

Crisis in Rwanda: the funeral of Prof Jwani Mwaikusa

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Thousands of mourners yesterday attended the funeral of Prof Jwani Mwaikusa, the University of Dar es Salaam (UDSM) law lecturer, who was gunned down on Tuesday night at his home on the city's outskirts.

Relatives, fellow academicians and students, politicians, and neighbours were among those who filed past Prof Mwaikusa's coffin to pay their last respects to a respected law scholar and advocate. Two gunmen shot the professor, his nephew and a neighbour during the raid at his SalaSala home.

He was buried at his home in the evening, as the acting Dar es Salaam Special Police Zone Commander, Mr Charles Kenyela, announced that six suspects had been picked up in connection with the killings.

Mr Kenyela was quoted by the State-owned radio station, TBC1, as confirming that the six were being questioned over the Tuesday night killings. Four of them, he said, had been picked up in Dar es Salaam and the rest, from elsewhere.

But as the police were optimistic about the leads, calls for a thorough investigation were made at the burial, with a senior official with the International Criminal Tribunal for Rwanda (ICTR) at Arusha, where Prof Mwaikusa was representing a genocide suspect, calling his killing "an assassination."

The ICTR registrar said in a statement read for him by a lawyer, Mr Bahame Nyanduga, that death had robbed the country of a great intellectual. "We at the ICTR have learnt of the assassination of Prof Mwaikusa with great sorrow."

Fellow UDSM law lecturers, eulogizing their fallen colleague, as hardworking, humble and dedicated teacher and family man, recalled their last encounters with him.

At Nkrumah Hall during a requiem Mass attended by who is who in academia, Prof Mwaikusa was lauded as "one of the most respected lawyers in Tanzania".

A retired UDSM law lecturer, Prof Issa Shivji, said: "The circumstances of his death are very difficult to explain. It does not appear to have been an ordinary robbery. I think it was calculated and definitely had a motive. This is a brutal killing we would want our investigators to work on and give us an answer."

"The last I saw him was at a funeral and we mostly talked about UDSM's glorious past," the

renowned scholar said.

A Dar es Salaam advocate and human rights activist, Mr Tundu Lissu, said: “We expect a thorough investigation. Whether they go to Sudan, Somalia or Rwanda to hunt for the perpetrators of this crime is none of our business. What we want is to see the culprits brought to book.”

In April, Prof Mwaikusa was invited by the Court Appeal as amicus curiae (friend of the court) to assist in deciding whether the High Court had powers to declare unconstitutional any provisions of the Constitution, as it did in 2006, when it nullified the provision barring independent candidates from contesting elections.

He firmly defended the inclusion of independent candidates in the Constitution, saying the right to contest an election was a basic right.

Killed along with the 58-year-old School of Law lecturer was his nephew, Mr Gwamaka Mwaisanjala, who was 25, and a neighbour, Mr Johm Mtui, who was shot as he lead a group of villagers, who had responded to cries from the professor’s house.

Yesterday, politician Christopher Mtikila, who spearheaded the legal battle for the inclusion of independent candidates in elections, said: “I can only connect the death of Prof Mwaikusa with people who are scared of his stand on human rights, democracy and the basic rights of our people, a stand which they (killers) thought threatened their selfish interest.”

He described him as “a unique intellectual, who was totally committed to the respect for the sanctity of human life and dignity”.

At the funeral, tears flowed freely, as the professor’s body was carried to the grave, with some relatives collapsing in grief. The viewing of the body had to be cut short, as thousands jostled for space to have a glimpse.

Also present was the Water and Irrigation Minister, Prof Mark Mwandosya.

The executive secretary of Media Council of Tanzania, Mr Kajubi Mukajangwa said: “Though they have eliminated him, his work will continue to live on and glorify him.”

Speaking on behalf of the Court of Appeal, Judge Edward Rutakangwa said Prof Mwaikusa was a “kind man who fearlessly defended what he believed in but always with humbleness and great respect”.

The principal of the Law School of Tanzania, Dr Gerald Nkika, described the late professor as “very humble, thoughtful and argumentative”. He said Prof Mwaikusa had “a very sharp mind and was also fond of jokes”.

Fellow UDSM law lecturer Sengondo Mvungi said Prof Mwaikusa was a “man of the people who never separated his personal interests from those of the all Tanzanians”.

Dr Mvungi said he was suspicious that his death might be linked to the ICTR case he was handling. He called for a thorough investigation of the heinous crimes.

Prof Mwaikusa is survived by his widow, Lothea, and four children.

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