MPAMBARA Emile
Colline Ngoma
Commune Mukura
Prefegitura ya BUTARE

Butare, le 12-12-1970.

Kuli Nyakubahwa Bwana Docteur Grégoir
KAYIBANDA, Prezida wa Republika
i
K I G A L I.-

Personnelle
&
confidentielle.

Nyakubahwa Bwana Prezida wa Republika,

Aho mariye kubona "PROPOSITION" yo ku itariki 2 octobri 1970 y'Inama Nkuru y'Ubucamanza yabereye i Nyabisindu kuva ku itariki 28 Septembri kugeza kuwa 5 Octobri 1970 ibasaba kunkura ku mulimo w'Ubucamanza kandi isaba Bwana Ministri w'Ubugenga-Gihugu n'Ubucamanza kumvana ku mulimo wo kumva ibibazo, nasanze hari andi magambo make yakongerwa kubyo nabandikiye m'urwandiko rwo ku itariki 12-10-1970 kubera ko muri iyo "proposition" nasanze barashyizemo amagambo yo gukabiliza cyane ibyo bandega kugirango uzayisoma azahereko yemera ibyo Inama Nkuru y'Ubucamanza isaba.

TUMMZE ya 1 yanditswe itya:

" ATTENDU qu'il est reproché à Monsieur MPAMBARA de s'être livré à des pratiques de sorcellerie du genre "gucisha" que pour cette raison les justiciables lui ont à juste titre retiré leur confiance;"

Ibyanditswe muri iyi "attendu" simbivugaho amagambo menshi kuko ingingo nabyiregujeho mu Inama Nkuru y'Ubucamanza naziboherereje. Ariko kandi ndibaza ibi: bagaragaza bate ko ababuranyi bamvanyeho ubwizere bari bamfitiye? Ko bamaze gufata urwo rwandiko bishingikírizaho banshinja ibyo bita "gucisha" naburanishije kandi ngaca imanza nyinshi, hari umuburanyi numwe bumvise avuga ko atakinyizeye kubera uko gucisha bavuga? Uretse urwo rwandiko nanditse mw'ibanga nandikira umubyeyi wanjye rugafatwa n'abanzi banjye, nta muturage wigeze abwira abantegeka ku mulimo ko nta bwizere amfitiye m'umulimo w'Ubucamanza.

Icyakora abishingikiriza kuri urwo rwandiko kugira ngo banyirukane cyangwa banyirukanishe ku mulimo nakoraga nta ubwizere bamfitiye; ariko kutangilira ubwizere kwabo ntibyatewe n'urwandiko nanditse bafashe, ahubwo na mbere hose batararufata bari basanzwe banyanga. Aho bamariye kurufata barugize intwaro yo kunyirukanisha ku mulimo nakoraga. Ese, kuba ntizewe n'abantu 4 cyangwa 5 kubera inzangano dusanganywe zitabu-

ra mu bantu,byaba impamvu ihagije yo kwemeza ko ababuranyi bankuyeho ubwizere bwabo bari bamfitiye! Iyaba nibura bapfaga kwitwaza ko ntakizeye Imana cyangwa ko Imana Itakinyizeye!

Nongeye kuvuga ko abafashe urwo rwandiko bakarusoma atari bo rugenewe kandi bakemera no kurushyira muli "dossier" yanjye ko aribo bakoze icyaha gikomeye. Ntabwo ari "tract" nali nanditse yo kugandishiliza amadini ali m'u Rwanda yemewe na Leta cyangwa yo gutuma amahoro ali mu Gihugu ahungabana. Iyaba abashaka kunyirukanisha ku mulimo bavugaga ko ubwabo ku giti cyabo batamfitiye ubwizere, ariko ntibabeshyere abandi batabirimo na busa,ndetse batanabizi.

Tumaze ya 2 yanditswe muli aya magambo:

" ATTENDU que l'intéressé vit en état de concubinage avec la nommée Vérédiane,que de leur union illicite sont nés trois enfants;"

Nabivuzeho byinshi mi inyandiko nireguje kandi nkaba narabohereje kopi yayo. Gusa uwambariza icyatumye mbere hose ndahabwa ibihano biteganyijwe n'Itegeko rigenga Abacamanza kugeza igihe,nkuko babivuga,mbyarana n'uwo mugore abana batatu. Bari barindiriye ko nzageza kuri izo mbyaro bakabona kubindega kandi nta gihe Inama Nkuru y'Ubucamanza itateranaga! Abantu Prezida w'Urukiko rw'Iremezo yakozeho anketi bamwe nabavuzeho impamvu imbere y'Inama Nkuru y'Ubucamanza zatumaga badakwiye kunkiriza urubanza. Bwana Prezida, izo mpamvu nabavuzeho narazibasobanuliye m'urwandiko nabandikiye ku itariki 12/10/70 ninayo mpamvu ntongeye kubivugaho byinshi.

Tumaze ya 3 ivuga itya:

" ATTENDU que Monsieur MPAMBARA se fait en outre remarquer par des absences et des retards répétés et injustifiés;"

Bashobora bate kugaragaza gukererwa no gusiba ku mulimo by'itetu kandi nta mpamvu banshinja! Simpakana ko ntigeze guhabwa "demande d'explications",ariko lero izo nahawe zose narazishubije, ibisubizo ntanze byemerwaho ukuri n'untegeka ku mulimo kuko atigeze kubivuguruza ngo abe yarampanishije igihano muri bimwe amategeko amuhamo uburenganzira bwo guhanisha Abacamanza ategeka ku mulimo iyo basibye cyangwa batinze ku mulimo nta mpamvu.

Ntarahagarikwa ku mulimo igihano nari narahanishijwe ni "Blâme écrit" gusa, kandi lero nayo nayiherewe ko ngo namushubije mu magambo atarimo ikinyabupfura. Kubura ikinyabupfura -nabyo ntemera kuko nabijuliriye mw'ibaruwa yanjye nº 87/P.04 yo kuwa 19-2-1969 -bihuriye he nibyo ndegwa byo gukererwa no gusiba ku mulimo nta mpamvu kandi Inama Nkuru y'Ubucamanza ikemera kubyakira no kubiciraho urubanza nta kimenyetso ibonye kiyemeza uko gusiba no gukererwa ku mulimo nta mpamvu

Tumaze ya 4 ivuga itya:

" ATTENDU que les faits reprochés à l'intéressé résultent de rapports du Président du Tribunal de Première Instance de Butare et d'une enquête menée par cette même autorité;"

Ndibaza igituma Inama Nkuru y'Ubucamanza yemeye ibirego ndegwa na Prezida w'Urukiko rw'Iremezo ariko ikanga kwakira ingingo nireguje. Ikindi kandi anketi bavuga yayikoze nyuma narahagaritswe ku mulimo kera. Niba se ibyo yandeze ari nabyo bashingiyeho bampagarika ku mulimo byali ukuli,iyo anketi yari iy'iki kandi! Ubwo Prezida w' Urukiko rw'Iremezo yari umurezi,siwe wagombaga kwikorera anketi y'urubanza yandeze kandi ariwe twagombaga kuburana akagaragaliza Inama Nkuru y'Ubucamanza ukuli kw'ibyo andega. Nibwo bwa mbere mbona umuntu arega undi akaba ariwe wikorera anketi y'urubanza rwe,abagomba gukemura urubanza bakaruca bashingiye ku birego no kuri anketi yakozwe n'umurezi ubwe. Ndasanga lero urubanza rwanjye rwaraciwe na Prezida w'Urukiko rw'Iremezo kuko ariwe wikoreye ubwe anketi y'ibirego yandeze kandi Inama Nkuru y'Ubucamanza ikemera kubiciraho urubanza itumvise ingingo nireguje nyangwa ngo ibyigenzurire ubwayo ice urubanza imaze kumenya aho ukuri guherereye. Uko mbibona,uwatanga undi akamurega,baburaniye Inama Nkuru y'Ubucamanza uwareze niwe watsinda.

Tumaze ya 5 yanditswe itya:

" ATTENDU que ces faits demeurent établis malgré la défense présentée par Monsieur MPAMBARA devant le Conseil;"

Kuki batagaragaza icyo bahinyuye kuri buri ngingo nireguje kuri buri kirego kugirango ndebe ko bazihinyuliye ukuli koko? Bisa naho urubanza rwanjye rwari rwaraciwe kera ntaratumirwa kujya kuburana mu Inama Nkuru y'Ubucamanza. Koko lero umunsi bafashe icyemezo cy'ibyo basaba muli "proposition" nanawo naburanyeho,bikerekana ko maze kuburana batiriwe bongera kubisuzuma ngo barebe ingingo nireguje.

Ndatekereza ko urubanza rwanjye rutakurikiranywe m'ukuli, bikubitiyeho nuko mu Inama Nkuru y'Ubucamanza harimo abanzi banjye bakomeye bamburanishije:

1) MUNYANGAJU Aloys,Visi-Prezida m'Urukiko rw'Ikirenga, turangana kuva kera, ariko ntabwo namwihannye m'urubanza rwanjye kubera ko nasanze atari ngombwa kuvugira imbere y'Inama Nkuru y'Ubucamanza ibyo twapfuye nawe kera igihe m'u Rwanda hari amashyaka menshi ya Politike kandi ishyaka narimo ariryo nkirimo ryaratsinze ayandi yose. Afite bamwana we wamusabye kuzamuburanira urubanza afitanye na muramu wanjye wampaye urubanza kugirango nzaru muburanire mu Rukiko rw'Ubujulire i Nyabisindu,abimenyeshwa ku itariki 15/9/1970 mpagarikwa ku mulimo kuwa 24/9/1970.

Urwandiko bitwaza banshinja "gucisha" rwatwawe na data wacu twangana aruha Munyangaju uyu nawe arwirukankana arujyana muli Cour Suprême. Akimara kurubona yahoraga arahira bandi yisiba ko ndashobora kubiburanira mu Inama Nkuru y'Ubucamanza ngo ntsinde. Nubu arabyigamba cyane ngo azakora uko ashoboye kose ntsindwe,ngo

kandi nt'akazi nshobora kubona muli Republika y'u Rwanda. Ko numva ko ngo ibyo yitwaza ali ukurwanira Ubukristu ishyaka,kuba yarabaye Visi-Prezida wa "Caritas" nibyo byerekana ko arusha abandi bose ubukristu! Ntiriwe mvuga Abakristu bo m'u Rwanda bose,ntacyo urwo rwandiko bitwaza rwakoze ku Abakristu b'i Save aho rwafatiwe kandi rwasomewe. Ahubwo kwanga abandi ubahora ubusa, ushaka ijoro n'amanywa icyatuma bamererwa nabi n'umuryango wabo, ndabona aribyo bugome bubi Imana n'abantu banga cyane cyane ku muntu wiyita ko ari umukristu. Imana si umuntu ngo ibeshywe. Izi ibiri mu mutima wa buli muntu ali ibyiza cyangwa ali ibibi.

2) Mu Inama Nkuru y'Ubucamanza harimo Abacamanza babili nari nihannye kubera impamvu nanditse m'urwandiko rwanjye rwo kuwa 2-10-1970 baranga baramburanisha ku gahato. Namwe ubwanyu, Bwana Prezida,nabamenyesheje izo mpamvu mw'ibaruwa nabandikiye ku itariki 12/10/1970.

Abo bose bafite "influence" mu Inama Nkuru y'Ubucamanza, ntawundi washoboraga gusubiza inyuma igitekerezo cyabo cyo kunyirukana ku mulimo bitwaje urwandiko rwanjye bafashe,n'ibindi birego ndagwa by'ibihimbano; ibyo byose ntibabigirira kurengera Ubucamanza nakoragamo ahubwo barabyigirira ubwabo kugirango bishime ko bahiritse uwo bita umwanzi wabo.

Kugirango ibyo basaba Abategetsi bafite ububasha bwo kunyirukana babidanangire cyane bishobore kwemerwa bashyize muli "proposition" ingingo ya 33 na 42 z'Itegeko ryo kuwa 25 Mars 1963.

Nyakubahwa Bwana Prezida, ntabwo mvuga ko ndi intungane mu si;kandi ntawe nshinja. Murebye ibyanditswe mu ingingo ya 33 Umucamanza agomba gukurikiza mwasanga ari byinshi cyane. Kandi uwasesengura iyo ngingo,Nyakubahwa Bwana Prezida, yasanga n'abanciraurwo gupfa nabo har'ibyo baba batakurikije biteganyijwe n'iyo ngingo. Aha ngaha naca wa mugani ngo:"Umuntu areba agatotsi kari mu jisho rya mugenzi we,aciye ku umugogo uri mu rye". Kubera ko iyo ngingo ivugwamo byinshi bari bakwiye kugaragaza icyo nateshutsaho giteganyijwe niyo ngingo kuko byose uko byakabaye atariko nabiciyeho.

Kubereye ingingo ya 42,ndahamya ko nta amategeko y'Ubucamanza naciyeho, ko ntabuteje urubwa cyangwa ngo niyandarike. Ahubwo abantwariye urwandiko rw'ibanga bakamenyesha abandi ibitwanditsemo nibo bashatse guteza Ubucamanza urubwa no kunyandarika kandi bari bafite ububasha bwose bwo kumpana bashingiye ku buvandimwe,ku ubukristu no ku ubutegetsi bafite,bakanyereka ububi bw'ibyo nanditse naramuka mbikomeje bakabona kubimpanira, nubwo ntaho bihuriye n'umulimo w'Ubucamanza bashinzwe gukora no kugenzura. Ntabwo nigeze guta umulimo wanjye nali nshinzwe ngo abaje bangana bambure bitewe nuko nibereye mu byanjye bwite byaba ibibi cyangwa ibyiza;ntacyo nakoze m'umulimo w'Ubucamanza kinyuranyije n'amategeko yabwo.

Nyakubahwa Bwana Prezida,nongeye kubandikira aya magambo ndafite igitekerezo cyo kurwanya kuvanwa ku mulimo w'Ubucamanza

niba musanze ibyaha nshinjwa narabikoze koko kandi bikwiranye n'igihano nsabirwa, ahubwo nifuje kubagaragariza ko ibyo ngirirwa byose bishingiye ku nzangano, jye n'umuryango wanjye nari ntumze tukaba tugiye kumeerwa nabi tuzize akarengane.

Ndangije mbifuliza kuramba mu bana banyu mwakuye ku ngoyi ya gihake na gikolonize kukâ bakibatezeho byinshi, cyane cyane abatarishobora banga ko abamaze kwiyumvamo ingufu babona uburyo bwo kubapyinagaza.

MPAMBARA Emile, Ex-Juge-Suppléant du Tribunal de Première Instance de Butare.-