indicators, partly achieved thanks to massive aid flows. A key feature of Rwanda's progress is often considered to be governance and particularly anti-corruption: the country is generally regarded as one of the least corrupt in Africa and a success story in reducing corruption. This paper aims to analyze the state of corruption and the wider governance context in Rwanda, attempting to evaluate whether the country's governance regime is an open access order characterized by ethical universalism, a limited access order dominated by particularism, or a hybrid. After providing an overview of the country's anti-corruption framework, the paper analyses a number of governance aspects and assesses the incidence of different forms of petty and grand corruption in a bid to ascertain to which extent claims of Rwanda as an anti-corruption success story are well-founded¹.

KEYWORDS

Rwanda, Corruption, Anti-Corruption, Governance, Accountability

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¹ This paper builds on, and further develops, Bozzini, A. (2013). Successes and limitations of a top-down approach to governance: the case of anti-corruption in Rwanda. ISPI-Istituto per gli Studi di Politica Internazionale, Milan, Italy

ACRONYMS

UNDP	United Nations Development Programme
CPI	Transparency International's Corruption Perception Index
RPF	Rwandan Patriotic Front
RTL	Radio Television Libre des Mille Collines
CSOs	Civil Society Organizations
CVL	Crystal Ventures Limited
RPA	Rwandan Patriotic Army
MMI	Military Medical Insurance
ZIGAMA	Military Micro Finance Cooperative Society
RIG	Rwanda Investment Group

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I. Introduction: from the ashes of genocide to development model

Rwanda made international headlines in 1994 when the genocide, one of the worst tragedies since the end of World War II, claimed an appalling number of victims, left the country shattered and exposed the international community's indifference. In spite of the somber image associated with such a calamity, Rwanda has been able to change its reputation in recent years and, thanks to sustained high growth rates, has increasingly been seen as a development model. Improved governance and political stability are often quoted as key reasons for the country's economic success.

The objective of this paper is therefore to provide a qualitative analysis of the state of governance and corruption in Rwanda and then draw some conclusions and establish lessons learnt. This is in line with the central objective of the ANTICORRP research project to investigate and explain the factors that promote or hinder the development of effective anticorruption policies and impartial government institutions. Rwanda has been selected for a case study because it is one of the countries which seem to be doing better in controlling corruption than their modernity indicators would suggest, following the intuition that "if we know a society's degree of modernity [...] we can predict to a large extent (two thirds or a bit more) how 'corrupt' or free of corruption that particular society is" regardless of other factors (Mungiu-Pippidi et al. 2011: 5). The analysis is largely inspired by the indicators and diagnostic questions proposed by the ANTICORRP project and tries to answer the question "whether corruption is the exception or whether it is the norm" (Mungiu-Pippidi 2006). It also tries to assess where Rwanda stands in the continuum between ethical universalism, a regime characterized by the equal and fair distribution of public goods to all citizens, and particularism, an extreme form of clientelistic relationship; or between open access order (a State autonomous from private interest, characterized by individualism, transparency, political equality, participation) and limited access order (Mungiu-Pippidi et al. 2011: 8-12).

The paper builds on the author's first-hand experience living and working as an anti-corruption practitioner in Rwanda, on direct observation, on countless informal interactions and exchanges of views, as well as on a number of targeted, formal interviews of a diverse range of local and foreign resource persons and a review of primary and secondary literature. The paper is structured as follows: after an introduction on Rwanda and its anti-corruption framework, the analysis will look at power distribution, accountability bodies, independence of state bureaucracy, separation of the public from private interest, service delivery, transparency and citizen participation. Finally, it will propose some conclusions and lessons learnt.

A note of caution is needed when introducing a paper on Rwanda. Observers and analysts focusing on the country tend to have rather polarized opinions: some hail almost uncritically the impressive economic growth and the improvements of many development indicators, while others expose an appalling record on human, civil and political rights often without mentioning any positive side. While this bipolarity is partly due to “exaggerations and mistakes on both sides” (Golooba-Mutebi and Booth 2013: 5), it is the author’s view that Rwanda indeed presents an intrinsic complex reality, due to its peculiar history, and that “Rwandan society struggles with the reality of their country’s conflicting complexity” and thus researchers should “do likewise, analyzing the contradictions, noting successes in the same articles that denote failures, and addressing the contrasting voices and arguments” (Stys 2012: 718). That is what this paper intends to do.

II. Main Part

1. State of Governance

Rwanda is a small landlocked country located in central-Eastern Africa. A former Belgian colony², its population, according to the 2012 census, is estimated at around 11 million spread over 26,338 square km, making it Africa’s most densely populated country. Its GDP is estimated at \$15.74 billion while its GDP per capita is estimated at USD 1,500 (see CIA World Factbook 2012). Despite progress, 44.9% of the population still lives in poverty and 24% in extreme poverty (see National Institute of Statistics 2012), while the UNDP Human Development Index 2012 ranks Rwanda 167th out of 187 countries.

Since the 1994 Genocide, which was the culmination of a civil war and saw the killing of at least 800,000 ethnic Tutsi and moderate Hutu, Rwanda has made remarkable progress in many fields. Even though many indicators of progress are based on surveys carried out within the country, which raises doubts on the reliability of the findings given the perceived “high degree of self-censorship among the Rwandan peasant population” (Ingelaere 2010: 53) and the fact that often researchers “are guarded” (Stys 2012: 720), it is still undeniable that Rwanda has registered positive developments in many fields. The country is at peace and is often considered “among the most stable on the continent” (see World Bank’s 2009-2012 Country Assistance Strategy). Its GDP has registered an average annual growth rate of 7-8% since 2003, hitting 8% in 2012, making it the world’s 10th fastest-growing economy in

² Rwanda was actually a Belgium-administered UN trusteeship; it gained independence in 1962

the 2000-2010 decade. Extreme poverty is reported to have decreased dramatically³. The World Bank Doing Business reports indicate that Rwanda improved its world ranking by almost 100 positions from 150th in 2008 to 52 in 2013. A number of socio-economic indicators, including school enrolment, life expectancy, child mortality and prevalence of HIV, have significantly improved (see World Bank's 2009-2012 World Development Indicators) and the Human Development Index has reflected such improvements⁴.

An important contribution to these achievements has been made by foreign aid, which has been injected in large quantities by donors since the aftermath of the genocide making Rwanda a so-called "aid darling"⁵; while a discussion on why donors invest so much on Rwanda is well beyond the scope of this paper, the reasons are likely to include guilt for the international community's inaction during the genocide, genuine appreciation of the country's efficiency at managing aid and achieving poverty-reduction results, the Government's ability to use "donor-friendly language and positioning" and donors' "desire for African success stories" (Zorbas 2011). What is important to stress here is that overall, thanks to its performance of recent years in economic growth and socio-economic fields, many observers now consider Rwanda a clear success story and even a development model for other countries⁶.

2. Mechanisms: Anti-corruption as key to Rwanda's perceived success

One of the key reasons behind Rwanda's improvements of the last few years, as well as one of the elements which explain donors' willingness to provide high aid volumes, is considered to be governance. This is usually understood in a way that focuses more on the authority and decision-making, rather than accountability, side of the concept of governance⁷: the Government of Rwanda is commended for its high degree of organization, its capacity to manage resources efficiently and its focus on delivering results. Within Rwanda's governance agenda, perhaps the most celebrated feature is the control of corruption and the

³ According to Government figures, in 2011 44.9% of the population was under the poverty line and 24.1% under the extreme poverty line (down from 56.9% and 37% in 2005/6 respectively) (see National Institute of Statistics 2012).

⁴ Rwanda's HDI was 0.233 in the year 1990, 0.314 in 2000 and 0.434 in 2012. The 2013 Human Development Report ranks Rwanda among the five top HDI improvers since 2000.

⁵ In 2011, official aid to Rwanda reached almost USD 1.3 billion, accounting for around half of the country's national budget, with top donors being the World Bank group, United States, Global Fund, United Kingdom and the European Union institutions.

⁶ It would be difficult to report the long list of organisations and experts who have praised Rwanda's "success story", but we can at least quote the World Bank and development experts such as Jeffrey Sachs and Paul Collier, as well as personalities such as Bill Clinton and Tony Blair.

⁷ The Institute of Governance notes that most definitions of governance "rest on three dimensions: authority, decision-making and accountability"; observers who praise Rwanda's governance usually place more emphasis on the first two dimensions.

country is largely praised for its commitment to fight against graft and for the success that such a fight has reaped: indeed, the majority of analysts, international organizations and business people now consider Rwanda as one of the least corrupt countries in Africa as well as a success story in the fight against corruption.

Before delving into the state of corruption in Rwanda, it is useful to provide a brief overview of the legal, political and institutional framework that the Government has progressively put in place to fight against corruption.

Most observers would say that a key reason – perhaps the main one – behind Rwanda’s progress in this field is what is commonly referred to as the Government’s “political will” to fight corruption, that is a commitment from the country’s top leadership to pursue this fight as one of the national priorities. This has been translated into the establishment of a number of new laws and institutions. On the legal side, the key document is the law n° 23/2003 on prevention and repression of corruption and related offences but a number of other laws include commitments to the fight against corruption, particularly the penal code in articles 220-227, while Rwanda has also signed and ratified most international anti-corruption conventions. On the institutional side, the Government established several bodies including the Office of the Ombudsman, the Rwanda Public Procurement Authority, the Office of the Auditor General, the Anti-Corruption Unit in the Rwanda Revenue Authority and the Public Procurement Appeals Commission. Moreover, a number of high authorities of the country must disclose their assets, in 2011 the Public Accounts Committee was established within the Parliament and on 13th June 2012 the Government approved the National Policy to fight against corruption, which formalizes the so-called “zero tolerance” approach. More recently, a Whistleblower Protection Law was approved in September 2012, while many public institutions have codes of conduct. Furthermore, both politicians and civil servants have been prosecuted when allegations of corruption were brought against them, including several cases of high-ranking officials being forced to resign, dismissed or prosecuted when accused of involvement in corruption cases⁸. Government institutions, particularly the Office of the Ombudsman, have also launched sensitization campaigns and initiatives to raise the population’s awareness of the negative consequences of corruption, including an annual “anti-corruption week”. Finally, top politicians such as the President or the Minister of Local Government often include calls to embrace integrity and reject corruption in their public speeches as well as when they address local leaders. Overall, then, the formal political and institutional framework currently in place seems to be adequate and appropriate to fight against corruption.

⁸ However, some analysts believe that such cases might also serve the purpose of “removing personnel who are out of line politically” (Bertelsmann Transformation Index 2012 for Rwanda, p. 26)

3. Trends

While many analyses and surveys concur on this, Rwanda's progress is perhaps best illustrated by the country's performance in Transparency International's Corruption Perceptions Index (CPI)⁹.

Figure 1. Evolution of Rwanda's CPI score from 2007 to 2011

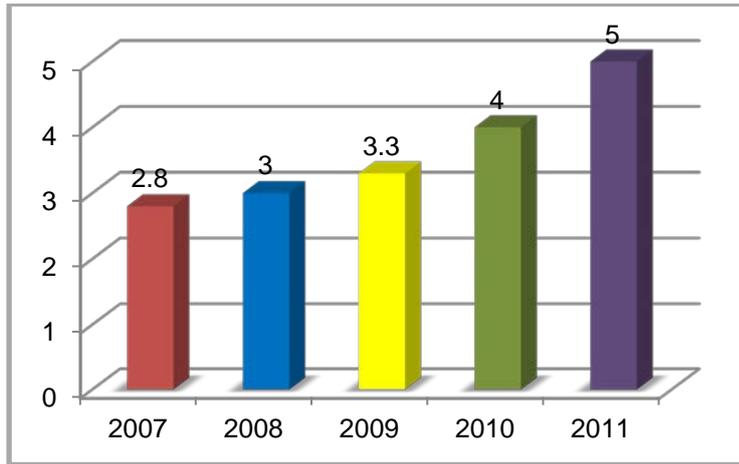


Table 1. CPI 2012, African countries

Rank	Country	Score
30	Botswana	65
39	Cape Verde	60
43	Mauritius	57
50	Rwanda	53
51	Seychelles	52

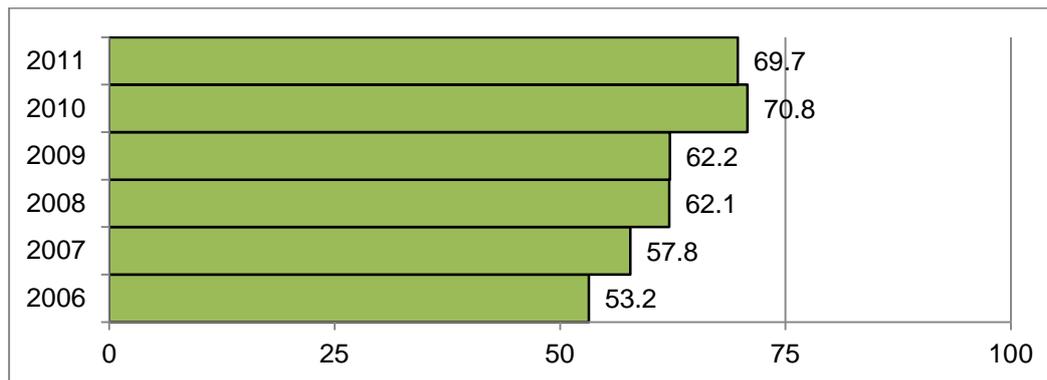
The figure shows how Rwanda has made quick and steady progress in the CPI, improving its score from 2.8 in 2007 to 5 in 2011, becoming the fourth best performer in Africa and 49th worldwide (out of 183). The CPI methodology and scale were substantially amended for the latest edition, making it difficult to compare results, however in 2012 Rwanda was still Africa's fourth best performer and 50th in the world with a score of 53 over 100, as shown in Table 1.

The World Bank's control of corruption index¹⁰ confirms this positive trend, though perhaps less spectacularly, and shows a clear improvement from 2006 to 2011, as shown below.

⁹ Compiled annually, the CPI ranks countries based on how corrupt their public sector is perceived to be. It is a composite index drawing on data from a variety of institutions; until 2011 countries used to score from 0 (very corrupt) to 10 (very clean) but in 2012 the methodology was amended and the scale became 0-100.

¹⁰ Like the other World Bank's World Governance Indicators, this index is based on several data sources reporting the perceptions of a large number of survey respondents and expert assessments worldwide.

Figure 2. Evolution of Rwanda's "Control of Corruption" score from 2006 to 2011



It is interesting to point out that the fight against, and the decreased incidence of corruption is often if not always mentioned among the key successes of Rwanda and of its current Government. Local officials, foreign observers and international organizations mention this "success" in their interviews and reports. Corruption is undoubtedly high on the Government's agenda and authorities are indeed very active in this field. However, while it is certain, and very positive, that the Government is genuinely committed to the fight against bribery and embezzlement, it is also quite evident that the fight against corruption also serves a purpose of projecting a positive international image as a country which is honest, efficient, modern and good for business and investment. Many foreign observers appreciate that and take the success against corruption for granted, praising the Government without questioning whether the official narrative might or might not be exaggerated¹¹.

In any case, corruption often makes the headlines in the media¹² and consequently awareness among ordinary citizens has also increased. However, by observing speeches by top politicians as well as answers of ordinary citizens to surveys, it is clear that corruption in Rwanda is identified almost exclusively in monetary terms: citizens are mostly concerned about bribery as the most immediate form of corruption which can potentially affect their everyday lives and the provision of basic services, while the country's leaders often urge public officials to abstain from demanding bribes, embezzling public funds and mismanaging resources. Other and perhaps more subtle, but not less damaging, forms of corruption are largely absent from common perception and from the political debate, at least in public. These concepts will be dealt with in more detail later in the paper.

¹¹ A good example of this attitude is the CNN interview with President Kagame on 12 June 2012 when journalist Fareed Zakaria's first question was "How did you create a culture or is it institutions or is it laws that have made corruption decline so dramatically?" This was followed by two more questions in the same celebratory – rather than investigative – tone, taking the Government's success in controlling corruption for granted.

¹² Particularly pro-government media outlets, as media freedom in the country is limited, as explained in a paragraph below.

4. Detailed Diagnosis:

In order to assess the state of corruption in a country in all its forms and the extent to which the Government and other actors have been successful in tackling it, it is useful, instead of focusing on incidence of corruption and anti-corruption measures only, to examine the broader governance system. Thus, a number of governance aspects will be analyzed in the following paragraphs.

Power distribution

As in many other countries, power in Rwanda is unevenly distributed. While many observers would concur on this, it is much less obvious to identify which group or network is the most powerful. Some would point at the ethnic factor, indicating that Tutsis would generally have more power than Hutus (Cooke 2011: 12); this is an extremely sensitive issue, given the past of ethnic tensions and hatred which culminated in the 1994 genocide when a Government dominated by extremist Hutus tried to exterminate Tutsis (and the moderate Hutus who dissented), and is a difficult topic to investigate because the current authorities are understandably promoting the idea of “Rwandanness” beyond ethnicity and are extremely strict in preventing any discourse or research based on ethnic groups. Others would say that the most powerful group is the Rwandan Patriotic Front (RPF)¹³, the ruling party. Some point to language as the key cleavage, implying that English-speaking Rwandans (mostly former Tutsi refugees in Anglophone countries such as Uganda and Kenya who returned to the country after the genocide) are advantaged in public administration and private business over French-speaking citizens. Finally, some observers interviewed indicated President Paul Kagame himself as the dominating figure, with his power and charisma, deducing that his personal allies and aides would be the most powerful group in the country.

Each of these views can be at least partly refuted. Those disagreeing with the ethnic interpretation would point to the fact that the RPF has fought hard against ethnicity, has members of both groups and is still actively promoting the idea of a country with no ethnic divisions; this view being supported by the empirical observation that there are Hutus in prominent positions in the government¹⁴, in the military and in business. Those rejecting the view of a dominant party would – correctly – note that the RPF is keen on projecting an

¹³ Some elements in the Rwandan diaspora, most notably Tutsi refugees in Uganda, founded the Rwandese Alliance for National Unity (RANU) in 1979. In 1987 RANU became the Rwandan Patriotic Front (RPF). The Rwandese Patriotic Army (RPA), the armed wing of the RPF, fought against the then-Government forces during the civil war and, by taking the capital city of Kigali on 4th July 1994, put an end to the genocide. Since then, the RPF has been the leading force in the Government coalitions that ruled the country.

¹⁴ Although some point out, correctly, that some of the most prominent positions held by Hutus are largely ceremonial positions with little actual power, including Prime Minister, President of the Chamber of Deputies and President of the Senate.

image of an inclusive party leading an inclusive government based on a power-sharing agreement: indeed some Ministers are affiliated to parties other than the RPF, as the Constitution requires that the largest party holds no more than 50% of cabinet posts. Those in disagreement with the language explanation would simply say that the de facto decision to promote English instead of French is strategically motivated in the context of Rwanda's membership of the East African Community and that each and every citizen can learn a language. Finally, one could easily say that the President is powerful just because he is popular and widely appreciated by the population, adding that allegations that he favored his own network are unsubstantiated claims and are contradicted by the cases of fallouts with former allies.

All these counterarguments make some sense and are at least partly true. However, the RPF does enjoy a dominant position. While the current Government is formally a coalition and several parties are officially registered and functioning, there is little doubt that Rwanda is de facto a one-party State. Even the observers who are more positive about the current Government acknowledged in interviews that the power of the ruling party is unmatched and that no other political group can rival or even get anywhere close to the power and resources of the RPF. While the language barrier can (and will in the long term) be overcome, while the ethnic element is a taboo, which is tricky to investigate and while it is difficult to confirm allegations of personal ties with the President, the dominant position of the RPF is quite evident.

The ruling party is not a monolith though, as it includes members from the two main ethnic groups and with different linguistic backgrounds. However, key positions in the Government, army and security structures are all held by English-speaking RPF members. Also, there are policy differences and personal divergences within the party, there have been defections and debates among diverging viewpoints do take place (mostly behind closed doors though). But the party's nearly absolute power is confirmed, directly and indirectly, by a number of elements including: the fact that not only do party members hold key positions, but several interviewees indicated that those top politicians who are not from the RPF often have a party member as deputy to monitor their actions (see Longman 2011); party membership is often considered as helpful to be recruited in public administration; the limited resources, virtually no visibility and almost no presence in remote areas of the other parties; RPF's strong, and in some sectors dominant, position in the economy, as will be explained later; limited space for other groups to express dissent¹⁵ including from abroad¹⁶; RPF's widespread presence in

¹⁵ See Cooke (2011): "Without exception, prominent critics of the RPF are now dead, in prison, or living in exile" (14).

the field down to the most local level, through structures that “mimic those of the state [...] with the result that the lines between ruling party and state are blurred” (see Purdeková 2011); and the extremely large membership of the party¹⁷. On top of that, this situation does not change with elections, as in recent years the RPF has largely won them all: Kagame, as RPF leader, won presidential elections in 2003 and 2010 with the incredible score of 95.05% and 93.08% respectively (see IFES 2014). And everybody expects this to continue, as the debate around the presidential elections in 2017 and the new President is essentially a debate about who the RPF candidate will be, as everybody takes for granted that the RPF candidate, whoever he/she will be, will be the President. All these reasons show that in Rwanda “the party and the Government are the same thing”, as several respondents put it. Therefore, in terms of power distribution, Rwanda is largely patrimonial and presents a rather limited access order. Interestingly, some observe that this concentration of power, as much as the highly centralized State structure, is not specific to the current Government but is a historical and distinctive feature of the country (see Kayumba 2013).

Accountability bodies and mechanisms

Interestingly, while it is generally believed that accountability, transparency and citizen participation are key to fight against corruption, in these fields Rwanda tends to perform significantly worse than it does in the control of corruption. Several indicators consistently confirm this.

Starting with Transparency International’s CPI itself, this is a composite aggregate index which draws on other surveys and studies. It is interesting to note that, in the case of the five sources used for Rwanda, the highest score (77) is given by the World Economic Forum executive opinion survey, which mostly looks at the likeliness of firms to make undocumented extra payments or bribes. On the other hand, the sources which look more at transparency and accountability, such as the World Bank Country Performance and Institutional Assessment, the Bertelsmann Transformation Index and the African Development Bank Country Performance Rating, give Rwanda significantly lower scores: 47, 40 and 47 respectively¹⁸.

¹⁶ In 2011 the British police warned two Rwandan dissidents, living in London in exile, that they faced “an imminent threat of assassination at the hands of the Rwandan government” (Siddique 2011).

¹⁷ Reportedly, ordinary citizens are pressured to join the party. “In the countryside, there is almost 99% if not 100% membership. In town maybe it is little lower, but not below 90%” (Purdeková 2011: 481).

¹⁸ Scores are on a scale from 0 to 100, where 100 indicates the best performance.

Other respected international indices confirm these findings. The 2012 edition of the Mo Ibrahim Index¹⁹, probably Africa's most important assessment on governance, ranks Rwanda at the middle of its ranking, 23rd out of 52 countries, with a score of 53.5 (on a scale where 0 is the worst and 100 is the best). Again, while certain socio-economic sub-indicators are evaluated as very high, others are lagging behind. Accountability and transparency are assessed together with anti-corruption, making it impossible to separate the two aspects, but it is interesting to see how participation scores very low at only 14.6 (and decreasing); judicial independence is also low at 25.

The 2011 scorecard of the Millennium Challenge Corporation, a US Government-sponsored initiative, could not be any clearer in showing the difference between Rwanda's performance in controlling corruption and in fostering accountability. Indeed, control of corruption is the second best indicator of the whole scorecard, with a percentile ranking relative to its income group of 98% (on a scale where 0% is worst and 100% is best), while "voice and accountability" is the worst performing indicator of all, with a relative score of 23%²⁰.

The 2011 World Bank's World Governance Indicators are along the same lines: while on control of corruption Rwanda has a score of 69.7 (on a scale where 0 is the lowest and 100 the highest rank), on voice and accountability the country has a score of 12.2; a very low performance, which – according to this source – has not improved since 2005.

What all these assessments point to is what many could consider as a potential contradiction: a country which has achieved good results in controlling corruption but whose accountability bodies and mechanisms are extremely weak. Indeed the media, civil society, the parliament and the judiciary play a limited role in Rwanda, as explained in the following paragraphs.

Parliament

The Parliament is a key institution to check and balance a Government's power. In Rwanda, however, the Parliament is dominated by the ruling party, the Rwandan Patriotic Front (RPF), which won the parliamentary elections in 2008 and 2013 with 78% and 76% of votes respectively (see IFES 2014). The other parties represented in the Chamber and Senate, as

¹⁹ The Mo Ibrahim Index, established in 2007, is a composite index which groups indicators from 23 data providers into 14 sub-categories, see www.moibrahimfoundation.org/iiag.

²⁰ For each indicator, the MCC scorecard gives the country's score and percentile ranking in its income peer group (0% being worst and 100% being best). The country performance is evaluated relative to the peer group median: scores above the median (50%) meet the MCC performance standard while scores below the median do not meet the performance standard. The 2012 and 2013 scorecard, with a slightly amended methodology, serves the purpose of this paper less well because there is no "voice and accountability" indicator as such.

well as the members designated by special groups or bodies, are more allies than opponents; all parties (except those which were not allowed to register²¹) are constitutionally mandated to be members of a consultative forum (i.e. the National Consultative Forum of Political Organizations), which provides a framework to discuss and then agree on political proposals. While the Government claims that Rwanda's "consensual democracy" is a successful model to unify the country, avoid conflicts and agree on policies, the absence of a formal opposition weakens the Parliament's potential as an accountability institution. The Parliament has strengthened its accountability role in the last few years: the recently created Public Accounts Committee is working hard to summon politicians requesting them to explain alleged irregularities related to public funds, both chambers regularly pose questions to the Government and Ministers answer their queries in Parliament. However, the "consensual democracy" model, where decisions are made by consensus and divergences are debated internally, risks being altered by the presence of a party, which is incomparably more powerful than all the others. A good indicator of Rwanda's de facto one-party system²² is that in the run-up to the 2013 parliamentary elections there was no debate on the outcome of the elections as everybody knew that the RPF would once again gain an overwhelming majority, partly because, similarly to previous elections, opposition parties were not allowed to run. In this sense, an interviewee correctly pointed out that parliamentarians are accountable to the RPF and to the President, and not the other way round, because they know that they "owe" their position to the party and its leader.

Media

Turning to another accountability body, the media played a tragic role in the lead up to the 1994 Genocide, when the then-Government used the infamous *Radio Télévision Libre des Mille Collines* (RTL) as a tool to spread ethnic hatred and incite violence. The consequence is that 19 years later the Government is still reluctant to grant press freedom and to accept open dissent in the media. This is consistently certified by a wide range of observers such as Reporters Without Borders, whose 2013 world press freedom index scores Rwanda 161st out of 179 (and declining); the organization states that press in Rwanda is in a "difficult situation" as "the government exerts strong pressure (though it denies it) on the independent media" and "uses laws against genocide ideology and sectarianism to punish freedom of expression, which leads to self-censorship" (see Reporters Without Borders 2014). The Mo Ibrahim Index

²¹ Longman (2011) describes the banning of opposition parties, such as Parti pour la démocratie et le renouveau (PDR-Ubuyanja) in 2001, Mouvement démocratique républicain (MDR) in 2003, Forces démocratiques unifiées (FDU)-Inkingi and Green Party in 2010 (the latter was able to register in 2013 though), as well as cases of opposition politicians being allegedly harassed, murdered or who fled the country.

²² A local researcher said in an interview that some Rwandans jokingly say that "the other parties are closer to RPF than RPF itself".

confirms this assessment²³. On the other hand, media practitioners themselves sometimes lack professionalism and integrity²⁴. While it is true that many journalists have limited capacity and sometimes focus on futile news or questionable topics, it is clear that the Government exerts strong control on the media and has repeatedly suspended or banned independent outlets (including, temporarily, the BBC Kinyarwanda radio service in 2009) based on vague charges of divisive language, while the media landscape is dominated by state-owned media. Also, some journalists have been murdered in unclear circumstances and many engage in self-censorship (see Freedom House 2011). Radio is the most popular media and new stations have started broadcasting in recent years, but while there are shows in which people call in to report their problems, radios usually avoid controversial issues, let alone criticism, and are closely watched. The result of this difficult environment is that the Rwandan media do not play a strong role in scrutiny and accountability. As a consequence, individual cases of corruption often make the headlines, but politically sensitive issues, or cases involving the top leadership of the country, are completely missing, while investigative journalism is discouraged and thus is virtually non-existent.

Civil society

Another key actor to hold a government accountable is civil society. The situation in Rwanda is similar to what was just presented about media. On the one hand the Government, despite granting formal registration to most national and foreign NGOs, is reluctant to consider civil society organizations (CSOs) as full political actors, seeing them as mere service providers, and allows limited space for them to question and challenge public policies and programs. On the other hand, CSOs are generally weak, highly dependent on foreign donors and have little capacity. They also often have limited independence from the political power, to the extent that CSOs “are almost unanimously tied into or legitimized by Government in some fashion” (see Gready 2011) and even though some “independent CSOs and NGOs exist at national level [...] they react to the Government’s distrust with self-censorship and therefore make little impact”²⁵. Most local NGOs see themselves as partners of the Government rather than counterweight or watchdogs²⁶. As a result, “the state is never challenged by CSOs” and “state accountability is more dependent on political will than on CSO action” (Civicus 2011). Many CSOs are considered to be pro-governmental and some chairpersons of local NGOs

²³ The press freedom indicator ranks Rwanda 48th out of 52 African countries.

²⁴ A study on the state of media in Rwanda (The State of media freedom, professionalism and development in Rwanda: an assessment), commissioned in 2011 by the Media High Council, a governmental body, and UNDP, highlights low levels of professionalism aside limited media freedom. www.mhc.gov.rw

²⁵ Bertelsmann Transformation Index (2012) gives Rwanda’s “civil society participation” a very low score, 3 out of 10.

²⁶ Purdeková (2011) notes, “The mere existence of NGOs and other formal or informal groupings does not highlight how government fundamentally moulds these, by attacking them for perceived dissention, or urging them to cooperate in the work of the state” (493).

are known to be members of the ruling party or very close to it²⁷; in some cases, independent organizations have been infiltrated or co-opted and are now in line with the authorities²⁸. The 2002 NGO law “gave the government wide latitude in authorizing civil society groups and regulating their internal affairs” and authorities “used this power to restrict certain groups and even to expel several international NGOs” (Longman 2011: 31). As a consequence, due to Government’s control and pressure as well as CSOs’ own weakness and self-censorship, a vibrant civil society capable of playing an accountability role has yet to develop in Rwanda.

Judiciary and the Ombudsman

Rwanda’s accountability institutions also include an Ombudsman: an office whose presence is positive in itself and which is playing a commendable, growing and visible role in sensitizing the population about the negative consequences of corruption. However, the fact that for many years the Chief Ombudsman’s position was held by a “top ideologue” and founder of the ruling party²⁹ raises doubt about the independence of the institution, in spite of the man’s reputation as a person of high moral standards and integrity. Similar concerns of limited independence apply to the Office of the Auditor General and, more broadly, to the judiciary: while auditors, judges and prosecutors indeed play a growing role in investigating and judging cases of corruption and related crimes, they tend to track relatively minor issues and hardly ever tackle cases of grand corruption involving high-level members of the ruling party, the Government or the army (see Cooke 2011: 13) and when they do so there are often rumors that the main rationale is to punish those who fell out of line (see BTI 2012: 26). The Office of the Auditor General, for instance, issues an annual report for all the country’s districts, which is well researched, detailed and useful, but while it points to significant levels of corruption and mismanagement, it does not mention the most politically sensitive issues (see Transparency International Rwanda 2011a). In other words, pro-governmental observers often say that in Rwanda there is no impunity, but while it is true that anti-corruption laws and policies are vigorously enforced and punishments are harsh, it remains questionable whether this also applies to top politicians, well-connected entrepreneurs or high-ranking army officers.

²⁷ For example, when some Western donors froze their aid to Rwanda at the end of 2012 following a UN report which accused the Rwandan Government of supporting the M23 rebel group in DRC, several CSO leaders publicly backed the Government and criticised the UN report (see Musoni and Karuhanga 2012).

²⁸ Human Rights Watch has repeatedly denounced this, including recently: “The leadership of the Rwandan League for the Promotion and Defense of Human Rights [known as LIPRODHOR] has been ousted because of its independent stance. People believed to be favorable to the government have taken over the organization in what has become a typical state tactic to silence human rights defenders (see also Longman 2011). Gready (2010) further notes that “RPF cadre, or those with close ties to the government, have infiltrated the top jobs in local NGOs” (90).

²⁹ Interview with former Chief Ombudsman Tito Rutaremara in The Chronicle newspaper on the 9th and 15th January 2012. (Newspaper no longer exists.)

Decentralization

In recent years, Rwanda has launched a decentralization policy which has reorganized and strengthened local authorities; however the multi-layer decentralized structure³⁰ is not aimed at limiting the Government's role through equipping local offices with decision-making power, as most decisions are still taken at central level and most funds are earmarked, but rather at improving the efficiency of service delivery and perhaps at extending state reach and control over the population³¹. This is corroborated by the fact that "locally elected representatives have been displaced by centrally appointed authorities", and thus "locally elected officials [are] mostly powerless" while "the real power lies with appointed executive secretaries who run the elected cell and sector committees" (Ingelaere 2011: 68, 72).

Partly linked to decentralization, the Rwandan Government has in recent years revived "imihigo", performance contracts inspired by a traditional practice from pre-colonial times: local authorities make a vow to higher-level authorities to reach certain development targets in a given time period and progress on meeting the targets is periodically measured. District mayors sign such a contract with the President himself in a ceremony, but imihigo are signed at all levels. While this system has played a role in fostering efficiency and focus on results, it also represents the "upwards" kind of accountability that is typical to Rwanda, as authorities are answerable to their superior hierarchical level, and ultimately to the President, and this is "the inverse of democratic governance where the leadership is accountable to the citizenry" (Ingelaere 2011: 75). In addition, as officials know that a poor performance on their imihigo contract is likely to cost them their job and negatively affect their career, such system might offer an incentive for fraud, altering statistics and forging results in order to mask underachievement.

This analysis of accountability bodies in Rwanda, which shows their weakness³², indicates that the Government, or the ruling party, is virtually unchallenged in its actions; thus, in terms of accountability, Rwanda is again closer to patrimonialism than to an open access order. Luckily, the Government and many top politicians are genuinely committed to their country's development and progress and they also seem to be sincere in their will to fight against corruption, or at least bribery (as will be explained later). However, the determination to fight bribery, and the successes thereof, largely depends on individuals and is only marginally

³⁰ Rwanda's decentralized structures comprise Provinces, Districts, Sectors, Cells and *Imidugudu* (Villages).

³¹ "What we witness is not devolution of power to conceive and decide, just the devolution of implementation [...] through which, sure enough, control becomes more effective [...] Decentralisation [...] has directly strengthened authoritarian rule" (Purdeková 2011: 486).

³² In other words: "National institutions of countervailing power [...] are very much constrained under RPF control and are thus unable to fulfil their potentially stabilizing role as formal channel for national debate and peaceful political competition" (see Cooke 2011: 11).

translated into institutions; this raises serious doubts as to its long-term sustainability but also to the party leaders' genuine political will to extend such a fight beyond petty corruption.

Independence of state bureaucracy

As mentioned earlier, Rwanda is often praised for the Government's capacity to efficiently manage projects, programs and funds, including those coming from donors. This could not be possible without a skilled bureaucracy made up of officials recruited based on merit. At the same time, as explained above, there are also claims, often stemming from head counts, that influential positions are held by those loyal to the RPF, by party members or even by subgroups within the party.

Both claims are correct. On the one hand, the Rwandan Government has introduced many measures to improve transparency in recruitment and to ensure that the best candidates, and not the best connected, get the jobs they apply for. These measures include guidelines on timing and modalities for publishing a vacancy and holding job interviews but also include the provision that a candidate who feels he/she has been treated unfairly can report the case to the Ombudsman or the Public Service Commission, the latter being an institution created precisely in a bid to guarantee neutral recruitment and performance-based evaluation. Despite the limited technical capacity in some fields, Rwandan public administration is relatively efficient, recruitment practices have improved over time and most technical positions, as well as most low- to middle-ranking officials, seem to be indeed recruited based on candidate merit.

At the same time, top officials tend to be politically appointed, as is customary in most countries, but some interviewees also indicated that cases of politically-influenced recruitment, where candidates close to the ruling party or to a powerful leader are favored over the other candidates, do exist. Ethnicity, as noted above, is a complete taboo, but some feel it still plays a role, especially for high-level positions, while others report cases of nepotism. While these practices do not constitute the rule, claims that cases of favoritism (particularly the politically motivated ones³³) are not rare seem to be fair and perceived as a party supporter is probably helpful when seeking employment in the public administration. A good indicator of the extent of politicization of the administration could be the percentage of personnel who are reshuffled at government change; however, as in Rwanda there has not been any alternation in power in recent years, this indicator is difficult to use in this case. In terms of independence of state bureaucracy, then, Rwanda is a borderline or hybrid case, presenting a coexistence of elements of both patrimonialism and ethical universalism.

³³ "RPF structure controls the administrative structure because, after all, the administrators are party members" (Purdeková 2011).

Separation of the public from private interest

The Rwandan state is notoriously very strong and powerful compared to any other institution or group in the country, so it would not be easy for any of the latter to influence the former. Even international donors, which in many African countries enjoy an abnormal power to put pressure on national authorities, find it difficult to influence the Rwandan Government, which is very determined to assert its ownership and priorities (Zorbas 2011).

However, even if no private interest is strong enough to influence or capture the Rwandan state, a closer look reveals that some private companies are actually very much linked to and intertwined with the RPF and thus with the Government and the state. This brings a certain blurring of the distinction between public and private. Interestingly, two papers were written on this topic in 2012, providing a solid basis for a debate on an issue that most people are aware of in Kigali, but which is considered controversial and thus is rarely discussed in the open (see Booth and Golooba-Mutebi 2012; Gökgür 2012).

Today there are three holdings, or conglomerates, of “party-statal”. The largest one, Crystal Ventures Limited (CVL), formerly known as Tri-Star Investments, is a private holding company fully owned by RPF. Having grown out of the production unit of the then-rebel army RPA during the 1990-1994 war, which eventually put an end to the Genocide, Tri-Star got the bulk of its initial funding from wealthy supporters from the Rwandan diaspora. Today, CVL holds a majority stake in 11 companies and a minority stake in several joint ventures, ranging from civil works to real estate, telecommunications and security services, most of which are the leading national company in their sectors. The group’s turnover in 2009, including the minority’s shareholdings, was USD 167 million, representing over 3% of Rwanda’s GDP.

The second conglomerate, Horizon Group Limited, is often referred to in Kigali as “the army’s company”: having received initial capital from the Military Medical Insurance (MMI) and the Military Micro Finance Cooperative Society (ZIGAMA-CSS), it is now a holding run as a private firm but is considered the army’s investment arm and its CEO is seconded by the army. It now has several subsidiaries and joint ventures in a wide range of fields (e.g. the Horizon Group). Finally, the third consortium is Rwanda Investment Group (RIG), a holding company created in 2006 at the instigation of the Government, which is now a holding with both public and private shareholders whose purpose is to raise funds to invest primarily in the construction and energy sectors.

Some argue that these holdings played and are playing a crucial role in getting capitalism started in Rwanda, pioneering investments in sectors that meet urgent social needs and in

which other investors are not interested, paving the way for other companies and thus helping the country's development (Booth and Golooba-Mutebi 2012). Others, on the other hand, believe that the presence and expansion of party-statal is impeding the emergence of "a more inclusive, broad-based and labor-intensive private sector" and ultimately does not enhance growth and productivity (Gökgür 2012). Assessing whether the presence of companies controlled by the ruling party has a positive or negative impact on Rwanda's development is well beyond the scope of this paper. What is important here is to analyze the impact of this distinctive feature of the country on corruption in all its forms.

First of all there is an issue of limited transparency; while most people in Kigali know that some companies are controlled by RPF and the army, and while party officials say "it is no secret" that they run a number of companies and big investments (Kagire 2012), still the websites of the three holdings do not mention RPF anywhere (the home page of Crystal Ventures, fully owned by the party, vaguely states that "the company is wholly owned by Rwandan business people who pooled resources together to meet challenges of economic recovery and take advantage of growth opportunities in a virgin environment"). The audit coverage of Government business enterprises is also limited. Moreover, the issue is considered very sensitive in the country, to the extent that some local NGO representatives declined to answer questions on the issue or denied knowing anything about those companies, while a local researcher said in an interview that it is difficult to talk about this issue in public because "it touches upon the supreme interests of the nation".

The second issue at stake is the potential favoritism that these companies might benefit from. There is a general perception among many local and foreign entrepreneurs that CVL and Horizon companies enjoy preferential treatment when they compete for public contracts, to the extent that some entrepreneurs said that when they see that one of those companies bid, they "do not bother bidding". RPF officials and observers who support the party's role in the private sector deny any favoritism and point to the several bids that their companies have lost as well as to the competition they face from local and foreign (East African, Chinese and Western) companies. It is true that Crystal Ventures and other RPF-controlled companies do not win all the contracts they bid for, that the RPF is very careful to avoid a "winner takes all" image and that Rwanda has made progress in procurement practices and has a comprehensive legal framework in this field. At the same time, in a country where accountability bodies are weak and not fully independent, it is hard to believe that members of a public tendering agency, for example a District, who usually have strong links with the ruling party, are not tempted to favor companies linked to the same ruling party. Moreover, it is quite evident that "the RPF's inner circle has pervasive influence within the Kigali business sector" (Cooke 2011: 16). This, of course, does not necessarily mean that the RPF

leadership manipulates tenders even though many believe that they do exercise undue influence at times, but officials may be enticed to favor CVL or Horizon companies by excess of zeal and desire to please the mighty ruling party; and again, given the limited role of accountability organs, it is ultimately up to them to refrain from misbehavior, instead of being restrained by strong institutions and laws. Another area of potential favoritism is taxation: a researcher who was able to examine the list of top taxpayers in 2010 (no longer available on Rwanda Revenue Authority's website) reports that "only 11 party-statals (less than half of the 25) were among the top 307 large taxpayers in 2010" and that the CVL subsidiary in the food processing sector, Inyange, whose market share is over 85 percent³⁴, "is not among the top taxpayers" while "its two immediate competitors [...], which have smaller market concentrations, do appear on this list" (Gökgür 2012: 27).

Thirdly, even supporters of the party-statals admit that these companies benefit "from decisions to buy goods and services from each other" (Booth and Golooba-Mutebi 2012: 395), as for instance the CVL-controlled café chain buys milk from the CVL-controlled dairy company, their printing house provides printing services to the other companies in the group and a subsidiary of Horizon provides support services to Rwandan peacekeeping troops in Sudan. Indeed, even a superficial look in Kigali shows the empirical evidence that most, if not all, public offices have water bottles from the CVL dairy company, Inyange, and are guarded by the CVL security company, InterSec.

An interviewee argued that the presence of party-statals, and particularly of CVL which is fully owned by RPF, actually reduces corruption risks because the party can use the company's profits to cover its running and campaign costs and thus does not need to raise funds through methods that could involve fraud or bribes. On the other hand, the interconnected relationship of these companies with the ruling party exponentially increases the potential for favoritism in procurement, and while this claim is extremely difficult to prove, the general perception in Kigali is that this happens often, and mentioning two or three cases in which CVL companies have lost a bid does not seem a strong enough argument to counter a general perception of favoritism³⁵. Actually, contrary to the official government line that indicates that corruption is still present at local level while it is almost inexistent at central/national level, several Rwandan researchers as well as foreign observers and international donors indicated in confidential interviews that the issue of party-statals is possibly the main corruption issue of today's Rwanda. It is worth specifying that this does not

³⁴ As indicated by the company's managing director in an interview to The Servicemag, December 2012 www.theservicemag.com.

³⁵ An interviewed researcher noticed that RPF might deliberately allow other business people to win some tenders in order to keep them happy. Moreover, RPF-connected companies do not have the capacity to compete in some advanced sectors

necessarily imply that individuals within the party or the companies have acquired personal wealth illegally thanks to this system; the issue is rather the creation of a mighty center of power controlled by RPF (which adds to what was presented earlier on distribution of power) and the blurring of the distinction between the public and private sectors, with the related weakening of constraints to favoritism, to the extent that some interviewees said that, paradoxically, some private sector in Rwanda is actually Government.

While the presence of such party-statal is the main issue and concern, other elements confirm the intertwined relationship between the public and private sectors in Rwanda. For example, it is quite common to hear in Kigali that a certain hotel or *cabaret* (bar or café) is owned by a Minister or other top politician, and while this is difficult to confirm because the businesses are formally owned by someone else (implying a further problem of lack of transparency), the rumor is likely to be true at least in some cases. Moreover, there is a general perception that proximity to the ruling party is a key element for an entrepreneur to have economic success: it might not be indispensable, as there are some businesses with no link to the party and the Government's commitment to the country's economic development is genuine, but many businesspeople reportedly decide to affiliate to the RPF or to show their support to the party as they feel this could somehow benefit their business. Whether or to which extent this is true is obviously very difficult to assess, but this wide-spread perception confirms the blurring between public and private. On the positive side, though, it is uncommon for politicians and officials to use public funds to cover their private expenses.

To conclude on this complex and controversial issue, it does not seem correct to gather, as one foreign interviewee mentioned, that "the Rwandan state is captured by interest groups", neither does it seem accurate to say that private interests influence the state. However it is safe to say that in Rwanda the state, the Government, the ruling party and the private sector are not entirely separate entities, with obvious problems in terms of separation of powers, risks of favoritism and limited transparency; such a blurring between private and public is a key feature of patrimonialism.

Service delivery

Being less politically sensitive than the issue of the party-controlled companies, corruption in service delivery is a more widely researched and debated topic in Rwanda. In this field, the most common forms of corruption are bribery and embezzlement and, given the relatively small amounts of money involved and the implication of low- to middle-ranking officials, most cases belong in the category of so-called "petty corruption".

Corruption in service delivery is the subject of tight scrutiny by the Government, of harsh sanctions and of calls for integrity as well as sensitization campaigns. Indeed, the widely cited “political will” of the Rwandan Government to fight against corruption is mostly visible in this field. Overall, services such as health, education, water or issue of documents are provided evenly and impartially, with corruption being the exception and not the rule; fear of sanctions or of retaliation by authorities may lead to under-reporting of corruption cases, but it is safe to say that corruption in this field is not institutionalized and that the overall goal is to cater to everybody.

Despite the overall positive situation, petty corruption is however far from eradicated and studies³⁶ show that the police and local authorities tend to be the institutions most exposed to such practices, though they have all showed progress in the last few years and are comparatively much less affected than their counterparts in the East African region³⁷. Service delivery at the local level is widely considered to be at risk, as significant levels of corruption reportedly affect some district and sector offices³⁸. The same applies to the Local Defense Forces, in charge of certain security tasks at a decentralized level, which is often singled out as a relatively corrupt institution. It must be noted here that most local authorities, for example at village level, do not receive any salary and do their job voluntarily, which is one of the reasons why they often request a small bribe to perform their duty. Low salary is also often quoted as a key reason why traffic police usually tops the rankings for the most corrupt institutions. While small bribes have a serious impact on the everyday life of the poor rural population, it is worth stressing once again that petty corruption in service delivery is the exception and not the norm, meaning that in this field Rwanda presents a relatively universalistic and open access order. The Government’s political will, translated into sensitization campaigns and tough punishments, is key to this good result.

Similarly, embezzlement of public funds seems to be quite uncommon and taxpayers’ money as well as foreign aid are generally well managed and usually reach the beneficiaries as intended³⁹. The efficiency and integrity with which authorities tend to manage public funds is mentioned by most donors in Kigali as the main reason why they provide generous levels of aid to Rwanda.

³⁶ Such as Transparency International Rwanda (2012) Rwanda Bribery Index and Transparency International (2012a) East Africa Bribery Index.

³⁷ According to the East Africa Bribery Index 2012, Uganda registers the highest bribery levels in the region with a percentage value of 40.7% followed by Tanzania with 39.1%, Kenya with 29.5%, Burundi with 18.8% and Rwanda with 2.5%.

³⁸ Findings based on the accountability projects that TI-Rw carried out with suggestion boxes in five districts

³⁹ See, among others, TI-Rw’s public expenditure tracking survey on basic education (2012), which did not find any evidence of embezzlement nor of leakage of funds.

Transparency

On top of the limited role played by the accountability organs and bodies, noted above, the concept of transparency, which is one of the key tools in the fight against corruption, is yet to fully develop in Rwanda. Indeed, in spite of efforts to disclose more information about the authorities and their activities and despite a recently adopted Access to information law, the transparency of key issues remains limited: the Open Budget Survey 2012, developed by the International Budget Partnership in cooperation with a local NGO, gives Rwanda a score of 8 (down from 11 in 2010, on a scale from 1 to 100 where 100 is the best score), which is much lower than the global average of 43 for all the 100 countries surveyed and is also significantly worse than the other countries in the region⁴⁰. The survey points out that many key budget-related documents are produced for internal use only and are not published, concluding that “the government provides the public with scant information on the national government’s budget and financial activities during the course of the budget year” and that “this makes it challenging for citizens to hold the government accountable for its management of the public’s money” (see Open Budget Survey 2012: 2). Interestingly, the country which is usually ranked, by far, as East Africa’s least corrupt, appears in this survey as the region’s least transparent, pointing to the same potential contradiction noted when analyzing the weakness of the accountability bodies: A relatively good performance in the fight against corruption in a context of very limited transparency.

Other sources confirm this assessment. Most interviewed foreign expatriates based in Rwanda admitted that it is extremely difficult for them to know “what really happens” behind Government’s doors; researchers complain about limitations of publicly available data (cf. Gökgür 2012: 37); while one interviewee (a local researcher) reported the rumor that in some cases there would be two different versions of Government documents, one for the public and a “real” one with critical elements to be discussed internally. Politicians have to disclose their assets to the Ombudsman, but while this is good practice and a deterrent that deserves to be commended, many believe that some top leaders do not include some of their assets in such declarations knowing that investigations would probably not target them. Procurement, as noted above, and mineral trade from bordering conflict-ridden Eastern Congo are also areas where transparency is somehow limited. Transparency in elections has also been questioned and there are allegations that the Government might have altered the proportions of votes received by some parties (Greene 2011: 17; Longman 2011: 39-40).

⁴⁰ Kenya’s score is 49, Tanzania’s 47, Uganda’s 65 and DRC’s 18. Burundi was not surveyed.

According to some, this tendency to secrecy is a feature of traditional Rwandan culture; indeed it is customary to hear Rwandans use the expression “do not wash your dirty linen in public” and even observers who evaluate Rwanda’s governance system positively point out that “disagreements tend to be expressed behind closed doors” (Booth and Golooba-Mutebi 2012: V). In any case, the more a topic is considered politically sensitive, the less information seems to be publicly available. This is even more true for the military and security forces and Transparency International’s Government Defense Anti-Corruption Index⁴¹ points out the “little public information or debate on the national defense policy”, that “sources of defense income other than central government allocation are only selectively published” and that “there exists no public information on the percentage of the secret budget as part of total defense expenditure”, while “commercial businesses owned by military institutions lack transparency” and “defence procurement oversight mechanisms lack transparency and independence”.

Citizen participation

Besides accountability mechanisms and transparency, citizen participation is often considered another key element to prevent and reduce corruption. Yet again, Rwanda seems to contradict this assumption, as the relatively low level of corruption is matched by an even lower level of citizen participation. Indeed ordinary citizens are reluctant to engage in the public sphere⁴² and the Government itself has acknowledged this challenge, thus stating in official documents (e.g. Ministry of Local Government 2011: 23) the objective of encouraging people to engage more. At the same time, citizen participation is often “directed and controlled” by the authorities (BTI 2012: 22-23) and the Government probably criticizes citizens’ “passivity” in a bid to downplay the limited space it provides for participation, let alone dissent. Public demonstrations are not only restricted but are also unthinkable, and while many Rwandans would say that protesting in the street is not in line with local culture of expressing dissent discretely, it is still noticeable that the only public demonstrations in the last few years have been pro-governmental, raising doubts that they were actually organized by the Government itself⁴³.

⁴¹ According to Transparency International (2012b) Defence Anti-Corruption Index, Rwanda scores fairly poorly and is placed in band D- on a scale where A is the best and F is the worst, meaning that corruption risks in the defence sector are “high”.

⁴² The Mo Ibrahim Index gives Rwanda’s political participation a score of 21.4 out of 100, ranking the country only 46th out of 53 African states. The Economist’s Democracy Index 2012, while overall giving Rwanda a low score (3.36 on a 1-10 scale where 10 is best, 132nd position out of 167 countries, below the other four East African countries), gives a particularly severe score on political participation: 2.22

⁴³ A famous example was in 2008: Rose Kabuye, then Chief of Protocol, was arrested in Germany while on a mission because of the arrest warrant issued by French Judge Jean-Louis Bruguière for allegedly being involved in the shooting of former President Habyarimana’s plane (the event which kicked off the genocide). The Rwandan Government formally protested to German authorities while citizens staged “a mega protest against Rose Kabuye’s arrest and detention” (see Musoni 2008).

An important indicator of citizen participation in the field of anti-corruption is the presence of whistleblowers. The Whistleblower Protection Law was passed in September 2012, a commendable development, which might encourage more people to denounce corrupt practices. However in Rwanda there are no vocal whistleblowers who publicly denounce wrong-doings and the emergence of such figures is very unlikely due to the Rwandan attitude of dealing with such problems discretely but also to the fact that whistleblowers would be tolerated only if they denounced petty corruption not affecting the ruling party or the military. Moreover, while some interviewees stated that citizens increasingly report corruption cases, several surveys⁴⁴ consistently show that few victims of corruption report the occurrence, mostly because they think that they might be harassed by the authorities.

Moreover, in Rwanda's context of upward accountability, ordinary citizens do not have the power to demand resignation of corrupt politicians or exclude them from political parties' lists; these can only be excluded if RPF so decides, and while this reportedly happens, it is once again up to the ruling party's will – and not to the population or to strong accountability institutions – to prevent corrupt individuals from running in elections. On the positive side, there does not seem to be a widespread perception that politicians are corrupt or above the law, however Rwandan interviewees indicated that ordinary rural citizens often fear local authorities and complain that harassment by local leaders is seldom punished.

Interestingly, some observe that limited citizen participation is nothing new in Rwanda; this would be due to the fact that, as a consequence of civil war, exile and the Genocide, other forms of constituency and shelter have weakened (traditional and family ties, regional and religious identities) and “historically therefore Rwandans have tended to revere political power and are passive in political matters” (Kayumba 2013).

III. Summary and Conclusions

This paper attempted to analyze the state of corruption and the broader governance context in Rwanda, a country that has experienced sustained economic growth and is increasingly seen as a development model and a success story in controlling corruption.

The analysis leads to three sets of conclusions. First of all, overall the incidence of corruption in Rwanda is undoubtedly lower than in its regional neighbors, but perhaps the country is not as successful as some believe. The Government's “political will to fight against corruption”, so often mentioned in the country and abroad, seems to be mostly a will to fight monetary

⁴⁴ Such as Transparency International Rwanda's Rwanda Bribery Index 2010 and 2011 and report on Gender-based corruption in the work place (2011b)

forms at low to middle levels. Consequently, there have indeed been achievements but mostly in controlling bribery, mismanagement and embezzlement, particularly at lower levels. While bribery is still present and petty corruption at the local level is far from eradicated, non-monetary forms of corruption are the main issue⁴⁵. Above all, the key corruption problem that remains in Rwanda is favoritism, including at high levels, due to the overwhelming and largely unchallenged power of the ruling party in all aspects of life, which poses a constant risk of preferential treatment and undue influence. In other words, authorities are keen and determined to curb administrative corruption but are much less eager to tackle political corruption.

Secondly, the fight against corruption (or against those selected forms of monetary corruption that the Government wants to eradicate) has been led by the highest institutions of the country and has followed a top-down approach: the establishment of new laws and institutions, the sensitization campaigns and public calls for integrity have mostly come from the highest levels of Government, including from the President himself. While this is positive and important, as it would be impossible to fight against corruption without a commitment by the top leaders, it has severe limitations. In particular, it intrinsically excludes from the fight against corruption those forms that the top leadership does not want to fight such as influence peddling and political favoritism. Moreover, a top-down approach is unlikely to be sustainable in the long term, as it stems from a number of individual leaders rather than being rooted in strong institutions, transparency mechanisms and citizen participation. Indeed, the fact that more and more citizens abstain from corruption seems to be mostly due to fear of harsh punishment rather than to cultural or behavioral change.

Thirdly, the governance system in Rwanda is still somewhere between ethical universalism and particularism, and a borderline case between open access and limited access order. While formal laws and policies are clearly striving towards universalism, and are often comprehensive and commendable, there remains a certain level of informality. A researcher interestingly pointed out in an interview that a large chunk of society leans towards universalism but the very low level and the very high level of society rather tend towards particularism. The perception that scrutiny by the Parliament, the judiciary, the Ombudsman or the Auditor General does not apply to a handful of top political and military leaders, as much as the many cases in which court rulings are wrongly implemented or not executed at all (Transparency International Rwanda 2011a), confirm that informality is still well present next to formal rules and institutions. Similarly, the weakness of accountability bodies, limited

⁴⁵ On top of well-known forms of non-monetary corruption, Transparency International Rwanda (2011b) unveiled “gender-based corruption”, showing that 5% of Rwandans have experienced it in their work place while almost 20% know someone who has been a victim.

citizen participation, unequal power distribution and blurring of public and private mean that Rwanda is far from a fully open access order. It is therefore extremely difficult to give an ultimate answer to the question proposed at the beginning of the paper, i.e. “whether corruption is the exception or whether it is the norm” (Mungiu-Pippidi 2006: 91): while monetary forms of corruption and especially bribery exist but are the exception to the norm, other forms such as favoritism and abuse of power by the Government and the ruling party are more common and are ultimately to a great extent socially accepted as a rule of the game, given the RPF’s unrivalled concentration of power.

IV. Results beyond the empirical assessment

Since Rwandan leaders know that lower levels of corruption ultimately contribute to economic growth, and given that they frequently showcase the achievements in reducing bribery as a public relations tool, there is little doubt that Rwanda will continue to pursue the fight against corruption. However, it is far from sure that such a fight will tackle the issues that have been excluded so far, particularly favoritism and undue influence linked to the role of the party in the economy and its unmatched power. More broadly, it is not clear to which extent the country’s leadership is willing to slowly transition towards a more open and transparent governance system, with more space for participation, free media and independent civil society, but also with stronger institutions free from the party’s influence. The presidential elections in 2017 will offer a good test for the country: if institutions are real, strong and well-functioning, then the President, who is constitutionally banned from running again, will retire and free and fair elections will determine the successor. However if the Constitution is amended to allow Kagame to run again, amid claims that the country would be in danger if the President steps down, then critics who believe that institutions and laws are largely a smokescreen for hidden informal power relations will have proven that their concerns are founded.

Finally, a number of lessons can be learnt from the analysis of the state of governance and corruption in Rwanda. First of all, corruption should be defined in broad terms as encompassing all its forms, including non-monetary ones, as a country might have low incidence of some forms and high incidence of others. Moreover, the case of Rwanda suggests that petty or administrative corruption can in some cases be a very different issue from grand or political corruption, as curbing the former does not necessarily mean reducing the latter. In addition, and perhaps most importantly, Rwanda shows that relative success in the fight against bribery is not necessarily associated, as many would assume, with high levels of accountability, transparency and citizen participation. Hence confirming the need,

when investigating corruption, to analyze the broader governance context of a country: one of the key starting propositions of the ANTICORRP research project.

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Appendix 1

*List of interviewees*⁴⁶:

- Economic advisor, national of an Asian country, based in Rwanda
- Governance advisor, national of a Western country, based in Rwanda
- Journalist and writer, national of an Asian country, based in Rwanda
- Professor, national of Rwanda, based in Rwanda
- Representative of donor in the field of governance, national of a Western country, based in Rwanda
- Representative of international NGO, national of an African country, based abroad
- Researcher and consultant, national of a Western country, based abroad
- Researcher and consultant, national of an African country, based in the region
- Researcher and consultant, national of Rwanda, based in Rwanda
- Researcher and scholar, national of a Western country, based abroad

⁴⁶ The paper is also based on direct observation and countless informal discussions held by the author during his experience working as an anti-corruption practitioner in Rwanda from 2010 to 2013. All interviewees were granted anonymity.



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Project profile

ANTICORRP is a large-scale research project funded by the European Commission's Seventh Framework Programme. The full name of the project is "Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption". The project started in March 2012 and will last for five years. The research is conducted by 21 research groups in sixteen countries.

The fundamental purpose of ANTICORRP is to investigate and explain the factors that promote or hinder the development of effective anti-corruption policies and impartial government institutions. A central issue is how policy responses can be tailored to deal effectively with various forms of corruption. Through this approach ANTICORRP seeks to advance the knowledge on how corruption can be curbed in Europe and elsewhere. Special emphasis is laid on the agency of different state and non-state actors to contribute to building good governance.

Project acronym: ANTICORRP

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