



## Understanding Constitutional Culture in Rwanda through Social Norms and Practices from the Monarchy to the Republic

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### ABSTRACT

*Modern states are constitutional states. This statement normally lets us immediately think of the written document: the constitution. Studying the constitution of a country/nation normally means that we study the written document and its interpretation. With this definition and understanding, we normally end up with a legal and positivist understanding of “constitution”. Constitution is something for lawyers, a set of fundamental rules with normative character. This study sought a wider understanding of the constitution as a set of norms that define a political and social order that is close to the lifeworld of a nation. The study followed a cultural science methodology. Through a triangulation of methods of data collection, including interviews and focus-group discussions with conveniently selected Rwandan historians, politicians, elderly people, artists, the youth, and personnel of museums, a corpus of data was gathered and analysed to describe the Rwandan constitutional culture from sets of norms and practices both traditional and modern. In total, 76 interviews and 5 focus group discussions with a sample of 142 respondents who were purposively selected from 4 Districts of Rwanda provinces (one in each province) and the City of Kigali. The findings underscore a rich and enduring constitutional culture rooted in Rwanda’s traditional governance systems. Social norms such as respect for authority, the rule of law, social justice, dialogue, and state responsibility continue to reflect values embedded in pre-colonial institutions like the Abiru. Besides, it opens the field for empirical-analytical research to learn about the values, mindsets, customs, narratives, and everyday practices that constitute a people. In conclusion, this study shows a deeply entrenched constitutional culture in ancient Rwanda. The study recommends that indigenous norms of respect of authority, dialogue, and social justice embedded in traditional governance sustain the value of legitimacy and ownership of the constitution by the citizens, hence, they should be integrated in the constitutional discourse on civic education, and the interpretation of the modern constitution in the modern context by policymakers and constitutional scholars. In addition, to promote constitutional literacy and promote national identity, unwritten constitutional norms should be part of the education curriculum- as it is for written constitution- as a way of shaping political behaviour through narratives, mindsets, and lived experiences. Moreover, to foster the role of historical governance, museums, cultural centers, and artists should be engaged as active partners in promoting constitutional awareness by showcasing practices and values that serve as important factors that influence Rwandan society today.*

**Keywords:** Constitution, Culture, Social Norms, Social Practices

### I. INTRODUCTION

Different schools of thoughts have defined constitutional culture, but the one summarised by Javier and Hall (2023) refers to it as the concept encapsulating the collective rules and expectations that govern the collective life within a jurisdiction. Significantly, these shared norms have both legal and social elements, including, to name but a few, matters as diverse as standards of parenting, the modus operandi of police officers, and taboos around sexuality. Throughout the history of the United States, for instance, more than a hundred years before the American Revolution, colonists pledged their lives and livelihoods to the defense of local political institutions against arbitrary rule (Weimer, 2023). This shows how they expressed this constitutional culture through a set of well-rehearsed practices fast days, debates, committee work, and petitions (Weimer, *Ibid.*). The establishment of the constitution is a matter of purpose

for modern nations after World War II (Yoyon et al., 2019), and it encapsulates the principles of organisation of the nations and states in terms of being the legal source.

Therefore, apart from written agreements in the constitutions, the reality is that some unwritten principles in the societies through practices and habits that have been kept for long time also make part of laws in the communities (Fauzan, 2008) as it can be depicted in some countries such as the United Kingdom where habits, traditions, customs, practices and usage make are part the States Law.

It is argued that constitutional traditions are formed over several generations and therefore always reflect the fundamental specificities of a sociocultural system (Kokina, 2022). The meaning of the Constitution of the United States emerges from adversarial arguments and judicial opinions that make up the legal culture. It is less appreciated that the constitution is also expressed in the institutions' behaviours and understandings that form the general political culture (Nagel, 1989). The US Constitution was likened to a tree by David Strauss, and the metaphor of a living tree denotes that the constitution is living or organic (Strauss, 2010). Strauss (2010) further asserted his conviction that the constitution in the US is not its text but a living and growing thing beyond the text that has evolved through common law decision-making.

On the other hand, the British constitution consists only in part, although not the great part, of judicially declared doctrines concerning individual rights. It is composed of vaguely delineated inheritance of traditions, usages, understandings, customs, and self-denying ordinances that have evolved over centuries of experience. Its ingredients and contours have been shaped more by political than by judicial actors; by the Crown, the cabinet, parliament, and even, on occasion by the established church, the universities, and the authoritative commentators, both academic and journalistic. The understandings that emerge from practice are often not fixed or precise, but meaning needed not be formalized to be real (Nagel, 1989). Cuskelly (2010) studied the reflection of customs or the recognition of customary law by constitutions of various countries around the globe and found that indeed the highest level of recognition of customary law is found in African constitutions. Some of these constitutions expressly refer to the duty of the state to protect and promote culture and traditions. They mostly recognize and uphold customary law relating to family matters and ownership, especially of land. Moreover, many constitutions from other regions of the world, including Europe and North America do recognize the importance of culture. However, how much their provisions draw from culture and traditions remained largely unexplored.

The examination of the Rwandan constitutional system takes into consideration different periods of history to give a comprehensive foundation to its background. Such periods mainly relate to the monarchy era, the colonial and post-colonial periods. The latter encompasses different constitutions and their amendments, as well as other legal frameworks, agreements and fundamental laws whose role was to establish the national political order: constitutions of 1962, 1978 and, 1991; the Arusha peace agreements and fundamental laws, and the 2003 constitution as amended to date (Ankut, 2005).

Evidence from historical archives and recent research on the constitutional culture in Rwanda shows that the life of a nation was built on the powers of the king (Umwami) who exercised his authority by means of a ruling system based on the rules and procedures, with no written document acting as a constitution (Schabas & Imbleau, 1997). Although the law (*itegeko*) had its own meaning and was understood from the way it acts in today's scenarios, it was "a solemn act by which the king introduced a new custom or abrogated an old one". During a special ceremony and in public (*ku karubanda*), the new "*itegeko*" (law) was publicly declared by the king in the presence of the chiefs surrounding him. These had in turn to communicate the decision of the king to the populations by means of other local authorities (Ankut, 2005). If that could be taken to today's terms of political, legislative, judicial and executive powers, they were all in the hands of the king.

With regard to the development of constitutional advancement in the colonial era, the fact is that the introduction of fundamental laws in the country by Germany and Belgium devoted little attention to local needs, nor did the introduction of the "real constitution" take place. Although the indirect rule did not initially interfere with local institutions, it emerged to notice a gap between local ordinary populations and colonial authorities because the latter exercised their power through acts as auxiliaries of the colonial masters (Kamanga, 2008). Under the Belgian occupation, the first administrative document was approved in terms of organic law that aimed at combining the administration of Burundi, Rwanda, and the Belgian Congo in 1925 (Schabas & Imbleau, 1997). The Colonial Charter seems to be the most important document after that period because it was considered as the constitution in the Belgian colonies. However, it was also considered that special codes and laws applied in the Ruanda-Urundi territories, with no attempts to codify customary law sought to avoid imposing Belgian legislation on Rwanda (Schabas & Imbleau, 1997). It is also to be noted that colonial rule is criticised for having radicalised Hutu the ethnic group instead of initiating the development of constitutionalism process for the overall administrative purposes based on the rule of law (Schabas & Imbleau, Ibid.).

Apart from the administrative-related practices that referred to the rule of law for the purpose of the life of the nation, constitutional culture in Rwanda before the independence -as this came along with the early initiation of

constitutionalism with the first written constitution-was also revealed through other practices. For instance, the judicial system recognised that the resolution of conflicts and other related issues was settled through the “Gacaca” (justice on the grass) system. In fact, “Gacaca” refers to a soft plant on which the people preferred to sit to resolve issues pertaining to society. In such gatherings, order and harmony could be restored (Minow, 1998). Therefore, under these circumstances, the lowest units of the society through the wise men were entitled to hearing the issues and making efforts to resolve them before taking them to the Umwami (King) who was entrusted with knowledge, justice and power with assistance of the Abiru (the guardians of knowledge) (Minow, 1998). Attached to the culture, the citizens also believed in the values learned and practiced in “Itorero” which was a cultural safeguarding mechanism especially aimed at inculcating such values in the youngsters for them to get prepared for adulthood (Nzahabwanayo, 2018). All these norms, traditions and practices guided the ancient administration of the nation, coupled with some challenges of globalisation.

This study examines the phenomenon of constitutional culture in the Rwandan context and, generally, it attempts to enlarge the scope through the practices of national cohesion and integration. Apart from understanding how people in Rwanda give meaning to their political, social, and private lives, this study aimed at getting the insights on the value system that traditional and modern practices of community life rests on by answering the following question: What does the common Rwandan man or woman mean exactly when they imagine a nation in the ancient Rwanda? What are the views of different categories of Rwandan citizens on how the traditional society exercised power, and what were the sources of administrative decisions and practices? Was the constitutional culture viable through the Rwandan social norms and practices?

### 1.1 Statement of the Problem

In the international literature, Rwandan culture is still mainly described and judged by non-Rwandan authors. The most influential publishing houses and journal editing boards are dominated by North American and European authors and not by Africans (Salager-Meyer, 2008). It is hard to imagine that US-American, French, or German history, culture, and political practices were mainly understood, described, and judged by Rwandan or Kenyan authors. For this reason, this research project aims at a thorough analysis of Rwandan constitutional culture based in Rwanda.

Normative statements about culture grow out of a certain historical-cultural background (Fischer, 2008). If they are transplanted to a different historical-cultural setting, they cause misunderstandings and misjudgments. The result of this misunderstanding is documented in the influential indices of Freedom House or Bertelsmann. There is a need to explain Rwandan culture from within and out of its own cultural-historical traditions, where it comes from, and which reference points it has.

The scholarly question that must be addressed in this context is the validity of normative statements and their relation to culture and history. This debate leads back to 19<sup>th</sup>-century European political philosophy and divides international normative philosophy until today into those who follow Kantian universalism on the one side or Hegelian cultural contextualisation on the other. There are similar debates in Africa about norms and culture (Mamdani 1990) and the role of community/communitarianism and individualism in African political theory (Martin, 2012, Onyebuchi, 2008). Cultural science approaches have the advantage that they do not impose value judgements on material, they do not work prescriptively. This methodology allows for investigation of norms and value judgements as the results of cultural and socio-political processes. It follows the conviction that norms emerge from practices or need at least to be connected to social practices if they want to become influential for human behaviour. These norms can be found through observation of community practices and the stories people tell themselves about their lives and histories. How do people in Rwanda give meaning to their political, social, and private lives.

This leads in the end to an independent voice of storytelling in Rwanda that acknowledges the deeper roots and traditions in the same way as the traumatic experience of the total decay of order and humanity during the genocide in 1994.

### 1.2 Research Objective

This study was undertaken with the objective of describing the Rwandan constitutional culture from sets of norms and practices.

## II. METHODOLOGY

### 2.1 Design and Approach

The study followed a cultural science methodology that contrasts with scientific and normative approaches that normally impose a certain understanding on reality and judge it according to the expected general outcomes. Using both ethnographic and phenomenological designs and approaches, it has been first and foremost interested in

describing and understanding a local political experience. The study examined inter-generational changes in Rwandan norms; morals and folkways that together help to elucidate what it means to be a good person and to live a good life. Therefore, the research was based on the sociological observation that norm transfer and maintenance (how children are raised to be 'good') is more overt - and therefore researchable - among the citizens.

Cultural science approaches have the advantage that they do not impose value judgements on material, and they do not work prescriptively. This methodology allows us to investigate norms and value judgements as the results of cultural and socio-political processes. It follows the conviction that norms emerge from practices or need at least to be connected to social practices if they want to become influential for human behaviour. These norms can be found through observation of community practices and the stories people tell themselves about their lives and histories. The underlying assumption in this study is that norms, when they are merely written in a document, have no regulatory power. Only if they rest on cultural sediment can they have an impact. This is what has been referred to as constitutional culture. Norms need to rest on cultural practices to become influential and steer people's behaviour.

## 2.2 Population and Sample

We conducted the study in the settings where the constitutional culture can be understood and examined, especially in the political spheres where the community can relate the current constitutional practices and the ancient Rwandan practices that have the values of a constitution. As for that, the study was conducted among other participants from institutions such as Rwanda Heritage Academy and the National Council of Elders, the Parliament, and the Senate. In addition, it was conducted among the "Abunzi" mediators, who are the members of the Rwandan traditional judicial system, which is based on moral citizen values. We also conducted the study among other members of the society, including researchers, singers, and artists. In total, we conducted 76 interviews and 5 focus group discussions with a sample of 142 respondents who were purposively selected from 4 Districts of Rwanda provinces (one in each province) and the City of Kigali. All the study participants were expected to have knowledge of the current constitutional practices and their relationship with the ancient Rwandan practices that can be assimilated with the constitution.

## 2.3 Conceptualisation of the Research Variables

The concept of constitutional culture was used to refer to several concepts ranging from music and the lyrics of songs to stories, fairy tales, narratives, and other manifestations of culture like everyday practices, social behaviour and rules and norms that a society sets itself to function in an ordered fashion. The constitutional culture has two dimensions: a functional-instrumental dimension, like, for instance, the meaning of "transport" and "information" or "to organize political processes". The second dimension can be named symbolic. It transports values, expectations, ideas, and emotions. The general assumption of our theory was that without a symbolic dimension, the functional part of the constitution may not function. The symbolic part guarantees the glue that binds the citizens to the constitution (Schmidt 2012a; 2012b; 2015). There is a need to explain Rwandan culture from within and out of its cultural-historical traditions, where it comes from, and which reference points it has. The questions of normative character are embedded in everyday practices like mutual assistance, acts of solidarity, financial support of family members, or stories that people tell (narratives) on different levels of family histories, or can be found in speeches held for national heroes, or religious contents, prayers, church choirs, or songs that are transmitted from generation to generation. Briefly, it was expected that in both narratives and practices, one could find sets of norms of the "good life".

## 2.4 Data Collection and Analysis

Our data came from both secondary and primary sources. The secondary source of data included the bits and pieces in archives (Kandt-Museum, Ethnographic Museum, National Archive, Church Archives), which provided some accounts of the Rwandan "belief system" and shared understandings. Apart from this, we conducted interviews to gather the material while interrogating the citizens as far as their political, social and ethical beliefs. In total, we interviewed 76 individuals and conducted 5 focus group discussions from the above-mentioned categories. The data analysis was built on the discourse and thematic analysis procedures, where the researchers would explore and analyse popular narratives on the good life and on the right way to do things.

## 2.5 Trustworthiness of the Data

To ensure the trustworthiness of data and to adhere to the principles of credibility, authenticity, transferability, dependability, and confirmability, the researchers undertook important steps applied for such a purpose in qualitative research (Guba, 1981; Moradi et al., 2020; Shenton, 2004). We developed the instrument based on existing literature. Counter verification of the data collection tools was done to ensure that all elements were captured. During the data collection process, we referred to a probing mechanism that all possible details on the data could be explored. We also ensured paraphrasing of each respondent's submission during the interview session to maximize assurance of data

correctness. In addition, all details that can permit comparisons of the study results with other studies with similar findings and the understanding of the study findings were provided: participants, design and approach, and the procedure for data collection and analysis. We enhanced reliability by checking for the stability of responses throughout the interview datasets, and this was enhanced by the fact that we used field notes along with recording the interviews into digital files that were later transcribed into word texts.

### III. FINDINGS

#### 3.1 Profiles of the Study Participants

A total of 142 participants were interviewed, comprising 82 males and 59 females. Regarding education, 37.32% had primary education or less, 11.97% post-primary, 26.75% secondary, 7.75% post-secondary, and 26.14% university-level education. Participants represented diverse groups, including cell-level mediators, elders above 70, politicians (MPs and senators), Rwanda Elders Advisory Forum members, researchers, cultural journalists and artists, faith-based organizations, the Rwanda Cultural Heritage Academy, and the National Youth Council. This diversity aimed to capture insights from individuals knowledgeable about culture and national governance. Participants' ages ranged from 30 to 80 years, with nearly 60% aged 50 or above, reflecting an emphasis on experienced voices in cultural and governance matters. Their profiles are summarized in table 1.

**Table 1**

*Demographics and Categorization of Participants (n=142)*

Variable	Count	Percentage
<b>Gender</b>		
Male	83	58.45
Female	59	41.55
<b>Education level</b>		
Primary or less	53	37.32
Post primary	17	11.97
Secondary	38	26.76
Post-secondary	11	7.75
University	23	26.14
<b>Participants categories</b>		
Mediators	19	13.38
Group of Elders	4	2.82
Senators	4	2.82
Member of Parliament	5	3.52
Staff of Rwanda Cultural Heritage Academy	12	8.45
Researchers	4	2.82
Cultural Journalist	2	1.41
Cultural Artist	2	1.41
Respondent from faith-based organization	2	1.41
National Youth Council	2	1.41
<b>Age</b>		
Less than 30	11	7.75
Between 31- 40	18	18.00
Between 41- 50	31	21.83
Between 51 - 60	47	33.10
Between 61 - 70	12	8.45
71 and above	23	16.20

#### 3.2 Constitutional Culture in Rwanda

Participants were asked questions about their perceptions of what constitutes the constitutional culture in Rwanda, values, norms, practices, and narratives that guided social life and inspired political leadership in pre-colonial Rwanda. Participants highlighted that the Rwandan society was governed by an unwritten, yet sophisticated set of principles codified into taboos, customs, and values that were known and respected by all. Indeed a constitutional culture existed and predates the written constitution that has formed the foundation for governance and the quest for

the rule of law since Rwanda became a republic. The selected excerpts of their responses are presented in the following paragraphs to support a description of Rwandan constitutional culture. The excerpts are extracted from transcribed interviews which were mainly recorded in Kinyarwanda and later translated into English by researchers.

### 3.2.1 Nation, Nationhood, and Culture in precolonial Rwanda

Concerning how Rwandan conceptualized nationhood, one participant aged 44 said the following:

*To me, a good nation is a nation whose citizens are happy and proud of being citizens of that nation. That is different from considering the ideal of a good nation such as saying that a good nation is one that is economically rich, located on this or that continent ... a nation whose citizens find satisfying to live in because of its culture, its governance, the facilities available to make their life easy and because of its climate.*

The same participant further said:

*“Yes, it was there, for example, anyone could see evil done and say, ‘This is not Rwandan’. This saying shows that there is a principle, or let’s say a benchmark the minimum criteria of Rwandanness. ...during extension conquests, the king considered those who spoke the common language to be Rwandan and automatically belonging to Rwanda. ...what was considered as the culture and language as indicators of being Rwandan (See Les Campagnes de Rwabugiri).”*

A female participant aged 62 was of the view that Rwandans attached a great value to being Rwandan. She said:

*“...they valued being Rwandan and this was common for both leaders and common citizens; they even considered a Rwandan as the only complete human being. When any Rwandan traveled in foreign lands, they would ask him/her upon his/her return: ‘How are people in that Rwanda faraway doing?’ as if Rwanda is everywhere, they thought that nowhere else is worth living apart from Rwanda. When any war was waged against Rwanda, all citizens stood up as one man to fight for Rwanda.”*

One of the politicians (male, aged 61) interviewed further confirmed the following:

*...To me, a good nation, first, it’s a nation with good governance. Good Governance is governance with a long-term vision for the good of all citizens. Secondly, a good nation is a nation with security, a nation with transparent institutions that are merit-based, where everyone gets what they deserve without any other cost. Then, a good nation is also a nation whose citizens live in harmony, respecting each other, where no one is above the law. It’s a nation with a clear vision that everyone espouses and makes their own, and the national objectives have to be willingly pursued by everyone, as it is stipulated in the motto of the Republic, ‘Unity, Work and Patriotism’.*

He further affirmed that:

*“Rwandans greatly valued their citizenship. They talked of Rwanda as a country that flows milk and honey, and they said that no country is better than Rwanda. They also talked of Rwanda as a nation and other countries as ‘so-called nations’. When they were in other countries, they referred to that as the ‘Rwanda of far away’. If we compare that with religious beliefs, they conceptualized Rwanda as the ‘Paradise’. They considered Rwanda as a great nation, or as a nation that always ‘conquers and never conquered’, that’s actually what they told children to make them patriotic when they grew up.”*

### 3.2.2 Rwandans’ Conceptualization of their Citizenship

Rwandans thought of themselves as belonging to a great nation and attached great importance to their nationhood. One participant was of the view that:

*“...Above Rwanda, there is a heaven, and beyond, there is nothing good. Every living human being is in the nation called Rwanda. The whole of humanity was Rwanda to them... of course, their knowledge was also limited, but they believed that you could not live anywhere else apart from Rwanda. In short, any country that is not Rwanda, without that Rwandan culture, cannot be great, and this led to conquering all other sounding countries.”*

Another participant (male, aged 68) added the following:

*...Indeed, they accepted that there were other countries politically and economically. It was possible to go wealth searching in other countries, but they never wished anything good for those other countries; any wrong-oeer was sometimes sent into exile in other countries. They recognized that there were other countries, but they thought that when you go as far as you can go, they said, ‘You have arrived where the country must be supported by pillars’. In short, it meant that there was nothing good you could find by going far away from Rwanda. Thus, God spent the days elsewhere but always came back home in the evening to spend the night in Rwanda.*

### 3.2.3 Constitution Principles in the Cultural Norms and Practices

In terms of principles and provisions of the constitution that existed in the culture before Rwanda had a written constitution, several elements were mentioned by respondents as what constituted the guidance to the ancient leaders of the country. Although this did not come out clearly among young respondents, it was realized that those with an advanced age from almost all categories related the constitutional principles in ancient Rwanda to the channel of administration such as the royal esoteric rituals, values, taboos, and other practices that governance the political, social, administrative and economic life of the country. Therefore, it was learned from the knowledge of respondents that

*“Cultural taboos, the king’s Council and the Family council... all these were kept and protected by Ubucurabwenge (oral history of Royal genealogy)” [FGD1, female 56],*

and that

*“cultural taboos upheld the law, and there were chiefs who brought the King’s orders to the people. Everything that was done, was based on unwritten cultural norms which were strictly obeyed by the people” [FGD1, male 48]. Related to these submissions was the fact that “the taboos were in harmony with the Rwandan cultural norms” [FGD1, male 61].*

In a more detailed manner, one respondent submitted that:

*I think I can compare some of these things to the constitution because normally the constitution provides general principles for the life of a nation, it lays down founding principles to be observed by society, what they believe in, what they disapprove of, their governance, who governs, how their leaders are chosen, what happens when something happens, who does what, what is allowed, what is prohibited, ...things like that. So, I think in ancient Rwanda, those things were there. Number one, there were “18 inzira z’ubwiru” (=royal esoteric rituals), which were intended to show how everything was supposed to be done, and who was supposed to do what. ...For example, when a king had just died, a ritual of crowning a new king was conducted and demonstrating how a new king is supposed to be identified and crowned, who crowns him, the whole process of a king replacing another king [Male, 44].*

In the same viewpoint, it was captured through the stories that Rwandans lived according to their beliefs and customs and knew and accepted their King as an institution that binds them together. In short, “the King and the Queen Mother appeared as governing institutions” [Male, 58]. In this line, we learned through respondents that:

*...In ancient times, Rwandans had some guidelines that regulated their life, resembling some sort of general principles to be observed whether in governance matters or in the religious beliefs, which provided a framework for national governance. For example, there was a king with power in his hands and there were other leaders who supported him; there were Abiru (Royal councilors), and different chiefs executing the King’s orders. Rwandans respected that structure. All that was not written anywhere but all Rwandans understood them and obeyed them. They would respect the decisions, orders, and decrees made by the King. The chief ruled on behalf of the King and everyone respected that. [Female, 62]*

Another participant emphasized values embedded in culture and traditions as the sources of general principles that guided social life and the exercise of power.

*.... Apart from that, there were also some values that Rwandans observed in their lives, which were encapsulated within the culture, the general cultural principles distinguishing the acceptable and the unacceptable. When anyone had done the prohibited, Rwandan culture provided for a way to rectify the situation. For instance, if anyone had done something contrary to a given value, there was a punishment provided for by the culture. It was not written, but people agreed on them by consensus. If anyone had wronged his/her neighbors, he/she would have to appear before the Gacaca council. Sometimes they would first appeal in front of the family council, and if the issue was not resolved at that level, it would be brought before another level. [Male, 56]*

In the same vein, cultural norms and values brought harmony to everyday life.

*... In everyday life, there were values and taboos... that also provided guiding principles in social, professional, and interpersonal coexistence among Rwandans. They had their own rules that they knew very well and accepted, not written but known to everyone nonetheless.*

### 3.2.4 Administrative Tools Similar to the Constitution in the Pre-Colonial Era

Participants emphasized storytelling, which was the main conduit of transferring societal norms and values from one generation to another. One participant said:

*I can talk about the fables, such as the one of ‘Ibimanuka’ (=the aliens) up to King Gihanga, which were told to legitimize the regime. Therefore, if the constitution serves that purpose, those fables of the Alien*

*Kings served the same purpose and said that the Nyiginya Kingdom originated from above, and their Kings were sons of God. [Male, 59]*

The same participant further observed:

*...you see, you cannot distinguish poetry from politics even here in Rwanda. In fact, poetry was intended to exhibit the glory of Nyiginya dynasty, to convince people that the dynasty was necessary ... I am not sure that I can relate that to the constitution now.*

#### IV. DISCUSSION

The findings indicate several practices and narratives as sources of social norms while recognizing social norms as rules that govern behavior in groups and societies. The following norms were identified: respect of authority, protection of the social environment, rule of law, power belonging to the people, social welfare, equal opportunity and social justice, dialogue, and consensus building, respect of rights, state responsibility to protect human beings, equality before the law, respect of privacy, and participation in the state building.

Respondents have also focused on institutions such as “Abiru” or the guardians of the esoteric code of the Rwandan monarchy in the pre-colonial era. The Esoteric code as a central governance institution played more or less the role of the constitution in the era of the republic. The rules of succession, the relationship of the nation's key institutions of power such as the queen mother and the families they were to come from, and other key secrets of the kingdom were kept by *Abiru*. They were guardians of the tradition and kept the secrets of the kingdom. They also advised and counseled the king, and kept the royal drum, Kalinga. They were, in the modern sense, real constitutionalists of the Kingdom.

The Abiru (royal ritualists) acted as guardians of the Kingdom’s esoteric code and played a central role in governance. They were special advisers to the king regarding the rules and regulations of power retention and the behavior of the king. These trustees kept, conserved, and narrated invaluable, confidential information that was transferred from father to son within their families (D’Hertefeldt & Coupez, 1964). By their memorization of poems detailing the procedures of the kingdom’s rituals, history and processes; they played a great role in unifying and stabilizing the kingdom. This corroborates the submissions from Byanafashe and Rutayisire (2016), who say that the institution of Abiru played a dual role in Rwanda’s political life. The college of Abiru was charged with appointing Rwanda’s future kings and queen mothers. The college also had another duty of transmitting the Kingdom’s official history. This institution’s function had a deeply positive impact on the state of conservation and development of the kingdom. Their recruitment was governed by strict rules.

The fact that the analysis of stories from respondents shows a hierarchical governance structure under the reign of the Umwami (King) aligns with the statements in Rwigema (2023)’s study that Rwanda had a long history of traditional governance structures that have evolved over time. He states (ibid.) that these structures were based on a hierarchical system of power and authority, with the king at the top and various chiefs and elders below him.

In other circumstances, the findings of the study are in congruence with other researchers’ facts on the practices, social norms and other principles that were at the heart of the life of political, economic, health, administrative and social life of the country and all of which gave the direction to the life of the citizen and guided administration as to what can be related to today’s constitution. For example, Chika (2017) states that there was a progressive growth of the state in pre-colonial Rwanda, strong and closely knit extended family ties combined with cultural expectations ensured that the weak and vulnerable were shielded by the more able family members. In addition, in the absence of immediate or extended family members to step in for the related matter, communities would often take on the task of caring and providing for the weak and vulnerable (Mouton 1975). For the matter related to healthcare, primary health care during that epoch was very much a family affair where adults usually held knowledge of medicinal herbs, bark, roots, and therapies to treat common illness. The provision of advanced and professional health care services was in the hands of traditional medical healers. Because they thought that charging fees for their services was forbidden by the gods, the services were mostly free (Vansina, 2004). Moreover, the Rwandan state did provide some form of minimal social services, such as the education of certain children of the elites in the art of diplomacy, governance, warfare, and tradition (Vansina 2004).

The organization of an orderly society functioned through established institutions such as the Royal Ritualists (*Abiru*), traditions codified in taboos (*kirazira*), and ensured the participation of all citizens in governance and defense organs. The transition from the monarchy to the Republic, which introduced the constitution written on paper, changed the nature of governance. Still, the constitutional culture has been at least partially preserved. The culture remains a source of inspiration for the current constitution which was written as an expression of the Rwandan way of life as determined by the social contract among Rwandans themselves. The principles on which an orderly, safe, and secure society is built can be traced within Rwandan culture and traditions, and they do not contradict the republic-based democratic principles.

## V. CONCLUSION & RECOMMENDATIONS

### 5.1. Conclusion

In conclusion, this study shows a deeply entrenched constitutional culture in ancient Rwanda. The findings underscore a rich and enduring constitutional culture rooted in Rwanda's traditional governance systems. Social norms such as respect for authority, rule of law, social justice, dialogue, and state responsibility continue to reflect values embedded in pre-colonial institutions like the Abiru. These royal ritualists played a central role in maintaining order, advising the king, and preserving the kingdom's esoteric knowledge—functions that parallel modern constitutional practices. Moreover, the communal structures of care, healthcare provision, and social welfare further highlight a cohesive system of governance grounded in tradition. While Rwanda transitioned to a republic with a formal written constitution, the foundational principles of governance have deep cultural origins. This legacy has not only influenced the current constitutional framework but continues to guide national identity, governance, and civic responsibility. Thus, Rwanda's traditional institutions serve as a wellspring for contemporary democratic values and the country's ongoing state-building process.

### 5.2. Recommendations

The study shows that indigenous norms of respect of authority, dialogue, and social justice embedded in traditional governance sustain the value of legitimacy and ownership of the constitution by the citizens, hence, they should be integrated in the constitutional discourse on civic education, and the interpretation of the modern constitution in the modern context by policymakers and constitutional scholars. In addition, to promote constitutional literacy and promoting national identity, unwritten constitutional norms should be part of the education curriculum, as it is for the written constitution- as a way of shaping political behaviour through narratives, mindsets, and lived experiences. Moreover, to foster the role of historical governance, museums, cultural centers, and artists should be engaged as active partners in promoting constitutional awareness by showcasing practices and values that serve as important factors that influence Rwandan society today.

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