

The London School of Economics and Political Science

Even Eating You Can Bite Your Tongue

**Dynamics and Challenges of the Juba Peace Talks
with the Lord's Resistance Army**

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Abstract

This thesis offers an alternative narrative why the Juba Peace Talks between the Government of Uganda and the rebel Lord's Resistance Army (LRA) and its political wing, the Lord's Resistance Movement (LRM), did not produce a Final Peace Agreement. Widely considered the most promising peace effort in the history of a violent conflict that began in 1986, talks were mediated by the Government of Southern Sudan from 2006 to 2008. During this time, the parties signed five separate agreements on a range of issues, yet in 2008 the LRA's leader, Joseph Kony, failed to endorse them through a final signature. An aerial attack on the LRA by the Ugandan army spelled the end of the Juba Talks.

It is commonly argued that as the first peace talks conducted with people wanted by the International Criminal Court, the Juba Talks collapsed because the arrest warrants made a negotiated agreement impossible. Another widely accepted reason is that the LRA/M were not committed to peace. This thesis, however, argues that how the LRA/M experienced the muddled and convoluted peace talks was the crucial factor because the dynamics of the process confirmed existing power dynamics. Internally, the LRA/M's dynamics were profoundly influenced by their perception of being trapped in an established hostile system, causing a struggle to transform their own dynamics constructively.

Offering an analytical chronology of the Juba Talks with an empirical emphasis on the perspective of the LRA/M and an analysis of LRA/M structures and behavioural patterns that emerged in the process, this thesis further outlines that judging success or failure of a peace process on whether agreements have been signed is misplaced. Despite not producing a final agreement, the Juba Talks contributed to peace and change in Uganda.

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Table of Content

Acronyms, Abbreviations and Protagonists.....	8
1.Introduction	14
The Thesis in a Nutshell.....	18
The Scholarship on Peace Negotiations.....	22
Research Gaps on Peacemaking and the Juba Talks	28
A Comment on Methods	32
2. Brief Histories of War, Peace and Information	48
War.....	49
Peace	57
Information	78
3. 2006: “While talking, there is troop movement”	91
First on the Agenda: Ending Hostilities	92
Talks Continue Amidst Confusion	106
Violations.....	116
Continued Violence.....	121
Comprehensive Political Solutions.....	123
4. “Am I an Animal?”: LRA Members During The Peace Talks.....	135
Identities and Personal Choices.....	136
Rules	149
Achievements.....	155
5. 2007: “We don’t know if we can trust”	160
Managing the Impasse.....	165
The Talks Continue.....	169
Leadership Struggle.....	173
6. “Reach Out a Hand and Pull it Back”: Engaging Outsiders.....	182
The LRA/M’s Connect/Disconnect.....	185
Galvanic Surges.....	205
Acting in Dissonance: Connect/Disconnect and Galvanic Surges.....	216
7. 2008: “Maybe We Came Too Close to the Enemy”	221
Introduction.....	221
January Changes	221
Final Talks.....	228
The Missing Signature.....	232
Operation Lightning Thunder	246
8. “LRA Has Already Become a System”: Representation and Distrust.....	254
Representation in a Hostile Environment.....	258
Battling a Hostile Environment	263
System of Distrust	269
Maintaining the Status Quo	285
9. “We Are All Learning in This Peace Process”: Juba’s Legacy	289
A Thumbnail Assessment of the Juba Talks.....	293
Dynamics	297
Entrenchment.....	302
Understanding.....	307
Implications for Contemporary Peacemaking	308
In Place of a Conclusion: How It Continues.....	311

Works Cited	313
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List of Other Materials

Map: Important Locations During the Juba Talks.....	13
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Acronyms, Abbreviations and Protagonists

AFRICOM	United States Africa Command, Unified Combatant Command under the US Department of Defense, created in 2007 by presidential order, currently headquartered in Stuttgart, Germany
Agenda 1	Agreement on Cessation of Hostilities between LRA and GoU, first signed in August 2006 and periodically renewed
Agenda 2	Agreement on Comprehensive Solutions
Agenda 3	Agreement on Justice and Accountability
Agenda 4	Agreement on Disarmament, Demobilization, and Reintegration
Agenda 5	Agreement on a Permanent Ceasefire
AU	African Union
AURTF	African Union Regional Task Force, established to fight the LRA
CAR	Central African Republic
CHMT	Cessation of Hostilities Monitoring Team
CIA	Central Intelligence Agency
CoH	Cessation of Hostilities Agreement (Agenda 1)
CPA	Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Army/Movement
DDR	Disarmament, Demobilisation, Reintegration
DPA	Department of Political Affairs (UN)
DRC	Democratic Republic of Congo
ESO	External Security Organisation, Uganda's intelligence agency
EU	European Union
FDRC	Forces Armées de la République Démocratique du Congo; DRC's army
FPA	Final Peace Agreement, the chapeau document to be signed by President Museveni and Joseph Kony to validate all previously signed Agenda items
GoS	Government of Sudan (Khartoum)

GoSS	Government of Southern Sudan (Juba) between 2005 and 2011
GoU	Government of Uganda
HQ	Headquarters
ICC	International Criminal Court
ICG	International Crisis Group
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
JIF	Juba Initiative Fund, established by the UN to attract donors to specifically contribute to the Juba Talks
LC	Local Council (administrative unit in Uganda)
LRA	Lord's Resistance Army
LRM	Lord's Resistance Movement
MONUC	Mission de l'Organisation de Nations Unies en République Démocratique du Congo; UN Mission in DRC until 2010
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (follow-up to MONUC since 2010)
MP	Member of Parliament
NGO	Non-governmental organisation
NRA	National Resistance Army (original name for Uganda's army)
NRM	National Resistance Movement (Uganda's ruling party under President Museveni)
OCHA	UN Office for the Coordination of Humanitarian Affairs
OIF	Operation Iron Fist, conducted by the Ugandan army against the LRA in 2002
OLT	Operation Lightning Thunder, conducted against the LRA from December 2008 - March 2009, when it was renamed to Operation Rudia
RA International	Dubai-based construction, logistics and maintenance company which runs a hotel in Juba
RDC	Resident District Commissioner (Uganda)
SAF	Sudan Armed Forces (army of the Khartoum government)
SESG	Special Envoy of the Secretary General (UN)
SPLA	Sudan People's Liberation Army

SPLM	Sudan People's Liberation Movement
TRC	Truth and Reconciliation Commission
UN	United Nations
UNLA	Uganda National Liberation Front
UNMIS	United Nations Mission in Sudan
UNSC	United Nations Security Council
UNRF II	Uganda National Rescue Front
UNSG	United Nations Secretary General
UPC of	Uganda People's Congress; opposition party and party of former president Obote
UPDF	Uganda People's Defence Forces (current name of Uganda's army)
US/ USA	United States of America
VP	Vice President
WNBf	West Nile Bank Front

Individuals and Groups Mentioned

Ray Achama	LRA/M delegate, rank Lt. Col., later seconded to CHMT, dismissed by Kony in January 2008
Rwot Onen Achana II	Acholi paramount chief
Cesar Achellam	Senior LRA field commander, surrendered to or captured by UPDF in 2012
Yusuf Adek	Long-time LRA sympathiser, LRA/M delegate, crucial figure in 1994 and Juba Peace Talks
Santo Alit	LRA Lt.Col., present at 2004 peace talks as LRA representative, reported killed in August 2009
Michael Anywar	LRA/M delegate and now member of LRA/M peace team, seconded to CHMT, former UNLA Colonel
Josephine Apire	LRA/M delegate
Krispus Ayena Odongo	LRA/M delegate, legal advisor, former NRM political candidate
Godfrey Ayoo	LRA/M delegate and spokesperson, member of UPC
Betty Bigombe	former Ugandan minister for Pacification in the North, instrumental in previous LRA peace talks
Lubwoa Bwone	LRA Colonel

Joaquim Chissano	former president of Mozambique, Special Envoy of the Secretary General for LRA-affected areas, mandate terminated in June 2009
Core Group for northern Uganda: U.S., UK, Norway, Netherlands	
Jan Egeland	former UN-Undersecretary for Humanitarian Affairs (head of OCHA)
Enough! Project	US advocacy group against genocide and crimes against humanity, headed by John Prendergast
Jendayi Frazer	U.S. Assistant Secretary of State for African Affairs to Condoleezza Rice as Secretary of State in the second Bush Administration from 2005 – January 2009
Invisible Children	US evangelical activist organisation founded by three film makers
Salva Kiir	President of southern Sudan in the Government of Southern Sudan, First Vice-President of Sudan; now president of the independent Republic of South Sudan (RoSS)
Sam Kolo	Former LRA spokesman, defected in early 2006
Joseph Kony	Leader of the LRA, commonly referred to as “the chairman” or “Number One”
Justin Labeja	LRA/M delegate, now member of LRA/M Peace Team
Alice Lakwena	Leader of the Holy Spirit Movement
Riek Machar	Vice President of the Government of Southern Sudan, now the Republic of South Sudan
Norbert Mao	Chairman of Gulu municipality, former MP, Chairman of Ugandan Democratic Party
David Nykorech-Matsanga	LRA/M delegation leader, owner of Africa World Media, LRA spokesperson in the 1990s
James Obita	LRA/M delegate, LRA Secretary of Foreign Affairs in the 1990s
John Baptist Odama	Archbishop of Gulu
Okot Odhiambo	LRA Brigadier, wanted by the ICC
Richard Odong	LRA contact person
Luis Moreno Ocampo	Chief Prosecutor of the ICC during the Juba Talks
Betty Acan Ogwaro	MP Magwi County, Sudan, now Minister for Agriculture of the RoSS
Martin Ojul	LRA/M delegate, delegation leader, dismissed in January 2008
Denis Okrot	LRA/M delegate, rank Major, later seconded to CHMT, dismissed by Kony in February 2008
Obonyo Olweny	LRA/M delegate and spokesperson
Leo Onek	Pax Christi Associate, Sudanese Acholi
Peter Ongom	LRA/M delegate
Dominic Ongwen	LRA Brigadier, wanted by the ICC
Henry Okello Oryem	Uganda’s Deputy Foreign Minister
Willy Oryem	LRA/M delegate

Charles Otema	UPDF Brigadier
Alfred "Record" Otim	LRA senior commander
Vincent Otti	LRA second-in-command, wanted by the ICC
Sunday Otto	LRA liaison person
Joshua Otukene	LRA/M delegate
Rwot Joseph Oywak	Chief of Koyo Lalogi
IKV Pax Christi	Dutch relief, development and social service organization of the Dutch Inter-church Council
Resolve	US-advocacy group, previously Resolve Uganda
Carlos Rodriguez	Catholic priest, long-term resident of Gulu
Ruhakana Rugunda	Leader of the GoU delegation, Ugandan Minister of Interior Affairs, then Uganda's ambassador to the UN
Tim Shortley	US State Department Special Advisor on Conflict in the Great Lakes region, formerly National Security Council
Simon Simonse	Employee of Pax Christi
St Egidio Community	Roman Catholic lay movement based in Rome, local and international conflict issues

Map: South Sudan and Important Locations During the Juba Talks



1.Introduction

In the late morning of Friday, July 14, 2006, the representatives of the Ugandan Lord's Resistance Army (LRA) and its political wing, the Lord's Resistance Movement (LRM), started to get ready. Delegates adjusted each other's ties, smoothed stray hairs and helped each other shave. The opening ceremony for what would be known as the Juba Peace Talks between the LRA/M and the Government of Uganda (GoU) was scheduled for 2pm. With an hour to go, the delegation of suited men was ready to depart. As a final preparation, a few briefly gathered in one of the prefabricated container hotel rooms of the RA International Hotel for a private prayer. At 4pm, the delegation was still waiting under the hotel's mango tree. Bored with hanging around, one of the delegates asked me to film him. He shouted into the camera: "We want peace, the LRA wants peace!" Just after 5pm, cars sent by the Government of southern Sudan (GoSS) arrived to take the delegation to the Southern Sudan Legislative Assembly building.

Juba, the capital of what was at the time called southern Sudan, had at that point only been the headquarters of GoSS for a few months. The Comprehensive Peace Agreement (CPA) between the Government of Sudan in Khartoum and the former rebel Sudan People's Liberation Army and Movement (SPLA/M) had been signed in 2005, starting a six-year interim period until the referendum on South Sudan's independence, to be held in 2011. After years as a besieged garrison town for the Khartoum government's Sudanese Armed Forces (SAF), Juba was in July 2006 in the early stages of reconstruction. The Legislative Assembly was among the biggest buildings left standing after the war.

As they walked up the big staircase and across the sandy-coloured spotted carpet of the dusty lobby, nobody within the LRA/M delegation spoke. Nobody smiled. When the assembly was in session, the deep brown armchairs were filled with people engaged in heated debates or friendly banter. As the weekend approached, the two dimly lit corridors on either side of the assembly hall were deserted. SPLA soldiers ushered the delegates into a room adjacent to the meeting hall. In the room, representatives of the Acholi, the main population group in northern Uganda, were waiting: the Ugandan Acholi Paramount Chief Rwot Achana II was there, accompanied by religious leaders and other delegates. When they hugged some delegates and patted others on the shoulder, the atmosphere instantly lightened.

Until that afternoon, I had only ever seen the parliament half-filled with newly appointed members voting on new laws for southern Sudan. Now the hall was packed with Ugandans, SPLA soldiers in uniform, South Sudanese politicians, and reporters from major Ugandan and international news outlets. The BBC's Khartoum correspondent Jonah Fisher was speaking into his recorder. Reuters had sent a reporter from Kampala. Al-Jazeera was rolling a camera. For the journalists there had in recent weeks been a marked shift in how the armed rebels of the LRA dealt with public relations. Its elusive leader, Joseph Kony, had for the first time given a television interview—to me—just a few weeks earlier, announcing his interest in peace.¹ He had not been heard from or seen for years before that; appearances had been scarce in 20 years of war. The LRA now seemed accessible. The broader message was that this new attempt was going to be different from previous peace efforts.

The GoU delegation was already seated to the left as one looked towards the podium when the doors on the right opened for the LRA/M. At first glance, the two groups on either side of the room looked rather similar—with two exceptions. Seated among the men of the LRA/M delegates was one woman: Josephine Apire, a well-known LRA supporter based in London. And perched between the men in suits who were representing the GoU was one man wearing military fatigues and sunglasses: Ugandan People's Defence Force (UPDF) Colonel Charles Otema, who had for years been in charge of the military operation against the LRA. LRA/M delegate Otto, who had been arrested by Otema a few times in northern Uganda's main town of Gulu, kept staring at the army man even while bowing his head for a prayer. Speaking first, Southern Sudan's President Salva Kiir and Gulu's Archbishop John Baptist Odama invoked a spirit of hope. The leader of the GoU delegation, Interior Minister Dr Ruhakana Rugunda, reiterated the GoU's commitment to peace. Then Martin Ojul, chairman of the LRA/M delegation, walked up to the microphone to announce that he would leave the opening words to his spokesperson Obonyo Olweny. Olweny, in the first official public appearance by the LRA/M at the Juba Talks, launched into what in my scribbled notes I described as "a symbolic RPG [rocket-propelled grenade] attack". First, he gave a long list of grievances the LRA/M wanted to discuss:

My delegation wishes to take this opportunity to inform the international community that the political agenda of the LRA/M is premised on the mission to address the basic issues of among others, political persecution and marginalisation, demeaning attitude designedly expressed by people in power to insult and

¹ This refers to an interview I conducted with Kony, which in English was not published under my name. See M.Schomerus, "Chasing the Kony Story," in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London: Zed Books, 2010.

demonise some ethnic groups in the country, deliberate imbalance and disparity in the development of our country, protection of the people's land against state-sponsored and state-backed land grabbers, respect for and protection of cultural diversity, abuse of democratic principles and good governance, genuine respect for international law and the territorial integrity of and peaceful co-existence with all countries, compensation and reparation for all the losses suffered as a result of civil strife and/or state-instigated schemes such as cattle rustling by NRA [National Resistance Army, a previous name for Uganda's army] soldiers that swept all the livestock in northern and eastern Uganda, equal opportunity for all, partisan army and other forces, peace and reconciliation, private sector-driven economy, professional and motivated civil service, zero tolerance for corruption, sectarianism and abuse of office, affirmative action for women, youth and the disadvantaged, IDP [internally displaced persons] camps and protection of human dignity.²

During preparations for the opening ceremony, Olweny's speech had caused heated discussions in the LRA/M. Some delegates—and representatives of IKV Pax Christi, a Dutch organisation that played a crucial part in bringing about the Juba Talks—had advised against putting a sweeping collection of issues on the table and instead suggested sticking to pleasantries. Others wanted to use this unprecedented publicity opportunity to establish the LRA/M's political agenda. They argued that this would prove that the LRA/M had fought a legitimate war, and would set the appropriate tone for the negotiations. Unsurprisingly, Olweny's main point, in addition to "explain[ing] the root causes of the war to those who are genuinely concerned about the conflict in northern Uganda, its manifestations and ramifications", was that the LRA wanted to

give our side of the story against extremely negative and malicious distortions, misinformation and outright lies about the role of the LRA/M in the conflict, and to a no less extent, against the people of northern Uganda... [and] appeal to the international community to reassess its position on the LRA/M, based on prejudices and misgivings prompted by NRM's [National Resistance Movement, President Yoweri Museveni's ruling party] elaborate propaganda machinery.³

As he concluded his speech, Olweny's tone became firm:

Our clear and unequivocal message to the regime in Kampala is that our acceptance of these peace talks should not be interpreted that LRA can no longer fight or that we are now militarily weak. No, we are not. Should the regime in Kampala choose the path of violence and militarism in the belief that they can settle the current conflict in the battlefield by decisively defeating the LRA, then they shall be in for a rude surprise.

² LRA/M Delegation in Juba/O.Olweny, "LRA/M opening speech at first Juba Peace Talks opening ceremony", 14/7/2006.

³ LRA/M Delegation in Juba/O.Olweny, "LRA/M opening speech at first Juba Peace Talks opening ceremony", 14/7/2006.

Colonel Otema, seated only a few rows away from me, let out an audible snort. Olweny continued:

The LRA is strong and the unfolding political events in Uganda, the ever manifesting clearer dichotomy between a small clique of an ethnic-based regime and the majority of the marginalised Ugandans can only make a now focused, more pro-people and more sophisticated and committed LRA stronger. The LRA has come of age. Never shall we remain silent about the intransigent and rapacious machinery of the NRM/UPDF.⁴

The audience was noticeably taken aback. I heard someone say loudly: "That was a bit harsh!" Such a strong statement, delivered with military verve by someone most people attending knew to be a member of the Acholi diaspora, was unexpected for some, frustrating for others. Most journalists construed the speech as an attention-grabber to counter allegations that, as a spent force, the LRA was not a credible negotiation partner. Olweny's debut also fuelled a separate discussion. Who were the LRA really? A safe haven for an embittered but out-of-touch diaspora? Die-hard commanders with forced recruits at their mercy? Considering that the LRA was known for recruiting through abduction, were these delegates brainwashed abductees, volunteers for a cause they believed in or, as someone behind me whispered, down-on-their-luck individuals who had joined the delegation in anticipation of a generous per diem?⁵ Father Carlos Rodriguez, a long-time resident of Uganda and a significant figure in previous peace negotiations with the LRA, turned to his neighbour and asked loudly: "When has this man last been to Uganda?"⁶

Within the walls of the windowless Legislative Assembly, within the space of a few minutes, I had heard or overheard a whole set of issues that somehow needed to be tackled at the Juba Talks—including how the LRA/M wanted to present itself.⁷ Within the delegation, Olweny's speech had created dissonance. One delegate, a middle-aged man with an army rank who was now living in Europe, was concerned that the strong tone of the speech had closed down the possibilities for negotiations: "The Government of Uganda will feel snubbed. They might withdraw... The speech should have been more humble, without any inclusion of military power. Otherwise this can be seen as a threat of war."⁸ Other LRA/M delegates left

4 LRA/M Delegation in Juba/O.Olweny, "LRA/M opening speech at first Juba Peace Talks opening ceremony", 14/7/2006.

5 Fieldnotes, Juba: 14/7/2006.

6 Fieldnotes, Juba: 14/7/2006. Father Carlos's memoir of his time in northern Uganda is C.Rodriguez Soto, *Tall grass : stories of suffering and peace in northern Uganda*. Kampala: Fountain Publishers, 2009.

7 Fieldnotes, Juba: 14/7/2006.

8 Fieldnotes, Juba: 14/7/2006.

the opening ceremony in a visibly triumphant mood, convinced that their having voiced their anger and demands would allow the conflict to be resolved. Asked how he felt during the ceremony, one of the younger delegates with reportedly close connections to Joseph Kony said: "I feel that I have done something good."⁹

The Thesis in a Nutshell

This delegate's feeling that something positive had been started in Juba was initially reflected in how the Juba Talks were perceived. Despite the doubtful whispers in the audience and the LRA/M's awkward opening speech, the Juba Talks were widely considered the most promising attempt at peace in the history of a violent conflict that has its beginnings in 1986. Yet in 2008 the Juba Talks ended when, despite several opportunities, the Final Peace Agreement (FPA) remained unsigned by LRA leader Kony, and the Ugandan military (UPDF) then dropped bombs on the camp of the LRA in the north-eastern corner of the Democratic Republic of Congo (DRC). A military offensive against the LRA continues to this day. It is widely argued that the peace talks failed because the LRA/M was not serious about finding a negotiated solution, or because the arrest warrants issued for LRA senior commanders by the International Criminal Court (ICC) in 2005—the young court's first ever arrest warrants—made a peace agreement impossible. Both arguments imply that the content of the negotiated agreements was the most important part of the Juba Talks, by suggesting either that the LRA/M was unable to settle on an agreement or that no agreement could be found that satisfied both the conflict partners and the ICC.¹⁰ These are easy and lazy interpretations. The reality behind the failure is less clear-cut and a detailed account of what actually happened is important, not only because these were the first peace talks directly influenced by the ICC and because the fall-out has been violent for civilians in South Sudan, DRC and the Central African Republic (CAR). How the Juba Talks are remembered and conceptualised also has long-term implications, for example regarding how military partnerships between the US and Uganda are understood. For that it is necessary to shine light on the complex and convoluted events that were set in motion in Juba, beyond the obvious chronology of agreements signed. This thesis contributes to such understanding by providing an ethnography of the Juba Talks as experienced by the LRA/M.

⁹ Fieldnotes, Juba: 15/7/2006.

¹⁰ The content of the agreements is not discussed in this thesis.

I suggest that dynamics and how they were experienced by the LRA/M were the crucial element that led to the non-signing of the final agreement. My broader endeavour is a more nuanced analysis of this particularly confusing and multilayered process in which many actors with often conflicting objectives played a part. However, while the Juba Talks represent a unique case, they offer broader lessons about peacemaking. As a case study and benchmark peace process in a changed international environment, the Juba Talks can help explain why broadly speaking, the emphasis in current peacemaking on negotiated agreements is misplaced as a measure of success.

I shall argue that one of the main reasons for the failure of the Juba Talks can be found in how the LRA/M experienced the process of working towards a peace deal, rather than their rejection of the content of specific agreements. As I spent prolonged periods of time with the LRA/M during the Juba Talks to watch and ask questions—as outlined further in the brief comment on methods—an ethnographic perspective emerged that established that behind seemingly accepted events, a separate set of evolving dynamics and challenges called the meaning of the negotiated agreements into question for the LRA/M.¹¹ As this thesis shows, the key to making peace might instead be found in engagement with dynamics and developments that occur around the talks. In Juba, the LRA/M did not experience a deep peace process and instead encountered the same power patterns that had kept the conflict alive. Yet on another level the Juba Talks brought peaceful change to Uganda, strengthening the argument that despite the failure to sign a final agreement, negotiating holds a value in itself.

One thing that the thesis does not do, however, is to discuss the content of the agreements. There are two reasons for this: first, the agreements are publicly accessible for everyone to analyse.¹² Attention on the agreements would in this thesis need to come at the expense of my empirical fieldwork, which I conducted solely outside the negotiation room. Secondly, restricting myself to observations rather than written outcomes underscores my argument that what happens on paper and what actually happens in the broader process are two rather disconnected phenomena. Focusing instead on the experience of the LRA/M, I will demonstrate how fragmented narratives and dynamics within the group and in the encounters between

¹¹ Clark's analysis of the gacaca courts in Rwanda starts from a similar perspective. The courts are often considered a somewhat static and legalistic institution, but Clark instead argues that the courts are "a kinetic social institution that is shaped heavily by the population's perceptions and actions." (Clark, P. *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda*. Cambridge: Cambridge University Press, 2010. p.7.) Hence what happens during a process in turns shapes the meaning of the process.

¹² All agreements can be found, for example at http://www.beyondjuba.org/BJP1/peace_agreements.php (accessed September 27, 2012)

the group and outside actors failed to amount to a shared understanding of what could be achieved through negotiations. Piecing together the developing dynamics behind the events in Juba using observational fieldwork, I establish that individuals within the LRA/M experienced the Juba Talks as a confirmation of existing power dynamics. This further entrenched the fault lines between the LRA and the GoU, setting the stage for the next stage of the conflict between the two actors. However, the Juba Talks were nevertheless valuable in aiding transformation in Uganda.

Overview of Findings

Peace is often assumed to be better than war; yet solving entrenched conflicts within the existing system is extraordinarily difficult. A few days before the opening ceremony of the Juba Talks, I was writing notes on what I then considered the main challenges for the talks. The challenges to me seemed pretty straightforward: Actually conducting the negotiations would be difficult, I noted. The heavily armed LRA and the LRA leaders were camped out about 300 miles away in the Congolese jungle, with no intention of joining the negotiations at the table in Juba, so getting their input and feeding them would be difficult. Facilitation through the young GoSS might be unreliable. There was a need to figure out how to navigate the arrest warrants issued by the ICC for LRA commanders Joseph Kony, his deputy Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen, and with that to establish how to manage the tensions between localised conflicts and international justice frameworks. I presented these challenges to one of the LRA/M delegates. These were all good points, he said, but that he was unsure that these were the biggest problems.

Peace, he said, will require a lot of change, both inside and outside the LRA. Adjusting to new situations, thinking of the world they lived in as a peaceful environment in which tackling issues with violence was not an option, was going to be as difficult for the outside world as it was for the LRA. He explained that people mistook peace for something that was very easy and could be achieved by simply wanting to achieve it. This was not the case. Instead, he said, it was more important that the talks be done properly. He was unsure whether the LRA would be able to get their points across, and thus he was sceptical that the negotiations would work. Using an Acholi proverb, he put into words that how the LRA and those affected by the conflict experienced the process would be the most important part, and that getting all these things into place to reach peace was full of potential hurdles: "Every easy thing can be very complicated," he said.

“Even something that you think is very easy and normal to do. Even eating you can bite your tongue.”¹³

This thesis’s main finding is that how actors experience peace talks determines their negotiation conduct and the extent to which they can change their own behavior. As such, it is the process that takes centre-stage, rather than its achievements. The process, however, was for the LRA/M an often contradictory experience with shifting loyalties and interests. Another finding is that internal dynamics within the LRA/M were profoundly influenced by their perception that they were trapped in an established hostile system. They encountered an uneven playing field, as the analytical narrative of the Juba Talks provided here brings out. Yet the LRA/M also struggled to transform their internal dynamics of distrust. Instead, the Juba Talks confirmed the workings of the “system” LRA/M that continues to function on its internal trust and distrust between actors of the LRA and the LRM, as well as in collaboration with the government as both groups continuously infiltrate each other. This permanent playing-off of loyalties and betrayals in a system that connects everyone to everyone is a crucial part of why the conflict has continued for so long and why civilians continue to suffer.

These complex internal functions made engaging with international actors—who functioned very differently from the LRA—even more challenging. Where the LRA/M maintains momentum and connections by establishing a pattern in which they often simultaneously reach out and pull back, international actors were aiming to establish consensus to deal with the challenges of the ICC. These two different operational modes created encounters that to the LRA/M confirmed the unlevel playing field. In the end, the sum of these experiences encouraged the LRA/M to maintain the status quo of the conflict, including continuing to play their own established role that had kept the conflict alive for two decades.

Individuals within the LRA/M embraced the notion of peace with ambiguity. Personal stories give an insight into how LRA/M members experience the day-to-day realities of their often shifting identities, expressing an ambiguity vis-à-vis being an actor in war and in peace. Some of this ambiguity stems from the history of the conflict and the many frustrated attempts to end it. Crucially, the finding that peace comes with ambiguity for LRA/M members questions a range of common notions in scholarship and practice. Scholars have long recognised that contemporary peacemaking is not a linear process with clear goals. Yet often an unquestioned assumption persists that conflict actors ultimately want to

¹³ Fieldnotes, Juba: 5/7/2006.

achieve peace and are willing to sacrifice their own position for this goal. With this assumption, conflict resolution theory and practice fails to capture the experience of the LRA/M in the peace talks.

As a case study, the Juba Talks allow for broader conclusions about obstacles to peace. The thesis identifies that in current approaches to peacemaking the dynamics of the process and how it entrenches existing conflict-prone structures—including internal structures—receive too little attention, which often inadvertently contributes to the continuation of violent conflict. The thesis further concludes that methods of investigation and analysis of these elements currently fall short of providing the empirical information needed to develop a broader holistic perspective on how to measure success and failure to allow for a transformation of conflict resolution strategies.

Thesis Structure

Following a chapter on the history of the conflict and attempts at peacemaking, as well as the history of the discourse on the conflict, this thesis intersperses a detailed account of events and experiences in Juba with analytical chapters. Three detailed chronological chapters provide a broader account of what occurred between the opening ceremony and Kony's failure to sign the Final Peace Agreement by the deadline of November 30, 2008. In these analytical chronologies I sometimes use secondary information on events that I did not witness myself, however, the narrative of events is punctuated with insights into how what happened frustrated or elated the LRA/M.

The chronology, divided by years, is alternated with analytical chapters. The first of these is a narrative enquiry that gives an insight into how LRA members explained the inner workings and values of the LRA, including the amorphous and contradictory LRA identity. Further analytical chapters reveal the LRA/M's patterns and logic beneath the confusion by outlining the ideological and systematic obstacles encountered and distilling the particularities of the LRA/M as a negotiation partner. A final chapter concludes on broader achievements of the Juba Talks, as well as what general insights on peacemaking can be derived.

The Scholarship on Peace Negotiations

For a brief moment, it all seemed easy. The Juba Talks recovered from the rocky start in the opening ceremony; over the following months, several countries pledged their financial and political support. Success appeared

within reach. Experienced practitioners seemed convinced that this time a peace deal was inevitable—primarily because by entering the talks, the LRA/M had sent a signal that most analysts read as a sign of weakness or of running out of options. In October 2007, Jan Egeland said that the Juba Talks had largely progressed in patterns familiar to conflict resolution practitioners. Egeland had retired from his position as UN Undersecretary of Humanitarian Affairs (the head of the United Nations Office of Coordination of Humanitarian Affairs (OCHA)) the previous year, having been engaged in northern Ugandan issues for a long time. He had visited Juba twice during the talks, including a visit to the bush to meet with the LRA high command. Looking back in 2007, he was not concerned that both negotiation partners had assured each other that they were prepared to continue fighting:

It was classic negotiation in a sense that they both take very tough positions vis-à-vis the third party. But I was not that nervous, I felt that we had had a turning point by the end of 2006 for the simple reason that we could see that everybody enjoyed the several months of peace and quiet in northern Uganda, the first ones in 18 years.¹⁴

Yet since no peace deal was achieved, the assumption that the negotiations were on track and that the LRA/M had no choice but to agree to peace were proven wrong. A brief look towards existing scholarship on peace negotiations helps explain the basis of the expectations that made the Juba Talks seem a certain success, and highlights the existing gaps. From the vast amount of general scholarship on peace negotiations, two areas are of particular relevance for this thesis. First is the science that aims to understand negotiation behaviour primarily through modelling. What this approach crucially overlooks is the experience of those doing the negotiations. Second is the contested question whether a negotiated peace agreement does bring peace, or whether it instead sets the stage for a different phase in the conflict.

Modelling Negotiations

Social science has established the fine-grained complexities of conflict. Ramsbotham, for example, describes the need to understand the complexity of “hybrid struggles” that transcend “international state and societal levels” and stresses the necessary “shift towards seeing conflict in its context”.¹⁵ Yet implementation of conflict resolution remains for practical reasons largely driven by a monolithic view of conflict parties and the

¹⁴ Telephone interview with Jan Egeland, former UN Undersecretary for Humanitarian Affairs, 15/10/2007.

¹⁵ O.Ramsbotham, T.Woodhouse, and H.Miall, *Contemporary Conflict Resolution*. Cambridge: Polity, 2005, p. 25.

assumption that context can be altered through negotiations. In the Juba Talks, the tacit understanding that any kind of deal would be attractive for the LRA created the notion that the LRA/M had more to gain than to lose from getting a deal and would thus come together around that goal. It seemed as if concluding the talks successfully was only a matter of working out the bargaining positions. Pruitt's iconic 1981 representation of a simplified game-theoretical view of negotiations might seem dated in light of more nuanced understandings of conflict, but the basic message that negotiations function according to game theory models remains rather dominant.¹⁶

Game theory is not simplistic, but in creating models, it fails to capture the finer dynamics of complex conflicts,¹⁷ falling short of taking into account subtle motivations and behaviour within a group and among individuals in the group. The practical application of negotiation models tends to be simplified, politicised and, as Rubinstein says, misunderstood as a tool to predict behaviour instead of as "an abstract inquiry into the concepts used in social reasoning when dealing with situations of conflict".¹⁸ Hemmer has argued that an emphasis on game theory has meant that more complex set-ups "involving networks of many actors" remain under-studied, as they do not fit measurable patterns. Crucially, game theory tends to present negotiations as an isolated event starting with a blank slate, whereas, argues Hemmer, they tend to be a continuation of "ongoing networks of relationships and social processes".¹⁹ Richards makes the point that a game-theoretical view overlooks the social context: "The worst wars are between groups whose basic social assumptions lead them to define quite incompatible—indeed incommensurable—needs and desires," he writes. "Stakeholders can bargain, but first they need to agree they hold stakes in common."²⁰ Bates's criticism of "off-the-shelf models" that reduce each situation "to one of a small number of models (prisoner's dilemma, battle of the sexes, principal agent with moral hazard, principal agent with adverse selection)" is particularly pertinent in this context. He argues that

¹⁶ Dean G. Pruitt, *Negotiation Behavior*. New York: Academic Press, 1981.

¹⁷ See for example P.K. Dutta, *Strategies and Games: Theory And Practice*. Boston: MIT, 1999, and J. Watson, *Strategy: An Introduction to Game Theory*. New York: Norton, 2002, for a comprehensive discussion of game theory's applicability in conflict resolution.

¹⁸ A. Rubinstein, "Comments on the interpretation of game theory", *Econometrica* 59, 4, 1991. Game theorists counter that the gap between practice and theory is due to different methods: a practitioner sees limited appeal in randomisation. See R. Radner and R. Rosenthal, "Private information and pure strategy equilibrium", *Mathematics of Operations Research* 7, 1982.

¹⁹ B. Hemmer et al., "Putting the 'Up' in Bottom-Up Peacebuilding: Broadening the Concept of International Negotiations", *International Negotiation* 11, 2005.

²⁰ P. Richards, "New War: An ethnographic approach", in *No Peace No War: An Anthropology of Contemporary Armed Conflicts*, ed. Paul Richards. Athens/ Oxford: Ohio University Press/ James Currey, 2005, p. 19.

models only become informative through context, which calls into question the usefulness of the model in the first place.²¹

Naturally, models struggle to include the finer political context, such as the internal dynamics of negotiators, the memories and narratives of the war and previous attempts to end it, and crucially the changing perspectives of individuals within the group of negotiators as they go through the process of negotiation. Broader issues, such as for example the Juba Talks' particularly challenging set-up in a country emerging from war and the need to navigate tensions between national conflict resolution and an international justice framework, are overlooked. In modelling, such intricacies would simply be marked as *b* or *o* for *other things*. Unsurprisingly, Hemmer complains that *other things* in modelling are "usually seen as static or uncontrollable".²² This thesis's focus on how conflict actors in Juba perceived the negotiations shows how dynamic and tremendously important such *other things* are—to the point that they can influence whether agreements get signed or not.

What Do Peace Agreements Achieve?

The pursuit of a written peace agreement at the heart of the Juba Talks is hardly surprising. A large number of conflicts are now settled by peace agreements, rather than by outright victory. The belief in the power of negotiation, writes Spector, remains strong as "a meaningful and viable technique to address the conundrum of apparently irreconcilable differences, though the need for creativity is stressed".²³ Opponents of military intervention remain focused on peace agreements as the acceptable, more humane and humanistic way to end violent conflict. Relationship-building, trust, incentives and reconciliation are elements of an idealised model of conflict resolution. Egeland himself, despite presenting a whole range of peace processes in his autobiography as successes that ultimately did not lead to peace, retains this unshaken belief in the system.²⁴ Scholarship rarely goes beyond rather general statements in providing frameworks for negotiation. Seguya, in her work on the Juba Talks, emphasises broad participation as essential. The Juba Talks, she writes, "could have benefited from a 'bottom-up' approach", which she elaborates to include "addressing root causes of the conflict, and the

21 R. Bates, A. Greif, and M. Levi, "Analytic Narratives Revisited", *Social Science History* 24, 4, 2000.

22 B. Hemmer et al., "Putting the 'Up' in Bottom-Up Peacebuilding: Broadening the Concept of International Negotiations", *International Negotiation* 11, 2005.

23 B. I. Spector, "Negotiation in an Insecure World." *International Negotiation*. 11, 2006.

24 J. Egeland, *A Billion Lives: An Eyewitness Report from the Frontlines of Humanity*. New York: Simon and Schuster, 2008.

inequalities in the country's economy, the changing dynamics of the conflicts", among others.²⁵

Much like in the Juba Talks—which produced five separate signed agreements, but no final signature to endorse all of them—many peace agreements do not have the desired effect. Only a few prominent peace agreements actually brought lasting peace between specific conflict parties, such as the Camp David Accords between Israel and Egypt, the Good Friday Agreement, and the work done by the Nyere Foundation.²⁶ With such a poor record of accomplishment, particularly in settling interstate conflicts, there is no conclusive answer to the broader question whether peace talks are a good way to achieve peace. Generally, argues Toft, peace agreements are the least reliable way to bring peace, because systemic change needs the destruction of one conflict party, usually through military means.²⁷ Luttwak suggests that letting a war run its course is a less costly and more reliable way to achieve peace.²⁸ Peace negotiations and peace agreements might simply contribute to a continuation of the conflict. Dolan has written that before the Juba Talks, peace talks between the GoU and the LRA had been a tool to entrench existing power relations and thus could be seen as "a continuation of war by other means" which "in essence created the space for further militarisation."²⁹ This thesis makes a similar argument about the long-term effects of the Juba Talks on dynamics between the two conflict actors.

This thesis also shines a light on what might be the greatest challenge in contemporary peacemaking: the vast gap between theory and practice, between what scholars and analysts know is necessary to de-escalate and change conflict dynamics, and what processes are supported particularly by international organisations. In conflict resolution scholarship, theory has long moved to a more sophisticated understanding of the holistic and structurally changing processes that are required to transform entrenched conflicts, with Lederach and Galtung being the first scholars to widely

25 N. Seguya, *Challenges in Conflict Resolution: Case of the Juba talks in Uganda: Challenges faced at the Juba Peace Talks in Uganda (2006-2010)*. Saarbruecken: Lambert Academic Publishing, 2010, p.92.

26 O.Ramsbotham, et al., *Contemporary Conflict Resolution*. Cambridge: Polity, 2005. Wallensteen argues that from 1946 to 2004, durable peace agreements were achieved in more than a third of all conflicts. P.Wallensteen and M.Eriksson, *Negotiating Peace: Lessons from Three Comprehensive Peace Agreements*. Uppsala/ New York: Uppsala University/ Mediation Support Unit UN, 2009, p. 13.

27 M. Duffy Toft, *Securing the peace: The durable settlement of civil wars*. Princeton: Princeton University Press, 2010.

28 E.N. Luttwak, "Give War a Chance." *Foreign Affairs* July/ August, 1999.

29 C.G.Dolan, "Understanding War and Its Continuation: The Case of Northern Uganda", PhD Thesis, London School of Economics, 2005, p. 109.

introduce this language.³⁰ Broadly speaking, scholarship on conflicts tends to work with the notion of transformation, rather than resolution, even though Botes questions whether fine-tuning the semantics in this way has brought a chance to theory and practice, as the muddled use of terminology continues to muddle practice.³¹ How the notion of conflict transformation can make the practice of peace negotiations complicated becomes clear when looking at what schools of thought exist. Burgess and Burgess categorise three conceptualisations of the term conflict transformation: The first requires a recognition of national aspirations, the second encompasses deep-ranging structural institutional changes and power redistribution in order to not allow the conflict to return, and the third requires adjustment of individual beliefs and behaviour.³²

In practice, despite this understanding, particularly peace talks with an international interest tend to fall back on a range of established procedural templates. Approaches such as negotiations (including track one and track two negotiations), mediation, diplomacy, peacebuilding are well established and preferable for peace processes under public scrutiny as they seemingly are more measurable. The Juba Talks in particular are an example how such limited procedural tools ultimately stood in the way of conflict transformation—or even just prevention from moving the conflict into its next military phase.

The idea of transformation does not come from a realisation that negotiation and mediation often fall short of expectations, but that in fact in situations of entrenched conflict those seemingly streamlined processes do not mirror the kind of conflicts they are trying to solve. These entrenched social conflicts—of which the LRA conflict is one—instead move through phases of social change, along the lines of the conceptualisations of Coleman and Boulding.³³ Even though scholars of conflict have since

30 Lederach, J. P. "Conflict Transformation in Protracted Internal Conflicts: The Case for a Comprehensive Network." and Galtung, J. "Conflict Resolution as Conflict Transformation: The First Law of Thermodynamics Revisited." Both chapters in Rupesinghe, K., (ed.), *Conflict Transformation*. New York: St. Martin's Press. 1995.

31 Botes, J. "Conflict Transformation: A debate over semantics or a crucial shift in theory and practice of peace and conflict studies?," *The International Journal of Peace Studies*. 8, 2, 2003.

32 Burgess, H. and G. Burgess, eds. *Encyclopedia of Conflict Resolution*. Santa Barbara, CA: ABC-CLIO Inc, 1997, pps.285. Burgess and Burgess cite Kriesberg, Northrup and Thorson as the most important proponents for concept 1, Harrington and Merry and Burton for number 2, and Bush and Folger for the focus on individual change. See Kriesberg, L, T.Northrup and S. Thorson, (eds.) *Intractable Conflicts and Their Transformation*. Syracuse: Syracuse University Press, 1992. Harrington, C. and S. Engle Merry. "Ideological Production: The Making of Community Mediation", *Law and Society Review*, Vol. 22, No. 4, 1988, pp. 708-735. Burton, J. *Conflict Resolution, Its Language and Processes*. Lanham, MD: The Scarecrow Press, Inc, 1996. Bush, R., A. Baruch, and J. Folger. *The Promise of Mediation*. San Francisco: Jossey-Bass Publishers, 1994.

33 Coleman, J. *Community Conflict*. New York: Free Press, 1956. Boulding, K. *Conflict and Defense*. New York: Harper and Row, 1962.

debated the exact meanings of the terms, practice in the heat of the moment tends to boil down to the much more limited procedural templates discussed above which are aimed at resolving a particular part—usually violence—of a broader structural issue. What these templates do not do, however, is accommodate the long-term fluidity of a transformative process. Botes argues that conflict resolution attempts are a set-up for failure as they leave the system within which the conflict occurred intact. On the other hand, conflict resolution processes through the readily available toolkit are, as Mayer argues, seemingly more manageable because they seem focussed on a set of tangible issues and have a timeframe attached to them.³⁴ Further, the negotiated agreements tend to hold some procedural, some substantive and some institutional components to agree on schedules, ways to address grievances, agreements on root causes, and implementation monitoring.³⁵

Research Gaps on Peacemaking and the Juba Talks

With procedural toolkits to end war rather limited, the question does remain: How does the end of war come about? Research on how to best end war peacefully is a relatively young field that emerged in this definition only in the mid-1980s.³⁶ The field is still better at asking questions than providing answers. Chirot and McCauley, for example, question the viability of a range of approaches to end violent conflict, such as “pursuing leaders responsible for mass murder and bringing them to justice? Education campaigns? Strengthening international institutions? Alleviating poverty? Building civil society? Promoting truth and reconciliation commissions?”³⁷ Tarrow wonders: “What are the factors and the mechanisms that are likely to produce post-war civil peace? Power sharing? Vigorous peace-making by

34 Mayer, B. *The Dynamics of Conflict Resolution: A Practitioner's Guide*. San Francisco: Jossey-Bass Publishers, 2003.

35 Yawarajah, N. and J. Ouellet. "Peace Agreements." *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium. Boulder: University of Colorado, 2003.

36 Conflict was initially covered in scholarship largely by qualitative examinations, yet with the emergence of conflict studies as a discipline, the methodological focus shifted. Gurr, often referred to as the founder of conflict studies, moved scholarship towards a quantitative approach to describing violence. Although Gurr paid some attention to individual experience of “relative deprivation”, he largely focused on state-level reasons for rebellion. Tilly moved the debate from the state-level focus to finding reasons for political violence in the context of a conflict. Building on that, even scholars who had previously focused on quantitative data sets began to advocate a qualitative angle. See T.R.Gurr, *Why Men Rebel*. Princeton: Princeton University Press, 1970; C.Tilly, *The Politics of Collective Violence*. New York: Cambridge University Press, 2003; N.Sambanis, "Using Case Studies to Expand Economic Models of Civil War", *Perspectives on Politics* 2, June 2004.

37 D.Chirot and C.McCauley, *Why Not Kill Them All? The Logic and Prevention of Political Mass Murder*. Princeton/ Oxford: Princeton University Press, 2006, p.5.

international institutions? Or simply stalemate and exhaustion of the internal antagonists?"³⁸

In the past, as conflicts were often studied quantitatively, the need for data sets pushed aside any focus on the internal processes of conflict parties; political context as experienced by individual conflict actors was largely absent. More recently, even scholars who focus on quantitative approaches have complemented their work by including political narratives.³⁹ The study of conflict resolution is thus rapidly evolving, drawing on various disciplines to understand the complex nature of conflicts that can be rooted in history, politics, geography, economics or sociology, and more recently with an increased emphasis on culture.⁴⁰ Doom and Vlassenroot stress that more attention needs to be paid "to the actors, to the concrete motives of those who engage in war".⁴¹ Weinstein, for example, does that by categorising the rational choices that drive people to join rebellions.⁴² However, a crucial gap exists even in approaches that focus on individual experiences. How dynamic processes continuously shape motivations is rarely captured. This includes processes experienced in the resolution of a conflict. Generally speaking, research on peace negotiations that puts actors' experience, rather than technical issues, centre stage is almost non-existent. Reasons for this are methodological—access is a challenge, as outlined in my note below. Nevertheless, it is also the case that some processes are so multilayered that they become what Drexler calls a "black box": a peace process so complex that it defies analysis beyond the identification of a start and an end.⁴³ One way to counter this in scholarship has been to focus primarily on technical issues.

Scholarship on the Juba Talks is no exception. Analysis of the Juba Talks tends to foreground two primarily technical aspects. The first point that has received a large amount of attention remains the tension between international and national justice frameworks, and between peace and

38 S.Tarrow, "Inside Insurgencies: Politics and Violence in an Age of Civil War", *Perspectives on Politics* 5, 3, 2007.

39 J.D.Fearon and D.Laitin, "Civil War Narratives", *Estudios/Working Papers* Instituto Juan March de Estudios e Investigaciones n. 218, 2005. Laitin's research involves presenting so-called random narratives to "assess the fit of the statistical model case by case and to establish whether the narrative of a conflict reflects the quantitative findings". See D.Laitin, *Random Narratives* (n/d); available from <http://www.stanford.edu/group/ethnic/Random%20Narratives/random%20narratives.htm>.

40 O.Ramsbotham, et al., *Contemporary Conflict Resolution*. Cambridge: Polity, 2005; M.Adams Trujillo et al., "Introduction: Conflict, Culture and Knowledge," in *Re-Centering Culture and Knowledge in Conflict Resolution Practice*, ed. M.Adams Trujillo, et al. Syracuse: Syracuse University Press, 2008.

41 R.Doom and K.Vlassenroot, "Kony's Message: A New Koine? The Lord's Resistance Army in Uganda", *African Affairs* 98, 390, 1999.

42 J. M. Weinstein, *Inside Rebellion: The Politics of Insurgent Violence*. Cambridge: Cambridge University Press, 2007.

43 E.F.Drexler, "The Social Life of Conflict Narratives: Violent Antagonists, Imagined Histories, and Foreclosed Futures in Aceh, Indonesia", *Anthropological Quarterly* 80, 4, 2007.

justice as it emerged during peace negotiations.⁴⁴ This is unsurprising, considering the benchmark significance of the Juba Talks as the first peace negotiations conducted with conflict actors who were wanted by the ICC. Although it was designed to end the worst of crimes, one of the main points of contention regarding the ICC has been the issuing of arrest warrants for actors in ongoing violent conflicts. The main argument against this instrument is that it closes off avenues for peace negotiations; the main argument for ICC activity in an ongoing conflict is that it might change conflict dynamics positively by putting actors under pressure. The second most common analytical approach to the Juba Talks zooms in only on the modalities of conducting the talks as they relate to how the text for the agreements was reached, for example in discussions over the extent to which the process was participatory and inclusive and addressed the root causes of the war.⁴⁵ Additionally, accounts of the Juba Talks tend to be reduced to brief chronologies—with a few exceptions. Atkinson, for example, provides an analytical account.⁴⁶ Yet no detailed analysis based on empirical data exists of day-to-day events at the Juba Talks and how their perception influenced proceedings. How actors experienced the process and how this might have contributed to the failure of the talks is not generally addressed—and if so, only by using retrospectively gathered data.

It is now commonly understood that peacemaking is as complex as the conflicts it aims to resolve, that peace processes are not linear, and that a detailed understanding of actors' motivations and experience is necessary.⁴⁷ In the months leading up to the Juba Talks, the LRA/M Information Bureau had published a paper that argued for a more detailed understanding of

44 A few significant examples from a huge literature are B.Afako, "Negotiating in the shadow of justice" in *Initiatives to end the violence in northern Uganda: 2002 - 09 and the Juba Peace Process. Update to Issue 11*. E.Drew, ed. London: Conciliation Resources, 2010; M.Kersten, "Peace from Juba: Peace Talks between the LRA and the Government of Uganda (2006-2008)", in *Beyond Kony 2012*, ed. A.Taub. Leanpub, 2012; P.Bukuluki, *Negotiating Retributive and Restorative Justice in Conflict Transformation Efforts: The Case of Northern Uganda*. Zurich: LIT Verlag, 2011; A.Little, "Three Strikes and Kony's Still There: What I Learned from Negotiations with Joseph Kony and the International Criminal Court's Efforts to Indict Him," in *Beyond Kony 2012*, ed. A.Taub. Leanpub, 2012; N.Waddel and P.Clark, eds., *Courting conflict? Justice, peace and the ICC in Africa*. London: Royal African Society, 2008; S.Wijeyaratne, "Promoting an inclusive peace: A call to strengthen Canada's peace-making capacity: Country Study Peace and Justice in Northern Uganda", Ottawa: CCIC, 2008; S.Worden, "The Justice Dilemma in Uganda", Washington, D.C.: USIP, 2009; and P.Clark, "Chasing cases: the ICC and the politics of state referral in the Democratic republic of Congo and Uganda", S. Nouwen, "Complementarity in Uganda: domestic diversity or international imposition?", M. Wierda and M.Otim, "Courts, conflict and complementarity in Uganda", all three in *The International Criminal Court and Complementarity: From Theory to Practice, Volume II*, C. Stahn and M. El Zeidy, eds.. Cambridge: Cambridge University Press, 2011.

45 N. Seguya, *Challenges in Conflict Resolution: Case of the Juba talks in Uganda: Challenges faced at the Juba Peace Talks in Uganda (2006-2010)*. Saarbruecken: Lambert Academic Publishing, 2010.

46 Atkinson has written an analytical chronology of the Juba Talks. R. R. Atkinson, "'The realists in Juba'? An analysis of the Juba Peace Talks", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010.

47 See for example D. Körppen, N. Ropers, and Hans J. Gießmann, eds., *The Non-Linearity of Peace Processes – Theory and Practice of Systemic Conflict Transformation*. Opladen/Farmington Hills: Barbara Budrich Verlag, 2011.

the conflict: "The interconnectedness of the issues and parties to this conflict is far broader and more complex than is currently being perceived by both the Sudanese and Ugandan authorities".⁴⁸ It remains the case that empirical information to feed these needs for understanding in general is rare—although the war in northern Uganda has been extensively studied. A very obvious gap exists when it comes to information what the experience of a peace process is actually like for conflict actors, and how this in turn influences the conflict.

Contribution of this Thesis

I aim to partially fill this gap by providing an empirical analytical narrative of the Juba Talks, and in doing so to shine light on the dynamics that contributed to the Juba Talks' failure to achieve peace. The most commonly cited reasons for the lack of success were that Kony was not serious about peace, that the Juba Talks were an LRA ploy to regroup, that Kony's position on many negotiation points remained unclear,⁴⁹ that the LRA was torn apart by internal strife, that the mediation set-up was not conducive to reaching an agreement, and that the international community had lacked leverage.⁵⁰ Opponents of the ICC argue that the ICC warrants had prevented a peace settlement, citing the Juba Talks as a watershed moment and reality check for international peacemaking. Supporters of the ICC claimed that it helped bring the LRA to the table but then laid bare the LRA's lack of commitment to accountability. All of these points made the Juba Talks difficult, but they do not conclusively explain the complex failure to reach a peace deal.⁵¹

Instead, my argument focuses on the day-to-day experiences and challenges of conflict actors and as such, on the process. It is tempting to approach an analysis of the LRA/M in the Juba Talks as a philosophical sceptic, maintaining that increased complexity, the interdependence of actors and the unreliability of those involved defy attempts at explanation and as a consequence undermine the idea that a peaceful negotiated solution is ever possible. In the Juba Talks such scepticism was particularly prominent, as many observers of the Ugandan conflict continue to explain the lack of

48 LRA/M Information Bureau, "For immediate release", 15/11/2005.

49 P.Jackson, "Negotiating with Ghosts: Religion, Conflict and Peace in Northern Uganda", *The Round Table* 98, 402, 2009.

50 See for example J.Spiegel and J.Prendergast, "A new peace strategy for northern Uganda and the LRA", ENOUGH strategy paper, 19/5/2008.

51 The talks took place during a time of international reorientation, driven by a shift in advocacy techniques and increased emphasis on an international human rights ideology. This increased the number of actors scrambling for recognition and acknowledgement in an already complex conflict. While these issues appear in this thesis, they are not the focus of it.

peace by reference to the enigmatic inner workings of Kony's mind. This obsession with Kony as a spirit-possessed wild card has obscured other, reliable and available evidence about what went wrong. Yet elements in the LRA's behaviour can be explained through scrutiny of the LRA's own point of view. This is particularly true because the LRA are aware of these complexities and at times willing to articulate them. They were also to a certain extent observable, although observation came with methodological challenges.

A Comment on Methods

My ethnographic methods were determined by the developments that brought me to this research. Ethnographic methods include, as O'Reilly summarises, staying with a community for prolonged periods of time or generally prolonged fieldwork, observation and participation—in sum

watching what happens, listening to what is said, asking questions, and producing a richly written account that respects the irreducibility of human experience, that acknowledges the role of theory, as well as the researcher's own role, and that views humans as part object/part subject.⁵²

On November 7, 2005, I was sitting in broad daylight at a table in an open-air nightclub in Gulu, northern Uganda, with three young Ugandan men. They were listening intently as I was speaking on the phone with the LRA's Second-in-Command, Vincent Otti. Having checked that I had enough phone credit to sustain an expensive call to a satellite phone, they had dialled a number on my mobile and handed the cheap handset to me. The first thing I heard was a low, breathy giggle and then a voice addressing me by my nickname, Malaika, followed by an introduction: "This is Vincent Otti."⁵³

We made conversation. I talked cautiously, not sure whether the man at the other end of the line really was the feared deputy commander of the LRA. I had learned that many people in Gulu boast about their tight connection to the LRA high command. Having close connections to the LRA was dangerous—the UPDF was keeping a very close watch on assumed rebel sympathisers—but it also came with clout. For researchers like me, people claiming to be close to the high command were endlessly fascinating. We all

52 K. O'Reilly, *Ethnographic Methods*. London/ New York: Routledge, 2005, pps.3 - 4.

53 My name, Mareike, sounds very similar to Malaika, which in Swahili or Arabic translates as "angel". Malaikas are also spirits. Discussions on spirit possession in the context of northern Uganda can be found in T.Allen, "Understanding Alice: Uganda's Holy Spirit Movement in Context", *Africa* 61, 3, 1991; or H.Behrend, *Alice Lakwena and the Holy Spirits*. Oxford: James Currey, 1999. Kony is said to have been possessed by different spirits. These are outlined in detail by C.G.Dolan, "Understanding War and Its Continuation: The Case of Northern Uganda", PhD Thesis, London School of Economics, 2005, p.437.

wanted to hear their stories and somehow get to the enigmatic Kony. When I asked Otti where the LRA was right at that moment, he laughed again. He could not say on the phone, of course, but he himself was somewhere far in the bush—maybe Sudan, maybe Uganda, maybe the DRC. The LRA was under attack, he said.

This was not my first contact with Otti. We had been exchanging pleasantries by post, hand-delivered through messengers. A note I had written had supposedly been given to Otti in the bush; at least I had paid someone US\$25 as a delivery fee and for transport costs. A few weeks later, I had received a letter in return. The neat handwriting on rough, lined paper stated that the letter had been written on August 28, 2005; the red stamp at the bottom of the page read “Lord’s Resistance Army/ Movement” (LRA/M). It was the first time I had seen an LRA letterhead. This one was signed with a simple “Thanks” and “Yours sincerely, Otti Vincent, c/ m II”.⁵⁴

“Madam Malaika,” the letter read. “I would like to thank the almighty God, the God of Abraham, Isaac [sic], Jacob and our ancestors for allowing our meeting through this letter though not physically.” The letter went on to express concern: Otti wanted to know who I was, but also what I—as a representative of the outside world—thought about him. He did not think that the world had the story right.

The world currently has termed us as terrorist [sic], murderers, thugs and all they can call us but we are not such. It is only that our points, agenda of the war is not being represented to the international body. So my point of argument is only if you can promise to work with us secretly without exposing things to the Ugandan government then absolutely we are also ready to work with you.⁵⁵

I was unsure what exactly Otti expected of me, what “working with” the LRA entailed. The young men I had met in Uganda had wanted to speak to me repeatedly over the course of several months. We had discussed why they thought that violence had been necessary to end the conditions in northern Uganda’s displacement camps, their disillusionment with recent attempts at peace, and their confusion about the involvement of the ICC. They had said that Otti also wanted to understand better what the ICC was.

I asked Otti what he knew about the ICC. “I know that they take me to the ICC and then they will hang me,” he answered and laughed. It must have seemed funny to him that after two decades of barely leaving the bush between Uganda, Sudan and the DRC, he was facing what he believed was

⁵⁴ Vincent Otti, “Personal letter to author”, 25/8/2005.

⁵⁵ Vincent Otti, “Personal letter to author”, 25/8/2005.

certain execution in Europe. Equally funny must have been the thought that this institution called the “ICC”—with offices in Europe and an Argentinean prosecutor—was trying to get to him. He added that he did not want to be executed far away from his home, the town of Atiak in northern Uganda. This would not be a fitting end to his fight against the GoU and more specifically Uganda’s president, Yoweri Museveni.

In the weeks leading up to my first phone call with Otti, the young men had made clear that they also did not think much of the ICC, and that the LRA wanted to have another go at a negotiated solution. In his letter, Otti wrote a description of how he thought these peace talks ought to be conducted.

Peace talks can’t be under trees, on the road sides and in a gazetted area. Peace talks should be in different country where international observers can also be there. If that is followed, then we are ready to talk peace.

My conversations with Otti continued over the following months, as the LRA pursued its contacts to start a new round of peace talks. He kept reiterating to me that peace was what the LRA wanted; to prove it, they would allow me to visit them in the bush and to talk to Kony. After months of regular phone calls, Otti considered me a personal contact who had something to contribute.⁵⁶ This connection ultimately led me to the bush on the Sudan/DRC border to sit down and interview Kony. Circumstances helped, as powerful actors, namely the Vice-President of the Government of Southern Sudan, Riek Machar, made their moves towards facilitating peace talks with the LRA.

With Machar’s logistical help, I arrived as part of a larger delegation of SPLA, LRA/M representatives and peacemaking organisations in the provisional camp of the LRA on Sudan’s border with the DRC in the afternoon of June 11, 2006. Along with those who were waiting to be nominated as the official LRA/M delegation for the peace talks, I was told to make myself comfortable for the night in a round clearing the LRA soldiers had created. The bush was so dense that when I strolled through, pushing aside the broad-leafed plants, I could not retrace my own steps after walking off the path for only a few seconds. Had I been lost, however, I would have easily been found. LRA soldiers were stationed at regular intervals in wide concentric circles. They were invisible to me; I could only make them out in the dense vegetation when I literally bumped into one.

56 This gross overestimation of my capacity to influence peacemaking with the LRA shows, in my opinion, how disconnected the LRA felt. Venkatesh, who researched an inner-city Chicago housing project, had similar thoughts when he was asked to use his “connections” to help one of the residents: “That Ms. Bailey saw me, a middle-class graduate student, as having ‘connections’ said a lot about how alienated her community was from the powerful people in philanthropy and government who could actually make a difference.” S. Venkatesh, *Gang Leader for a day: A rogue sociologist crosses the line*. London: Allen Lane/ Penguin, 2008, loc 1535-39 (e-book).

They could clearly see me much better than I could see them. At certain times, I could at least hear the decisive marching steps of the patrols circumnavigating the clearing, betrayed by the slurping sound of gumboots and the faint smell of unwashed clothes that had dried on someone's body while walking through the bush.

In the evening I was seated near Otti on a bench constructed from tied bamboo. Every now and then, a soldier entered the clearing with a military greeting and a loud request for "Permission!" before being allowed near Otti. I saw a few young men charging their communication gadgets, using solar panels with some haphazard wiring sticking out. The weaponry on display was less makeshift: most soldiers were wrapped in long ammunition belts and carried at least an AK-47 with a bayonet. One tall man shouldered an M-16 gun; another displayed a rocket-propelled grenade. Most soldiers wore green uniforms, or at least parts of a uniform. One combined his camouflage trousers with a blue UNICEF T-shirt with a slogan campaigning for polio immunisation: "Have you seen a paralysed child?" I spotted a woman among the armed troops, recognisable as a female only by her golden ear hoops. I asked Otti what her rank was. He pretended not to understand. "Is that a woman?" he said, pointing at her and winking at me. "What makes you think it's a woman?" He then told me that she was a captain, a very good captain: "Women can also fight. She is an example."

I had been invited to stay the night, and once the SPLA and Machar had left, the LRA soldiers noticeably relaxed. The young men mostly reacted with giggling fits when I came near them, especially when they witnessed how I tried to lug several bags at once. Immediately they came to my rescue and carried my luggage to the clearing. Three young LRA were helping me to put up my tent when another young woman appeared with freshly baked bread and mashed beans. She set down the metal pots without uttering a sound or making eye contact with anyone. The bread was still warm, and the men gathered around the campfire to eat. I was invited to join and to say grace for everyone. When I said that as a non-religious person I could not do that, one of the LRA members on the to-be-appointed peace delegation took off his baseball cap and quickly said a prayer. I was the first person to be offered food from the shared pot and red, syrupy tea in a metal mug.⁵⁷ Shortly after, Otti sat down next to me. He ate and talked about his history with the LRA, but his mind seemed to be elsewhere as his eyes scanned the surrounding soldiers. It dawned on me over the course of the evening that my visit to the LRA was as much an occasion for them as it was for me. Several commanders told me that I was the first guest to be

⁵⁷ Fieldnotes, Ri-Kwangba: 12/6/2006.

invited by the very high command.⁵⁸ One officer was relentlessly filming me with a small video camera. I later learned that his nickname was “Record” because he was always on filming duty.

It was a moment of unmatched openness during a brief period from mid-2005 to mid-2007 when the LRA decided to voice their side of the story and to launch their first public relations campaign. It remains the only opportunity so far to get first-hand answers about thinking in the LRA and to observe the LRA’s interactions with the outside world. In the greater context of the LRA’s aim to start negotiations, it is not surprising that they changed their behaviour to allow this access. From a scholarly point of view, I was in the lucky position to observe this opening up of the LRA. As the Juba Talks got under way, I moved to Juba and became an uninvited observer of the talks, able to attend several meetings between officials and LRA in the bush, and conducting my own meetings as part of a community project to aid the Juba Talks. I was a beneficiary of the rather chaotic organisation of the early days of the peace negotiations, when not many questions were asked. I spent as much time as possible in the midst of it, sometimes exposing myself to intense—and justified—criticism about my unmandated presence. As the Juba Talks were taken over by the international community, the talks and the LRA became less accessible. Despite a few more public appearances by the LRA high command, they were starting to close the door in September 2007, slamming it shut in November 2008.

As the Juba Talks were rapidly developing, so was my research topic, with new twists and turns happening at every moment. Recording multilayered day-to-day events and sentiments, and then linking these to the bigger picture of this particular process and theory on peace negotiations in general, proved both a methodological and analytical challenge. First, it has been acknowledged that peace processes are complex and need further research. In reality, the often explosive day-to-day interactions in peace negotiations tend to be off-limits for researchers. Only fragmented records exist of dynamics in peace negotiations as they and the political economy of the moment develop. Most in-depth research on peace processes happens after the fact and relies on the memory of actors. Second, research on the LRA has in the past largely relied on limited material provided by ex-LRA. Some researchers have deliberately avoided trying to make contact with the LRA when engaging with the war in northern Uganda, as people pretending to be LRA might too easily manipulate information.

⁵⁸ I believe they meant that I was the first white guest to interview Kony. Fieldnotes, Ri-Kwangba: 11/6/2006.

Analytically, peace processes tend to be studied from a comparative or historical perspective, often using causal process theory to answer the broad question why a peace agreement does or does not work. These approaches are useful when combined with the benefit of hindsight, but are of lesser value in a developing process. Analysis of the motivations for and experience of being a member of the LRA (or any other military group engaged in violent conflict) is often necessarily reduced by lack of access and, as has been argued, constrained by the various analytical lenses used to view the war. The most prominent of these are humanitarian or legal frameworks. What is missing in the literature is detailed data and analysis of how actors in a peace process experience their own roles and constraints in the process. Wallensteen highlights the need for research to move away from “a consolidated set of insights on which strategies work or why agreements endure” and suggests that research should instead seek “plausible understandings that... help to highlight policy dilemmas for further study”.⁵⁹ It is this plausible understanding of how processes are experienced by those caught up in them that I am after.

Researching the dynamics of a complex process with guarded, manipulative or largely inaccessible actors provides its own set of methodological and analytical challenges: how I tackled those is also a contribution about the limitations and greater benefits of research methods in contested processes. It is in the nature of conflict actors that the information they provide is fractured, changeable and incomplete. Of course, as Mkandawire rightly stresses, asking perpetrators of crimes for their motivation usually elicits “a retrospective account of what drove them to commit the crimes” that “is likely to be self-serving”.⁶⁰ As such, the information provided here echoes the nature of the conflict and the difficulties of capturing precise description and broadly applicable analysis, while also providing a detailed account of what actually happened at the Juba Talks.

In documenting the experience of the LRA/M, this thesis builds on extensive fieldwork conducted primarily with the LRA/M as they were going through the Juba Talks. I interviewed several of the major players in the Juba Talks—some of them several times—namely LRA leader Kony, his deputy Otti, South Sudan’s Vice-President Machar, who mediated the talks, and the then head of OCHA, Egeland. I visited the LRA camp in southern Sudan’s Ri-Kwangba seven times, with two overnight stays in the LRA camp deeper in the bush across the border in the DRC. The longest visit had me stay in the nearby village of Nabanga for 10 days, making daily visits to Ri-Kwangba

⁵⁹ P.Wallensteen, *Understanding Conflict Resolution*. London: Sage Publications, 2007, p.5.

⁶⁰ T.Mkandawire, “The Terrible Toll of Post-Colonial ‘Rebel Movements’ in Africa: Towards an Explanation of the Violence against the Peasantry”, *The Journal of Modern African Studies* 40, 2, 2002, p.168.

five kilometres down a bush road. I spent time at the designated assembly area for LRA forces in Owiny-Kibul near the Ugandan border. The first time, I travelled to Owiny-Kibul on a field visit with the Cessation of Hostilities Monitoring Team comprised of LRA, UPDF and SPLA. My second stay in Owiny-Kibul lasted two weeks, during which I pitched my tent in the SPLA barracks and was kindly fed by the soldiers.

I was present at many of the milestone events of the talks, such as various opening and signing ceremonies and Egeland's visit to the LRA in the bush. On many days in Juba, I talked, observed and debated what was going on with the LRA/M or members of the mediation team. Over the course of almost three years of travelling to Sudan regularly during the Juba Talks, I conducted at least 400 semi-structured interviews with participants and civilians, and held many more informal conversations with participants in the Juba Talks.⁶¹ While the "official" part of my research for this dissertation was done in Sudan, it is also informed by several months I spent in Uganda in 2005, working with Dr Tim Allen on a report on LRA returnees and the mechanisms in place to support their reintegration.⁶² In addition, I conducted research on the phone, making frequent phone calls to the bush, and met with members of the Acholi diaspora in Europe and Kenya.

This seems like astonishing access to the LRA, and in comparison with what had been possible before, it was. Despite this, this thesis is limited by what research was possible depending on the mood of the actors (and my ability to finance my stay at the Juba Talks). Numerous ethical and methodological issues appeared along the way. The Juba Talks happened in a confined and very guarded space. The situation among actors remained fluid and was at times remarkably open. Sometimes all doors were closed and I was met with hostility. With multiple actors in charge, from the LRA/M to GoSS or international agencies such as OCHA or the UN Department of Political Affairs (DPA), consistent access was at no point guaranteed. This means that the empirical insights presented here inevitably suffer from selection bias in the sense that I was only allowed access to information when it was deemed useful or not harmful by the various actors. However, in monitoring when the LRA/M granted me access and when they pushed me away, I experienced myself how the LRA/M keeps people engaged by at times rejecting them and then inviting them back. My own experience of

61 I undertook fieldwork in Sudan and Kenya specifically focused on the Juba Talks during the following times: 25/5–13/6/2006, 28/6–15/7/2006, 9/8–16/8/2006, 4/9–18/12/2006, 15/2–26/2/2007, 28/5–8/6/2007, 6/7–21/7/2007, 21/9–4/10/2007, 22/1–16/2/2008, 13/3–2/4/2008, 8/4–16/4/2008, 5/6–27/6/2008. Between 2008 and submission of the thesis I travelled to Sudan and South Sudan repeatedly. While not every trip had an LRA focus, I gathered information on a range of subsequent occasions.

62 T.Allen and M.Schomerus, *A Hard Homecoming: Lessons learned from the reception centre process on effective interventions for former 'abductees' in northern Uganda*. Washington DC/ Kampala: USAID/ UNICEF, 2006.

being trusted, being used and being betrayed sharpened my focus on this particular characteristic. Overall, in the summary account delivered in this thesis, my ethnographic perspective underscores the subjectivity of analysis in complex processes of conflict resolution. This problem extends also to using other source material, an issue I discuss further below.

I grappled with the common researcher's dilemma that I was dealing with unreliable information, because respondents might not be telling the truth, either inadvertently or to serve a purpose.⁶³ One of the international facilitators at the Juba Talks said to me that he took every statement given by LRA/M members with a grain of salt, including all the quotes I present in this thesis, as they were all tactical statements.⁶⁴ When asking an LRA/M member for information, I sometimes said that my basic assumption was that everyone was lying and that at most half of what I was told was true. While that usually created a light-hearted moment of laughter, it did not solve my basic problem of how to deal with information that might have been intentionally misleading. Often I had information that I could not even file under "exaggerated truths", as the information environment was too murky to establish a relationship between facts and how they were perceived.⁶⁵

There is another element to following an information trail over the course of many years in a dynamic environment. In addition to my ethnographic fieldwork, this thesis uses primary material from the peace talks: speeches, public statements, position papers, and press releases. These papers were written as part of the peace negotiations--such as position papers--or in response to the ongoing negotiations. This is particularly true for press releases that reflect the LRA/M's anger at how events were unfolding.

This material augments the information I gathered from direct interactions and interviews. The official LRA/M material constitutes the more public face the LRA/M wanted to project, usually written by a smaller committee within the LRA/M. Some of the public statements and position papers were drafted by no more than two people within the delegation. At all times, some of the delegates would work on statements, not all of which saw the light of day. Some of the public materials were drawn from previous material written by individuals within the delegation; other content was developed

63 G.Gardner, "Unreliable memories and other contingencies: problems with biographical knowledge", *Qualitative Research* 1, 185, 2001.

64 Personal email to author from an international advisor to the Juba Talks, 7/8/2011.

65 Watson calls this "situated reliability" or the "shifts and gaps in the narratives people construct about their lives." C.Watson, "Unreliable narrators? 'Inconsistency' (and some inconstancy) in interviews", *Qualitative Research* 6, 3, 2006, p.368. Bourdieu has introduced the concept of "logic of practice", meaning that respondents also tend to give what they think might be an appropriate or expected answer. P.Bourdieu, *The logic of practice*. Stanford: Stanford University Press, 1990 (1980).

as the talks went along. In a few cases I use material that was never published, but was shared with me by the author or authors as an example of the LRA/M thinking. That not all public statements were signed off by the delegation with consensus highlights the tension within the delegation.

Further, the dynamics of the environment naturally shaped the kind of information the LRA/M produced. A separate thesis could be written using solely the public material the LRA/M produced during the negotiations and how the changing dynamics and the responsiveness in the international environment influenced the LRA/M discourse and how it presented its public face. One particularly prominent stream of how changing dynamics were reflected in the public materials is the LRA/M's growing realisation that while the GoSS had been the initial facilitator of the Juba Peace Talks, the young government's own challenges in implementing its peace agreement far overshadowed its ability to handle an extremely complicated second peace process. The documents reflect this through a gradually changed attitude towards southern Sudan's Vice-President Riek Machar and more generally speaking the SPLA. When towards the end of the negotiations the SPLA re-emerged as a military force that might be deployed against the LRA, rather than for its protection, the public documents become accusatory.

The documents further reflect international developments and the LRA/M's struggle to deal with those. Most prominently among the international parallel processes is the waxing and waning support for the ICC warrants. A separate analysis that focuses on just this point would produce a changing LRA/M stance on the validity of having to be accountable for their crimes. I have used this material in an interwoven way with ethnographic material to piece together a bigger picture of the LRA/M discourse during the peace talks and how these were experienced.

While it is true that my access was without precedent, I am aware that for the LRA/M so much was at stake that I largely saw a controlled external appearance. Goffman calls the process in which an individual creates a front, or a biography or opinion that they would like to have, a "front-stage presentation".⁶⁶ I witnessed front-stage presentation as life narratives of delegates or fighters changed with each month in the public eye. From a strictly methodological point of view, gathering research data that I knew at various times to be manipulated might seem rather counterproductive. Yet by spending time with people, I tried to understand the process that

66 Goffman cited in C. Watson, "Unreliable narrators? 'Inconsistency' (and some inconstancy) in interviews", *Qualitative Research* 6, 3, 2006, p.371.

went into the creation of the front-stage and how the front-stage was negotiated.⁶⁷ This seemed to me important information, as the adjusted truths of front-stage presentations were also a reflection of what Lloyd describes as “practical dealings with [experienced] reality”.⁶⁸ When dealing with information about definitive events such as military encounters, I tried to triangulate, using LRA, SPLA and UPDF sources to establish a middle ground. Nonetheless, in trying to gain the insider’s perspective of the LRA/M, as ethnographers would aim to do, I was at all times aware that embedded in this endeavour is the realisation that I could only ever deliver an outsider’s report, as Pollner and Emerson describe the irony at the heart of ethnography.⁶⁹

Members of the LRA/M at various points shared insights with me, but being actors in a situation where information came at a premium, they undoubtedly found it difficult to trust me, therefore controlling what they said to me. Further obvious constraints in delivering an analysis of the Juba Talks are that I did not attend the negotiations and that I avoided speaking in depth to GoU delegates. Conducting consciously one-sided research was necessary to not compromise my endeavour to document and analyse how the LRA/M experienced the Juba Talks. If I had been seen to talk at length with GoU delegates, members of the LRA/M would have surely avoided talking to me. As it was, how much access I was allowed was entirely dependent on the mood of the actors and how the talks were going. At times, I was accused by the LRA/M of being a spy—although it was not made clear to me for whom—or an investigator for the ICC, possibly with the power to arrest. My silver pendant in the shape of a chameleon was at various times scrutinised by Otti. I was later told that he was checking whether it was either a recording device or held poison. GoU supporters openly accused me—sometimes jokingly, sometimes angrily—of being an LRA member. While being accused was not a comfortable position to be in, neither was being seen as too close to the LRA, as evidenced in the reaction when I told a few of the LRA/M delegates that I was being harassed about

⁶⁷ A.Giddens, *The Constitution of Society: Outline of the Theory of Structuration*. Cambridge: Polity Press, 1984.

⁶⁸ G. Lloyd, *Being in Time: Selves and Narrators in Philosophy and Literature*. London: Routledge, 1993, p. 99. Gardner refers to the ideas of the philosopher Richard Rorty in discussing how knowledge is formed through associations and bonds which are “thick, heterogeneous and complex; informed by and articulating multiple psycho-personal, social, political, economic, social [sic], cultural and fundamentally material-visceral elements. Accordingly, biographical knowledge is (and is frequently recognized by actors as) fundamentally ‘fuzzy’: ambiguous, ambivalent, ironic, self-contradictory, multiple and contingent”. G.Gardner, “Unreliable memories and other contingencies: problems with biographical knowledge”, *Qualitative Research* 1, 185, 2001, p.194.

⁶⁹ Pollner, M. and R.M. Emerson. “Ethnomethodology and Ethnography”. In *Handbook of Ethnography*, edited by P Atkinson, A. Coffey, S. Delamont, J. Lofland and L.H. Lofland. London: Sage, 2001.

belonging to them. One LRA/M delegate commented: “What is bad about that? We can give you a membership card.”⁷⁰

Being under scrutiny and in danger of losing my access at any moment meant that I had to simply record as much as I could, through multiple methods within my personal constraints. I do not speak Acholi and thus could not rely on classic participant observation. However, I became something of a participant observer by simply being present at many of the Juba Talks’ important occasions. Additionally, as part of the programming to support the peace talks, I ran two community projects in Eastern and Western Equatoria. I had observed that communities in close proximity to the designated LRA assembly sites had no access to reliable information on what was happening in Juba. I assembled a team of young Sudanese men to act as liaisons between the local community, the LRA in Ri-Kwangba and organisations in Juba.

In Owiny-Kibul, the team was on the ground for six weeks in late 2006, travelling the area to hold community meetings to answer questions about the Juba Talks and collecting community concerns to report back to Juba. In Western Equatoria, the team spent about a month in Nabanga to liaise between the community and the LRA. In July 2007, they facilitated the first direct meeting between the administrator of the *payam* (district) and the LRA commander in charge of the Ri-Kwangba camp. The *payam* administrator relayed two pressing concerns, asking the LRA to allow residents in the area to tend to their coffee plantations, which were close to the LRA assembly site. Further, he appealed to the LRA to stop harvesting honey and then destroying beehives, as honey was an important cash crop. The LRA and the *payam* administrator eventually agreed to share the honey harvest and to regulate access to the coffee plantations. I was present for parts of both missions.⁷¹

I gathered data in the various situations in which I found myself—through observation, casual conversations, official interviews, daily reflections noted down in my research journals and feedback on my thoughts from LRA/M, GoSS or international actors. Quite often, my research consisted of spending days in the bush, exchanging a few words with LRA soldiers on duty who often did not speak English, hoping to get some time with one of the more senior commanders. On those days, or when I waited for hours

⁷⁰ Fieldnotes, Juba: 10/10/2006.

⁷¹ Sponsored by Pact Sudan under a UN grant, the project was supposed to support the Juba Talks. Otti and Machar signed off on the presence of the community teams. Moving in the LRA assembly areas would have been impossible without Otti’s consent, and was forbidden under the Cessation of Hostilities agreement. The Owiny-Kibul team had to leave the area when it became unsafe. Shortly after the team facilitated the beehive and coffee agreement, Otti was killed. Neither agreement was implemented. With the deteriorating communication situation with the LRA, UN funding for community work ceased.

outside the negotiation room to catch a moment of conversation with members of the LRA/M, I wrote notes to capture quotes and observations, grouping observations under thematic headings as the weeks passed by. The information is presented here as a mixture of an analytical narrative of the Juba Talks, comments by LRA/M members, and an analysis of emerging dynamics. Detail about the atmosphere and setting of the talks is vital because, as Beattie points out, "even the most matter-of-fact descriptions are shot through with abstractions, usually unanalysed 'common sense' ones... So description does more than merely describe; it is also in some degree explanatory."⁷²

Because the research began through a personal connection and continued to be marked by how I related to the LRA/M and how they related to me, it would seem as if methodologically my approach could best be characterised as reflexive ethnography in a process in which I somehow became, as Kincheloe and McLaren describe, part of the inquiry.⁷³ Reflexive ethnography serves to understand how the researcher's own experience helps in understanding the people being studied, at times with the researcher being the focus of the analysis.⁷⁴ Yet in both data collection and analysis, calling my approach reflexive ethnography would be misleading and also suggest an inappropriate method for investigating the Juba Talks in the way I have done. Davies suggests that "reflexivity, broadly defined, means a turning back on oneself, a process of self-reference" which "refers to the way in which the products of research are affected by the personnel and process of doing research".⁷⁵ Clifford and Marcus in 1986 lead the critique of ethnographies as an act of creativity placing undue emphasis on the researcher's subjectivity. While my account of what actually happened at the Juba Talks is open to the criticism that it falls short of being an authoritative account of all facets of the process, it nonetheless provides a broader chronology as a baseline understanding of events. A purely reflexive approach to understanding the process would have narrowed the account too much.

I cannot discount my own perceptions and what is presented here is an account of the Talks from my perspective. Particularly where events are disputed I will attempt to emphasise to what extent a piece of information is informed through my own presence and perception, along the lines of

⁷² J.H.M Beattie, "Understanding and explanation in social anthropology." *British Journal of Sociology* 10,1959, p.48

⁷³ Kincheloe, J.L. and P. McLaren. "Rethinking critical theory and qualitative research". In *Handbook of Qualitative Research*, edited by N.K. Denzin and Y.S. Lincoln. Pp. 279 - 313. Thousand Oaks: Sage Publications, 2000.

⁷⁴ Ellis, C. and A.P. Bochner. "Autoethnography, personal narrative, reflexivity: Researcher as subject". In *Handbook of Qualitative Research*, edited by N.K. Denzin and Y.S. Lincoln. Pp. 279 - 313. Thousand Oaks: Sage Publications, 2000, p.740.

⁷⁵ C.A. Davies, *Reflexive ethnography : a guide to researching selves and others*. London: Routledge, 1998, p.4

Okely's argument that in an ethnographic account "the specificity and individuality of the observer are ever present and must therefore be acknowledged, explored and put to creative use."⁷⁶ Fully subscribing to reflexive ethnography overemphasises my own function in a multi-layered process which I argue needs to be the focus of attention. Why this is problematic becomes clearer through Davies' description of the limits of reflexive ethnography "Total reflexivity requires full and uncompromising self-reference. Thus, it is argued, no process of knowing is fully reflexive until it is explicitly turned on the knower, who becomes self-conscious even of the reflexive process of knowing...In this fullest form, reflexivity, in spite of its unavoidable and essentially desirable presence in social research, becomes destructive of the process of doing such research."⁷⁷ To tackle this contradiction, my personal perspective will be more emphasised in some parts of the thesis than others.

Crucially, this thesis is not only based on ethnographic first-hand research. It draws on a range of other source material that is no less problematic. I discuss in the following chapter the history of information on the LRA war and why many published sources are so unreliable. Yet, I also use some of these sources to make claims in this thesis. Such sources include reports from international agencies, internal government reports (thanks to WikiLeaks, the whistle-blowing website that published them) and media. The challenge of dealing with unreliable testimony applies just as much to these reports--in the case of media particularly so when it comes to citing the Ugandan government-owned newspaper *The New Vision*. I face this challenge by only including source material that I know for a fact not to be false because I have been able to triangulate it. However, naturally this issue also highlights the broader methodological challenge in dealing in murky information environments. I can only assess sources if I already have some prior knowledge about their content. Without being omniscient, it is inevitable that this means that I sometimes dismiss a correct source based on previous incorrect knowledge I have, and vice versa.

Concerning US internal government documents published by WikiLeaks, this control mechanism is less useful as many of the processes described happened behind closed doors. However, these documents are used to illustrate the parallel discourse that occurred within the upper echelons of US government and how information was used and dispensed.

My analytical methods resembled the steps necessary for grounded theory, even though my approach to data collection did not always. As an inductive

⁷⁶ J. Okely, *Own or other culture*. London: Routledge, 1996, p.28.

⁷⁷ C.A. Davies, *Reflexive ethnography : a guide to researching selves and others*. London: Routledge, 1998, p.7.

method, grounded theory explicitly rejects the notion of starting research with a theoretical framework, and instead reverses the process by developing a framework from the data gathered. Classical grounded theory assumes that the researcher starts without looking at the existing literature on the subject, although this interpretation of the method is now much disputed, and certainly does not reflect my approach. In my case, going through the analytical process as outlined by grounded theory seemed particularly appropriate, as it was not clear during my research whether I was observing a successful or unsuccessful process. Gathering my thoughts every night and grouping them to develop themes quite naturally veered towards the “memo writing” and “coding and developing of concepts and categories” suggested in grounded theory, with strong elements of the “benign introspection” that Woolgar describes as crucial to reflexive ethnography.⁷⁸

However, a crucial element of grounded theory ethnography is, as Charmaz writes, giving “priority to the studied *phenomenon* or *process*—rather than a description of the setting. Thus...grounded theory ethnographers study what is happening in the setting and making a *conceptual* rendering of these actions”.⁷⁹ Charmaz argues, “grounded theory methods move ethnographic research toward theoretical development by raising description to abstract categories and theoretical interpretation.”⁸⁰ Crucially, in the analysis of processes a grounded theory approach leads towards interpretive theory, which Charmaz sums up as calling “for the imaginative understanding on the studied phenomenon. This type of theory assumes emergent, multiple realities; indeterminacy; facts and values as inextricably linked; truth as provisional; and social life as processual”.⁸¹ In drawing out broader lessons from the complex Juba Talks, interpretive theory allows to reconcile an understanding of the fluidity of the process with its broader generalisable implications.

I have anonymised quotes from observers or advisors to the peace talks, as well as those from various LRA members and LRA/M delegates, unless these were given in public or explicitly on the record. I have also retained names where public records exist that identify a particular situation. I refer to all delegates in the masculine, since there were only two women on the

⁷⁸ Woolgar, S. “Reflexivity is the ethnographer of the text”. In *Knowledge and Reflexivity*, edited by S. Woolgar. London: Sage, 1988, p.22; K.Charmaz, *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London: Sage Publications, 2006, p.72.

⁷⁹ K.Charmaz, *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London: Sage Publications, 2006, p.22.

⁸⁰ K.Charmaz, *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London: Sage Publications, 2006, p.23.

⁸¹ K.Charmaz, *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London: Sage Publications, 2006, p.126 - 27.

delegation and avoid too specific description of people. Eighteen delegates or LRA members are directly quoted throughout this thesis, and losing background information on the speakers in exchange for anonymity is a flaw. Yet hiding people's identities is necessary. Some delegates only spoke under the condition of anonymity. Crucially, former delegates have run into problems after the talks. In Uganda, two members of the delegation had land taken away from them; one's family has been harassed. Outside Uganda, one delegate lost his job; another was detained, accused of terrorism and threatened with extradition when he travelled to the country where his family is resident. In all cases, delegates' engagement in the Juba Talks was cited as a reason for the trouble. Other delegates have returned to Uganda and no longer talk about their engagement in the Juba Talks. Some of the quoted LRA members cannot be reached to check whether I have represented their views correctly; some are no longer alive. International staff often spoke on the condition of anonymity.

Conclusion

Providing an analytical account of the Juba Peace Talks and how these were experienced by the LRA/M presents a range of challenges. This thesis will examine what happened and then focus on a few pertinent issues that help to explain why approaches to negotiating peace need rethinking. However, this endeavour comes with a range of challenges. First of all, it requires me to provide an account of what happened at the Juba Talks, including all its convoluted detail. This analytical narrative is broken down into three chapters, each following the chronology of one year. Analytical chapters shine a light on how the events described influenced thinking and behaviour in the LRA/M.

The muddled events at the Juba Talks highlight another challenge. As a researcher, I often found it difficult to keep my finger on the pulse of realities and memories that were permanently being shifted and reconstructed using multiple layers and power reassignments. In accepting this, I attempt, as Acker et al. write, to give "full legitimacy to the subjectivity of the other as well as to our own".⁸² As I did my own analysis and observed others making theirs, it became obvious to me that the unreliability of the narrator was a problem with regard both to my research subjects and to me. Both sides were editing thoughts and outputs according to their own frames of reference. While some of my interviewees might have been deliberately manipulative—which makes them no less valuable

82 J. Acker, K. Barry, and J. Essveld, "Objectivity and truth: problems in doing feminist research", in *Beyond Methodology: Feminist Scholarship as Lived Research*, ed. M Fonow and J Cook. Bloomington: Indiana University Press, 1991, p.42.

to me—it is important to be aware of my own shortcomings in interpretation and analysis in an extremely confusing environment. In trying to untangle this rather messy information situation and present my findings in a coherent way, I am hoping to also contribute by showing the challenges and limitations of researching the complexity of these kinds of processes.

2. Brief Histories of War, Peace and Information

In June 2006, I was in the back of a car with the future LRA/M delegation. When we had left Ibba to tackle the final two hours' drive to Nabanga to meet Kony for the first time, it had started pouring. The Land Cruiser was so packed with people and equipment that I struggled to find a space for my feet between piles of bags and damp arms and legs. I was sitting opposite two designated LRA/M delegates. They were talking themselves into a rage about how the actions of the international community were responsible for continued conflict in this part of Africa. "The UN is just a bunch of robbers, they are exploiting the wealth of Congo", one of the delegates said. The other argued that the UN showed a pro-Museveni bias by not being present in northern Uganda. I said that the World Food Programme, UNICEF and the World Health Organization were working there, although whether supporting life in the displacement camps was a good idea was contentious.⁸³ The main point was, one of the delegates responded, that there were no UN soldiers to prevent UPDF attacks on the LRA: "The soldiers are never there when you need them for protection." UN troops, they argued, would make the situation much better for the LRA and thus stop the spiral of violence. I thought this interesting. I asked if they thought that UN peacekeepers would protect the LRA—or would UN soldiers instead bring peace to Uganda, including safety for civilians from LRA attacks? At this point, another delegate interrupted the debate. He spoke to all of us when he said: "To solve the problem, you have to understand it first."⁸⁴

In an unreleased draft paper, the LRA/M delegation in Juba had set out what they were aiming to do.

It is vital to boldly deal with the root causes of the conflict. We need to boldly deal with the past. How did Uganda come into being? How have the various groups now constituting the British thing now called Uganda been relating with one another? What are the constitutional issues that bedevilled our country? How did the war start? Why has it persisted? A simplistic approach will not work.⁸⁵

The following day I asked Kony what the conflict between the LRA and the GoU was about. He offered a simple explanation. "Let me say it, Museveni

⁸³ For an explanation of how aid agencies came to inadvertently support the government anti-insurgency strategy see A.Branch, *Displacing Human Rights: War and Intervention in Northern Uganda*. New York: Oxford University Press USA, 2011, p.94.

⁸⁴ Fieldnotes Nabanga/Ri-Kwangba, 11/6/2006.

⁸⁵ LRA/M delegation in Juba, "Unpublished notes", 11/9/2006.

he did not want Acholi to be in their land there," Kony said to me. "He want Acholi to be out, to complete, to die all. To be completed [dead], by all means. This is what Museveni is doing."⁸⁶ It was a very simple and sweeping explanation of what in Kony's opinion had been happening in Uganda in the previous two decades. This chapter aims to provide a brief overview of the history of war, peace and information on the LRA, to set up the perspective of the LRA on the history of war and peace, and to situate this thesis within the existing scholarship on the LRA. It provides a history of the conflict as well as the discourse about the conflict, which was hugely influential in Juba. In doing so, this chapter also highlights the baggage that many of those involved in the Juba Talks brought to the process

War

During the Juba Talks, LRA/M delegates, in their internal discussions, often invoked former Ugandan president Milton Obote's description of Museveni's ascent to power: "The people of Uganda started their struggle in 1986 against a rapacious, oppressive and massacring regime led by a demented man."⁸⁷ In that tumultuous year, Museveni's forces, the National Resistance Army (NRA), overthrew the government of Tito Okello, a northerner. On December 17, 1985, Museveni's NRA and Okello's military regime had signed the Nairobi Peace Agreement on power sharing, a peaceful settlement of the civil war, and on keeping Ugandan political leadership in the hands of Okello.⁸⁸ Despite the agreement, Museveni's forces marched on Kampala and overthrew Okello. People of Acholi origin who had been working with Okello's government were dismissed from positions of power. Violence continued after the coup, with the new government under Museveni focusing its counter-insurgency tactics on the northern part of the country, where they suspected strong support for Okello. Many of Okello's supporters, however, had fled the country. The elite group amongst them would later form the prominent and influential diaspora opposition to Museveni.

However, the long history of violence in Uganda before 1986 also informs this conflict in many ways, including riots and attacks that happened as a

⁸⁶ Author interview with Joseph Kony, Sudan/ DRC border: 12/6/2006. I have minimally edited Kony's quotes because his points can be confusing in written English, due to the ellipsis of a pronoun or the like. Where content is unclear, I will give my understanding of what he said.

⁸⁷ A.M. Obote, "Notes on Concealment of Genocide in Uganda", Lusaka, 1990.

⁸⁸ C.Barnes and L.Okello, "Introduction", in *Accord: Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda*, ed. Lucima Okello. London: Conciliation Resources, 2002.

reaction to Obote's consolidation of power during his first reign, and during Idi Amin's bloody regime.⁸⁹ Museveni himself had been a rebel against both Obote and Amin, and other regimes in power, since 1971. For the LRA/M, the conflict in Uganda is largely a story of betrayal, starting with what they called in a position paper Museveni's "abrogation" of the Nairobi Peace Agreement.⁹⁰ They argue in another official statement that Museveni took power with "a dirty record of insincerity", proving his "treachery in negotiating and then trashing the Nairobi Peace Agreement".⁹¹ The impact of this treachery is all the greater for those in the LRA and elsewhere who contrast Okello's attempts at national reconciliation (despite their shortcomings) with Museveni's subsequent divisive record.⁹² Museveni, wrote the LRA/M, instead abandoned national unity when he

embarked on a deliberate policy to divide the country, firstly between the Bantu and the Nilotics and Nilo-Hamites.⁹³ Although the Hima ethnic group from which Museveni himself comes is not of the Bantu stock, but Hematic [*sic*], like the Tutsis of Rwanda, he has nevertheless conveniently used this as a gimmick to win political cohesiveness and capital to galvanize his political hold on power, not only in Uganda, but also to promote his regional ambition within the Great Lakes Region and Africa as a whole.⁹⁴

The LRA/M outlined how the election results of 2006 showed that Museveni's party, the National Resistance Movement (NRM), was

a regional, but not a national party... Whereas the Bantu people of the southern and western Uganda overwhelmingly voted for

89 D.Berg-Schlusser and R.Siegler, *Political Stability and Development: A Comparative Analysis of Kenya, Tanzania and Uganda*. Boulder: Lynne Rienner Publishers, 1990.

90 LRA/M delegation in Juba. "Agenda for Peace and All-inclusive Political Tolerance in Uganda", 21/6/2006.

91 LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006

92 Lomo writes that Okello invited all insurgent groups to join him in government, followed by reports that reconciliation ceremonies were held among the Acholi and West Nile communities: "Despite its shortcomings the significance of the Okello period was the fact that groups that formerly could not agree and who were determined to destroy each other, had accepted to put their differences aside and work together to build a united and peaceful Uganda." Z.Lomo and L.Hovil, *Negotiating peace: Resolution of Conflicts in Uganda's West Nile Region*. Refugee Law Project Working Paper No. 12. Kampala: June 2004, p.10.

93 The LRA/M's use of these contested terms suggests an essentialised view that they themselves often contest when it comes to the Acholi.

94 LRA/M delegation in Juba, "Agenda for Peace and All-inclusive Political Tolerance in Uganda", 21/6/2006. This passage gives an insight into how the LRA/M instrumentalises ethnicity and history. The hamitic (here mistakenly spelt hematic) creation myth of the sub-saharan African people was extensively used by colonialists to argue the superiority of some groups of people over others. Seligman's work of the 1930s has been seminal in establishing these categories, and is today largely dismissed. Although nowadays the Hima are considered Bantu and are generally referred to as the Tutsi sub-group living in Uganda, their origins are usually located elsewhere. It is often argued that originally the Hima are Nilotic and from Sudan and were only absorbed into the Bantu languages after arriving in what is today Uganda. The fine and deeply historical distinctions presented here by the LRA/M show that they are utilising ethnic differences in a similar way to those they criticise.

Museveni's NRM party, the people of the northern and eastern part of the country overwhelmingly voted against the NRM party.⁹⁵

The LRA/M's version of history as presented here points to the deep divisions within Uganda, including the instrumentalisation of ethnicity—a prominent feature in previous peace processes with the LRA.⁹⁶

After Museveni took power, armed resistance grew in northern Uganda, in Lango and Teso.⁹⁷ Armed rebellions in the latter two areas were largely over by the early 1990s; resistance in the north was to remain active for the next decades.⁹⁸ The Uganda People's Democratic Army (UPDA) had become active in August 1986 and was, argues Atkinson, largely supported by a "violated and disgruntled Acholi population".⁹⁹ When the UPDA signed an accord with the NRA in June 1988, Alice Lakwena's Holy Spirit Mobile Forces became the most prominent and supported armed group in northern Uganda. The NRA defeated Lakwena's troops in 1987.¹⁰⁰ When Kony was mandated by a group of Acholi elders from his lineage to resist Museveni with force, he named his group of fighters the United Holy Salvation Army in 1988 (they renamed themselves the United Democratic Christian Army in 1992, and then the Lord's Resistance Army). The NRA seemed generally unconcerned, having just defeated Lakwena's forces. Yet, Kony proved a lot

95 LRA/M delegation in Juba, "Agenda for Peace and All-inclusive Political Tolerance in Uganda", 21/6/2006.

96 Dolan describes how in the 1994 peace talks ethnicity was essentialised and used to establish who had authority to pursue peace with the LRA. C.G.Dolan, "Understanding War and Its Continuation: The Case of Northern Uganda", PhD Thesis, London School of Economics, 2005, p. 111.

97 Lango includes the Central, Apac and Lira districts, north of Lake Kyoga; the corresponding language is spoken by 1, 490,000 people in Uganda. Teso covers Katakwi, Soroti, Kaberamaido, Kumi, Pallisa, and Tororo districts as well as Lokathan, Madial area, Nangeya Mountains north end. Teso is spoken by 1, 570,000 people in Uganda. From "Ethnologue database," in <http://www.ethnologue.com>.

98 The literature dealing with the history of this conflict is vast and varied. What is striking is the shift in perspective as understanding grows about the war's complexities, with Finnstrom's work marking a seminal moment in how the conflict was understood. See S.Finnstrom, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008. Other articles are rooted in the time they were written and linked to events that were foremost in people's minds and discussions at the time of writing. Examples are F. van Acker, "Uganda and the Lord's Resistance Army: The New Order No One Ordered", *African Affairs* 103, 412, 2004; and R.Doom and K.Vlassenroot, "Kony's Message: A New Koine? The Lord's Resistance Army in Uganda", *African Affairs* 98, 390, 1999. In addition to many of the academic sources quoted, Green's account of the early days of Kony's fight, including how he was supported by the Acholi elders, is comprehensive. M.Green, *The Wizard of the Nile: The Hunt for Africa's Most Wanted*. London: Portobello Books, 2008.

99 R.R.Atkinson, *The Roots of Ethnicity: The origins of the Acholi in Uganda*. Kampala: Fountain Publishers Ltd, 2010 (1999), p.286.

100 See T.Allen, "Understanding Alice: Uganda's Holy Spirit Movement in Context", *Africa* 61, 3, 1991; or Heike Behrend, *Alice und die Geister: Krieg im Norden Ugandas*. Munich: Trickster, 1993, more widely known in its English translation.

more resilient than expected.¹⁰¹ Africa's most enduring armed rebel group was born.

Initially, the LRA's military successes against the oppressive government forces garnered support among the northern Ugandan civilian population, particularly so after the government's military offensive, Operation North, which was meant to end the LRA insurgency and improve security for civilians, instead brought arbitrary arrests and harassment of civilians in the north. Following Operation North and faced with the successful consolidations of the government's power over territory and people, the rebels increasingly turned against civilians, instilling fear through attacks and abductions and recruiting most of its fighting force by coercion.¹⁰² However, atrocities by Kony's troops against Acholi civilians were not solely a reaction to the military offensive, but had been reported as early as 1987.¹⁰³ The LRA's reputation as a fearless rebel group, strengthened by their adherence to spiritual rules, was soon established along with the fault lines of this war. The LRA justified its violence as a protest against the oppressive GoU, although public statements by the LRA with a clear political agenda were rarely heard, except during the attempts at peace, namely in 1993–94, further discussed below.¹⁰⁴

While Uganda's south and west gradually became more peaceful and prosperous, other parts, particularly the north, north-east and north-west, fell behind. For a period of intense fighting in the late 1990s and early 2000s, the war garnered hardly any international attention, yet in northern Uganda millions of people were affected by the violence committed by the rebels, the army and the government policy of forcing people into

101 O'Kadameri and Green both give accounts of how a group of Acholi elders mandated Kony to go into the bush and fight for the Acholi. B. O'Kadameri, B. 2002. "LRA/Government Negotiations 1993-94", In *Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda*. London: Conciliation Resources, 2002; M.Green, *The Wizard of the Nile: The Hunt for Africa's Most Wanted*. London: Portobello Books, 2008.

102 Just before and after the Juba Talks, the LRA also attacked civilians in DRC and the Central African Republic. Particularly in Uganda, the interaction between civilians and the LRA is complicated. Being a member of the LRA was at times a choice for those wasting away in displacement camps. For a further discussion, see T.Allen and M.Schomerus, *A Hard Homecoming: Lessons learned from the reception centre process on effective interventions for former 'abductees' in northern Uganda*. Washington DC/ Kampala: USAID/ UNICEF, 2006. For a more detailed outline of how Sudanese civilians developed protection mechanisms by working with the LRA, see M.Schomerus, *The Lord's Resistance Army in Sudan: A History and Overview*. Geneva: The Small Arms Survey, 2007.

103 Lamwaka writes "the group justified the cutting of people to pieces by pangas as something that was allowed by God in the Old Testament, making it therefore a justifiable 'verdict' against 'sinners.'" C.Lamwaka, *The Raging Storm: A Reporter's Inside Account of the Northern Uganda War, 1986 - 2005*. ed. R.R. Atkinson. Kampala: Fountain, 2012, p.146.

104 Finnstrom outlines how political pamphlets by the LRA were systematically discredited by the GoU. S.Finnstrom, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008, Chapter 3. Kony's four-hour speech at the 1994 peace talks is generally considered to be his first major effort to give his perspective.

displacement camps—so-called protected villages.¹⁰⁵ The contested policy, officially implemented from 1996 onwards, was a government response to the war situation.¹⁰⁶ However, several LRA officers, including Otti, stressed that the Acholi were systematically herded into camps as soon as Museveni took power. Some said that the first Acholi were forced out of their homes in the autumn of 1986. Others, among them Otti, put the year at 1987. One younger LRA officer, who said he was born in 1980, described how he remembered people being taken into camps when he was a young child.¹⁰⁷ Caroline Lamwaka, the late Ugandan journalist working in Gulu at the time, seemed to confirm the LRA version at least partially. She estimated that between December 1986 and June 1988, of the 400,000 residents of Gulu district, 28,000 were displaced in Gulu town and more than 25,000 were “residing near the various NRA detachments in the rural areas, showing signs of malnutrition and living under appalling hygiene conditions”. She described the early displacement camps:

The “Caribbean camp” was a grotesque structure with open doors and windows without frames and fittings. A few hundred people were residing there, brought in by the army from Atiak, 42 miles northwest of Gulu, in January 1987 after a fierce battle there... The displaced people relied mainly on meagre food from the Ministry of Rehabilitation and from relatives and friends in town. It was a humanitarian crisis of the first order.¹⁰⁸

¹⁰⁵ Detailed accounts and analysis of the displacement come from P.Omach, “Civil War and Internal Displacement in Northern Uganda: 1986-1998”, *Network of Ugandan researchers and research users (NURRU)*, 2002; A.Branch, “Gulu Town in War...and Peace? Displacement, Humanitarianism and Post-War Crisis”, London: Crisis States Working Paper, 2008; C.Lamwaka, *The Raging Storm: A Reporter's Inside Account of the Northern Uganda War, 1986 - 2001* 1986-2005. ed. R.R. Atkinson. Kampala: Fountain, 2012; C.Rodriguez, “The northern Uganda war: The ‘small conflict’ that became the world’s worst humanitarian crisis”, *Health Policy and Development Journal/ Health Policy and Development Department of Health Sciences of Uganda Martyrs University*, 2, 2, 2004. Displacement was at its height between 2002 and 2005, increasing as a reaction to the military offensive Operation Iron Fist (OIF). However, the causes of displacement are contested: Kabonero, for example, argues that “the truth is that the people were forced to the camps by the LRA terrorists and were not at all compelled by government but rather were protected by government forces, the UPDF in particular.” R.T.Kabonero, “No genocide in Uganda”, *posted on Uganda Net*, 27/6/2006.

¹⁰⁶ Most sources consider the early days of the conflict in northern Uganda a time of military turmoil, as the UNLA continued its fight against the NRM, rather than a decisive strategic phase of targeted anti-northern policies. Dolan and Hovil divide the war into six distinct phases: 1986–88, 1988–94, 1994–99, 2000–02, 2002–03 and 2003–06. See C.Dolan and L.Hovil. “Humanitarian protection in Uganda: a Trojan Horse?” London: ODI, 2006. A UNOCHA report states that in Gulu district, most “protected villages” were established between August and October 1996 after “a decision by the military authorities”; in Kitgum and Pader the “villages” were established between 1995-1997.” See W.Weeks, “Pushing the envelope: Moving Beyond ‘Protected Villages’ in Northern Uganda”, New York: UNOCHA, March 2002. Some sources mistakenly connect the policy with OIF as late as 2002, such as R.Mukwana and K.Ridderbos, “Uganda’s response to displacement: contrasting policy and practice”, *Forced Migration Review Special Issue: Ten Years of the Guiding Principles*, 2009. Others play down the intensity of population movement in the early days of the Museveni regime, such as P.Omach, “Civil War and Internal Displacement in Northern Uganda: 1986-1998”, *Network of Ugandan researchers and research users (NURRU)*, 2002.

¹⁰⁷ Fieldnotes, Juba: 5/7/2006.

¹⁰⁸ C.Lamwaka, *The Raging Storm: A Reporter's Inside Account of the Northern Uganda War, 1986 - 2001*. ed. R.R. Atkinson. Kampala: Fountain, 2012.

Describing what the policy of protected villages had done, the LRA wrote in 2009 that

due to the brutality of the armed conflict, the region has literally been made into a wasteland....Tens if not hundreds of thousands of people in the region have died, and over 2 million people were displaced and encamped under genocidal conditions—mainly as a result of the government army's counter-insurgency measures."¹⁰⁹

From the LRA/M's point of view, Museveni was singularly to blame. A 1996 LRA position paper stated:

The Acholiland is threatened and it can be safe only if Museveni is toppled. The whole of Uganda will be safe only if Museveni is removed. Museveni is one man in this world that Ugandans must not trust.¹¹⁰

Kony's interpretation that the cause of the war and the reason for its continuation was Museveni's anti-Acholi policy is shared fully by those who argue that the GoU has systematically attempted to destroy the population of northern Uganda, particularly by forcing the entire population into displacement camps.¹¹¹ To substantiate the argument that the LRA war had continued as a fight against Museveni's anti-Acholi policy, the LRA/M referred to an alleged personal letter from Olara Otunnu to Kizza Besigye, written in early 2006. Otunnu at the time had resigned as UN Undersecretary General and Special Representative for Children and Armed

109 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009. The literature on the IDP situation in Uganda is vast and ranges from very specific local case studies and research reports to broader discussion papers on humanitarian protection and internal displacement, as well as personal accounts and technical reports. Examples include ACORD, *Research Report on Internally Displaced Persons (IDPs), Gulu District*. 2001; M. K. A. Hassen and M. H. A. Keating. "The Responsibility to Protect: A Plan of Action for Northern Uganda". Vancouver: Liu Institute for Global Issues, 2004; C. Dolan and L. Hovil. "Humanitarian protection in Uganda: a Trojan Horse?" London: ODI, 2006; A. Mawson, "Breaking the Circle: Protecting Human Rights in the Northern War Zone", London: amnesty international, 1999; J. Egeland, *A Billion Lives: An Eyewitness Report from the Frontlines of Humanity*. New York: Simon and Schuster, 2008; World Health Organization/The Republic of Uganda Ministry of Health, *Health and mortality survey among internally displaced persons in Gulu, Kitgum and Pader districts, northern Uganda*, Kampala: 2005. Allen has made the point that the camps might qualify as a crime against humanity under international law. See T. Allen, *Trial justice: The International Criminal Court and the Lord's Resistance Army. African Arguments*, London: Zed Books, 2006. Branch has argued that the camps were a government crime propped up by the international community. See A. Branch, "Against Humanitarian Impunity: Rethinking Responsibility for Displacement and Disaster in Northern Uganda", *Journal of Intervention and Statebuilding* 2, 2, 2008. For more recent policy developments, including the policy of "decongestion", see Refugee Law Project, "'Only peace can restore the confidence of the displaced': Update on the implementation of the recommendations made by the UN Secretary-General's representative on internally displaced persons following his visit to Uganda", Kampala: Internal Displacement Monitoring Centre, March 2006.

110 LRA document, "LRA Policy Definitions and Explanations", 26/9/1996.

111 Doom and Vlassenroot describe the "fear of extinction held by many Acholi people. In the eyes of Alice [Lakwena], the eve of total destruction was near, and resistance along modern political-military lines had led to defeat." R. Doom and K. Vlassenroot, "Kony's Message: A New Koine? The Lord's Resistance Army in Uganda", *African Affairs* 98, 390, 1999, p. 17. Jackson reiterates that both Lakwena and Kony "believed that the Acholi were about to be wiped out in massacres and reprisals." P. Jackson, "Negotiating with Ghosts: Religion, Conflict and Peace in Northern Uganda", *The Round Table* 98, 402, 2009, p. 324.

Conflict, and was preparing his political comeback in Uganda to run against Museveni in the elections of 2011. Besigye had returned from exile to run as Museveni's most threatening opponent in the 2006 elections, and had faced treason and rape charges brought against him. In the letter, Otunnu criticises Museveni's remark—and by implication the government's use of racism—that part of the reason for the continued violence was that it was "Acholi soldiers causing the problems. It is the cultural background of the people here; they are very violent. It is genetic" and that "the chauvinism of the Acholi has to be destroyed."¹¹² Otunnu went on to write that because of such attitudes within the government and the political consequence, the Acholi had suffered the "death of culture and values system" in addition to 20 years in which

two generations of children have been denied education as a matter of policy. They have been deliberately condemned to a life of darkness and ignorance, deprived of all hope and opportunity... These children are being targeted for systematic deprivation in this way within the twisted and racist logic of genocide—to ensure that "those people" will never rise again!... In a society renowned for its deep-rooted and rich culture, values system and family structure—all these have been destroyed under the living conditions imposed and prevailing over the last 10 years in the camps. This loss is colossal and virtually irreparable; it signals the death of a people and their civilization.¹¹³

Few academics would go as far as Otunnu, who, having finished his tenure at the UN, in an acceptance speech for the Sydney Peace Prize also launched a scathing public criticism of the international response to the crisis in northern Uganda:

I must draw your attention to the worst place on earth, by far, to be a child today. That place is the northern part of Uganda. What is going on in northern Uganda is not a routine humanitarian crisis, for which an appropriate response might be the mobilization of humanitarian relief. The human rights catastrophe unfolding in northern Uganda is a methodical and comprehensive genocide. An entire society is being systematically destroyed—physically, culturally, socially, and economically—in full view of the international community.¹¹⁴

¹¹² O.Otunnu, "Private letter to Dr Kizza Besigye (Forum for Democratic Change)", 4/1/2006.

¹¹³ O.Otunnu, "Private letter to Dr Kizza Besigye (Forum for Democratic Change)", 4/1/2006.

¹¹⁴ O.Otunnu, "Saving our Children from the Scourge of War: The Sydney Peace Prize 2005 Acceptance Speech," Sydney: 9/11/2005. The language of genocide had been used before Otunnu's speech; however, his status brought new levels of attention. Doom and Vlassenroot wrote in 2004 that the view that the Acholi population were "on the verge of genocide" was "widely accepted". R.Doom and K.Vlassenroot, "Kony's Message: A New Koine? The Lord's Resistance Army in Uganda", *African Affairs* 98, 390, 1999, p.22. When Otunnu went public with his criticism in 2006, the impact of his speech was not dampened by concerns about his own political interests in Uganda and his well-publicised antagonism towards President Museveni.

Repeating his argument in an article in *Foreign Policy* magazine, he challenged the common line that the situation in northern Uganda stemmed from a one-sided killing campaign by insane rebels.¹¹⁵ While Otunnu offered the most radical interpretation regarding the intent behind northern Uganda's neglect, most scholars of the conflict in northern Uganda agree that northern Uganda's marginalisation was deliberate government policy, and that the government's commitment to finding a negotiated solution to the conflict has been and remains questionable.¹¹⁶ Otunnu's suggestion that the international community was complicit in what was happening in northern Uganda was not new—amongst scholars, Branch, Dolan and Finnstroem have provided empirical material to argue international complicity.¹¹⁷ As early as 1990, former president Obote had concluded that a better future for Uganda was possible despite the international complicity: "I am convinced that however long it may take and whatever protection the world affords to the oppressors, freedom shall be won and that the Pearl of Africa shall rise and shine again."¹¹⁸

The atrocious conditions in the camps finally attracted the wider attention of the international community. In 2003, the then UN Undersecretary for Humanitarian Affairs, Egeland, made a highly publicised visit to the region, focusing in his subsequent press appearances on the plight of displaced civilians. Egeland described the situation at the time in an interview in 2007:

It was very much a forgotten conflict, neglected conflict. I was myself shocked to my bones coming in the autumn of 2003 and I could not believe how bad it was in northern Uganda. And also checking, even in the couple of days, the international community why so little had been done really to alleviate the suffering but also to try to bring the conflict to an end. Everybody had failed. I then went very dramatically public on BBC and later other big... the whole BBC system and later CNN and said we have all failed, the international community, the Uganda government in northern

115 O.Otunnu, "The Secret Genocide", *Foreign Policy* (2006b): pps. 45 - 46.

116 Whitman presents a note from Museveni that seems to outline a plan for an Acholi genocide; the authenticity of the letter is contested, however. The author himself acknowledges this. T.D.Whitmore, "Genocide or Just Another "Casualty of War"? The Implications of the Memo Attributed to President Yoweri K. Museveni of Uganda", *Practical Matters* 3 Spring, 2010. Dolan outlines the governance system at the heart of the conflict as akin to "social torture". C.Dolan, *Social Torture: The Case of Northern Uganda, 1986 - 2006*. Oxford/ New York: Berghahn Books, 2009. Egeland states in his book that he felt Museveni did not want a negotiated solution. J.Egeland, *A Billion Lives: An Eyewitness Report from the Frontlines of Humanity*. New York: Simon and Schuster, 2008. Quinn points out that in the 2004–05 budget, the GoU only allocated 0.01% of the national budget to conflict resolution attempts in northern Uganda. See J.R. Quinn, "Getting to Peace? Negotiating with the LRA in Northern Uganda", *Human Rights Review* 10, 2009, p.61.

117 A.Branch, *Displacing Human Rights: War and Intervention in Northern Uganda*. New York: Oxford University Press USA, 2011; C.Dolan, *Social Torture: The Case of Northern Uganda, 1986 - 2006*. Oxford/ New York: Berghahn Books, 2009; S.Finnstroem, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008.

118 A.M. Obote, "Notes on Concealment of Genocide in Uganda", Lusaka, 1990.

Uganda. So why had it not been brought on the international agenda or on the Security Council agenda? I think because everybody wanted Uganda to remain a success story.¹¹⁹

Egeland's visit refocused attention on alleviating civilian suffering in the camps, but also on getting a peace agreement with the LRA. The renewed emphasis on peace led to another failed attempt at a negotiated agreement by the end of 2004, discussed below. With new international attention on Uganda, 2005 brought a dramatic turning point. The newly established ICC concluded a controversial two-year investigation, which in July that year led to the issuing and later the unsealing of arrest warrants for five LRA commanders, including Kony and Otti. It was just after the unsealing of the warrants that Otti sought to speak to me on the phone to ask questions about the exact procedures behind this ominous organisation "ICC" that was coming after him—and to reiterate the LRA's commitment to peace.

Peace

Internationally, the ICC's intervention was the most high-profile attempt to address the conflict in northern Uganda before the Juba Talks. Yet the history of efforts to end the conflict is as long as the history of the violent conflict itself. When the Juba Talks opened on July 14, 2006, I saw many different expressions in the audience. Some faces showed excitement and enthusiasm; others looked sceptical with an air of weariness. This was because many of those in the room themselves were part of the history of peace attempts. There had been several efforts at negotiated peace between the LRA and the GoU, in addition to peace negotiations with other armed groups who had emerged from Uganda's post-1986 turmoil—most prominently the 1988 talks with the Uganda People's Democratic Army (UPDA).¹²⁰ LRA/M delegates in Juba often described previous peace attempts as two-faced. Museveni, they argued, had in the past shown the same duplicitous attitude towards peace deals that he had first displayed in 1985. They said that for as long as he had been in government, Museveni had continued "to renege on so many agreements with so many other fighting forces, including with the LRA"; peace efforts in the past had been seen as a trap "to either kill the LRA leaders or lure them out of the

¹¹⁹ Author telephone interview with Jan Egeland, 15/11/2007.

¹²⁰ An account is at C.Lamwaka, "The peace process in northern Uganda 1986-1990", in *Protracted conflict, elusive peace: Initiative to end the violence in northern Uganda. Accord Issue 11*. O.Lucima, ed. London: Conciliation Resources: 2002.

bush”.¹²¹ Establishing trust in another peace endeavour after so many failed attempts was to prove a major challenge in Juba.¹²²

The first government initiative to end LRA insurgency came in 1988. Museveni appointed Betty Bigombe to the new post of Minister of State for Pacification of Northern Uganda, Resident in Gulu—later renamed (to remove the offensive reference to “pacification”)—Minister of State in the Office of the Prime Minister, Resident in Northern Uganda. Having tried unsuccessfully for a few years to end the rebellion by encouraging family members to send messages to their fighting sons in the bush and arming villagers with arrows to defend themselves, Bigombe initiated peace talks by asking one of Kony’s main civilian confidants, Yusuf Adek, to connect her with Kony. Adek had then signed the Gulu Ceasefire in 1994 as a witness for the LRA. At the opening of the Juba Talks, Adek was seated as an LRA/M representative on the right side of the stage.

Thanks to Adek’s initiative, the first ever face-to-face meeting between LRA and GoU representatives occurred on November 25, 1993, in Pagik, near Gulu.¹²³ While the so-called Gulu Ceasefire gave Betty Bigombe the space to conduct these talks,¹²⁴ failure to reach agreement over security issues at the second meeting on January 10, 1994, almost ended the effort.¹²⁵ Crucially, the LRA were adamant that they were not defeated and were to be treated with respect by the government. They also stressed that the talks should be genuine negotiations, rather than an opportunity to set the conditions for surrender.¹²⁶ The GoU’s dismissal of the LRA and the LRA’s endeavour to seek recognition for their struggle created irresolvable tension.¹²⁷

121 LRA/M Delegation in Juba/ O.Olweny. "First position paper of the LRA Peace Delegation during negotiations", Juba, 16/7/2006.

122 Different perspectives on peacemaking in northern Uganda can be found in O.Lucima, ed., *Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda. Accord Issue 11*. London: Conciliation Resources, 2002; and Elizabeth Drew, ed., *Initiatives to end the violence in northern Uganda: 2002 - 09 and the Juba Peace Process. Update to Issue 11*. London: Conciliation Resources, 2010.

123 O’Kadameri was a rapporteur. B. O’Kadameri, “LRA/Government Negotiations 1993-94”, in *Protracted conflict, elusive peace: Initiative to end the violence in northern Uganda. Accord 11*. O.Lucima, ed. London: Conciliation Resources: 2002.

124 Government of Uganda and the Lord’s Resistance Army, “The Gulu Ceasefire”, Gulu: 1994.

125 Apart from Dolan, O’Kadameri, and Branch, the 1994 peace talks tend to be dealt with in the literature in a cursory and summative manner—for example, B. D. Westbrook, “The Torment of Northern Uganda A Legacy of Missed Opportunities”, *Online Journal for Peace and Conflict Resolution* June, 2000; or P. J. Quaranto, “Ending the Real Nightmares of Northern Uganda”, *Peace Review* 18, 1, 2006. Vinci offers an analysis of LRA motivations, but little insight into the talks A. Vinci, “Existential motivations in the Lord’s Resistance Army’s continuing conflict”, *Studies in Conflict & Terrorism* 30, 4, 2007.

126 C.G.Dolan, “Understanding War and Its Continuation: The Case of Northern Uganda”, PhD Thesis, London School of Economics, 2005, p. 113.

127 IC.G.Dolan, “Understanding War and Its Continuation: The Case of Northern Uganda”, PhD Thesis, London School of Economics, 2005, p. 109.

After the second meeting in January, Museveni travelled to Gulu on February 6, 1994, for a public visit. Speaking to the crowd, he announced a deadline of seven days for the LRA to surrender before talks would be abandoned in favour of a military strike.¹²⁸ Looking back, one LRA/M delegate in Juba described the situation: "Museveni's deadline 1994 was a directive, not a deadline. It was a directive."¹²⁹ When the deadline was not met and the LRA retreated into Sudan, the talks had failed. The war had entered a new phase. Although the LRA had been present in Sudan since the early 1990s, it was after the failed talks of 1994 that it grew into one of the most destructive forces in southern Sudan and the most effective proxy army for the Government of Sudan.¹³⁰ While the GoU generally maintains that talks ended because of Sudan's involvement, Branch, amongst others, argues that Sudan's involvement was a consequence of the failed talks, rather than the cause.¹³¹

In retrospect, it became clear that the talks failed because the parties had irreconcilable objectives: the LRA wanted a political process and recognition of a political struggle, the GoU wanted the elimination of the LRA. Agreeing on security arrangements proved impossible. Government commitment to the talks was shaky: Bigombe herself has stated that there were attempts from within the government to sabotage the talks.¹³² Branch also asserts that

the sabotaging of the peace talks made it clear that certain sectors within the NRA wanted the LRA to continue to exist, and would do whatever necessary to ensure that they remained in the bush. Thus, one aspect of their strategy would be to refuse, or sabotage, negotiations. The other aspect would be to repress political organization among the Acholi to ensure that they could not effectively demand an end to the war.¹³³

Describing what they were experiencing in Juba, delegates regularly drew parallels between the time of the Gulu Ceasefire and the Juba Talks: their own quest for a political process and recognition, the equivocal government commitment, and the struggle to agree on security issues had

128 C.Rodriguez, "The northern Uganda war: The 'small conflict' that became the world's worst humanitarian crisis", *Health Policy and Development Journal/ Health Policy and Development Department of Health Sciences of Uganda Martyrs University*, 2, 2, 2004.

129 Fieldnotes, Juba: 6/7/2006.

130 G.Prunier, "Rebel movements and proxy warfare: Uganda, Sudan and the Congo (1986-99)", *African Affairs* 103, 412, 2004; M.Schomerus, *The Lord's Resistance Army in Sudan: A History and Overview*. Geneva: The Small Arms Survey, 2007.

131 A.Branch, "Political Violence and the Peasantry in Northern Uganda, 1986-1998", *African Studies Quarterly* 8, 2, 2005.

132 B. O'Kadameri, "LRA/Government Negotiations 1993-94", in *Protracted conflict, elusive peace: Initiative to end the violence in northern Uganda. Accord 11*. O.Lucima, ed. London: Conciliation Resources: 2002, p.40.

133 A.Branch, "Political Violence and the Peasantry in Northern Uganda, 1986-1998", *African Studies Quarterly* 8, 2, 2005.

in their mind remained the same. The LRA might have felt betrayed in the 1994 talks, but analysts had doubts over the LRA's sincerity and rationality, too. Pain recounts that Kony was making decisions "on a 'spirit' basis, not rational. Therefore what is agreed today may be reversed tomorrow."¹³⁴ The 1994 talks had shown that there was a flexibility and unpredictability in Kony's decision-making process; the mainstream conclusion drawn from this was that there was a spiritual element in dealing with the LRA, which was soon mystified. A document by USAID later gave a less transcendental assessment of the 1994 talks and concluded that "Kony is willing to reach out to talk when he is pressured and when he trusts the person/people he is dealing with."¹³⁵ Yet when in 1996 the LRA killed a group of elders from Acholiland under the pretence of continuing the talks, doubts over the LRA's sincerity about wanting to end the war were reinforced.

Many who had played a role in trying to bring peace over the years gathered again at the Juba opening ceremony, bringing along their personal and institutional baggage. The memories they had of previous talks, and their histories of interaction would become crucial particularly in the first year of the Juba Talks. In addition to Adek, other LRA delegates had been representatives during various peace efforts. After the failed 1994 talks, the Dutch organisations IKV Pax Christi and the Rome-based St Egidio had made peace attempts. Their representatives were also seated in the audience during the opening ceremony, as was the Sudanese Acholi Dr Leonzio Onek, who had become an important figure in the aftermath of the Gulu Ceasefire.

After the 1994 talks had failed, Onek had contacted the GoU to offer help as a negotiator between the LRA and the GoU.¹³⁶ His initiative was sanctioned at the time by Ruhakana Rugunda, then Minister for Foreign Affairs. In Juba, Rugunda was leading the GoU delegation as Minister for Interior Affairs; during the opening ceremony, he was seated to the left of the stage.¹³⁷ Once the GoU had supported Onek in his quest to make contact with the LRA again, Onek sent the lawyer Owiny Dollo to

134 D.Pain, "The Bending of Spears: Producing consensus for peace and development in Northern Uganda", London: International Alert/Kacoke Madit, December 1997. Pain's work on the peace process with the LRA is influenced by his own beliefs as a born-again Christian. His analysis of the spirit-driven peace talks became very influential, yet much less attention was paid to Pain's spirituality than to Kony's. In Juba and beyond, the influence of Christian advocacy groups has become overwhelmingly powerful.

135 USAID, "Analysis of Lessons Learned From Past Efforts to End the Conflict in Northern Uganda", Washington, DC.: 2006.

136 Onek was at one point accused of being the secret leader of the LRA delegation. He explained his connection, which went back to 1995, in a newspaper article: "I had written to the government of Uganda that I wanted to offer myself, as a Southern Sudanese Acholi, to assist with negotiations between the government and LRA". See B.Kenyi, "Onek denies being head of the LRA delegation", *Juba Post*. Juba: 22/6/2006.

137 Author interview with Sudanese advisor to peace talks. Juba: 8/12/2006.

Khartoum, where reportedly Kony could regularly be found as a guest of his supporters in the Government of Sudan. Dollo had been involved in drafting the 1988 peace agreement with the UPDA and was about to become Minister of State for Northern Uganda. To cover up the real purpose of his trip to Khartoum, Dollo even dressed as a woman, Onek said. He would later give legal advice to the LRA on a visit to the bush in December 2006. In 1997 Onek succeeded in bringing representatives of the two sides face-to-face in Lancaster, UK, although not much came of that meeting. Still, some donors recognised the value of the efforts and strengthened the initiative by attaching Onek to people who were professionally involved in the field. Ethiopian Professor Hizkias Assefa was named to assist him in his mediating role.¹³⁸ Dr Simon Simonse of Pax Christi, who in early 1998 had, as he described it, “stumbled on the secret initiative of the Equatoria Civic Fund of Dr Leonzio Onek in which Professor Hizkias Assefa was involved”, offered additional support.¹³⁹ Pax Christi felt that they came close to success in 1998, having secured Dutch government support through Dutch Interchurch Aid “to bring the LRA leadership to Holland to meet with GoU... the Obita/Sant’Egidio connection frustrated this attempt.”¹⁴⁰ Another speaker close to Pax Christi commented that this effort had been significant until “St Egidio came and hijacked the process.”¹⁴¹

What Pax Christi calls “hijacking” was a team effort by St Egidio and prominent member of the Acholi diaspora Dr James Obita. The Community of St Egidio is a Catholic lay organisation, headquartered in Rome, which runs humanitarian and peace-building programmes.¹⁴² In May 1997, representatives of the Acholi diaspora met in London for the first Kacoke Madit. Kacoke Madit (“big meeting”) was a unique attempt initiated by Acholi in the diaspora to bring people together in search of a new avenue for solving the conflict in northern Uganda through dialogue that was not

138 B.Kenyi, “Onek denies being head of the LRA delegation”, *Juba Post*. Juba: 22/6/2006.

139 Email to author from S.Simonse, IKV Pax Christi, 10/10/2007. Assefa, a prominent conflict resolution expert, was the Pax Christi-designated mediator for the Juba Talks. See for example H.Assefa, “The challenge of mediation in internal wars: Reflections on the INN experience in the Ethiopian/ Eritrean conflict”, *Security Dialogue* 23, 1992. Pax Christi’s description of their involvement in Juba can be found in S.Simonse, W. Verkoren, and G.Junne, “NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi”, in *The Lord’s Resistance Army: Myth and Reality*, ed. T.Allen and K. Vlassenroot. London/ New York: Zed Books, 2010, p.226.

140 Email to author from S. Simonse, IKV Pax Christi. 10/10/2007.

141 Fieldnotes, Juba: 6.6.2006. The speaker expressed the feeling that a similar process was now happening in Juba, as the peace talks were being held rather publicly. See also S.Simonse, W. Verkoren, and G.Junne, “NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi”, in *The Lord’s Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010.

142 See for example an explanatory article about St Egidio’s work by one of their representatives who participated in the Juba Talks: M.Giro, “The Community of Saint Egidio and its Peace-Making Activities”, *The International Spectator* XXXIII, 3, July - September 1998.

possible in Uganda. It also marked, as Doom and Vlassenroot say, a “departure from the historical trend that rebellions comparable to that of the LRA were always crushed by violence”.¹⁴³ Kacoke Madit, although influential and adopting an ambitious approach, descended into infighting and was largely discredited by the Ugandan government, even though it is widely seen as a milestone attempt within the diaspora and remains active to this day.¹⁴⁴ Attending for the LRA/M was Obita. Following the meeting in London, in late 1997 Obita sent an open letter to Museveni, confirming the LRA/M’s commitment to peace.¹⁴⁵ The president reacted first in an open letter condemning what he called the LRA’s evasiveness and arrogance regarding peace negotiations. He then expressed the government’s willingness to end the war and give an amnesty to anyone but three top commanders.¹⁴⁶ St Egidio offered Obita an alternative LRA/GoU meeting place in Rome, but the meeting never happened and the initiative dwindled. Instead, the LRA accused Obita of being insincere and he was dismissed by the LRA leader—narrowly escaping an assassination.¹⁴⁷ Obita reappeared in Juba in 2007 as a member and later spokesperson of the LRA/M.

The crucial lesson from these various efforts was that rivalrous mediators had ended what was promising interactions with the LRA who withdrew from all contact after losing trust. The two organisations had now come back to Juba where the old rivalry instantly continued. That one organisation called the other’s effort a “hijacking” shines a light on the difficulty of managing diverse peacemaking interests. Crucially, it shows how the general baggage of the peacemakers—including those of the LRA/M or the GoU who had been involved in previous efforts—remained unacknowledged. Thus a contradictory process was set up from the start, where the pronounced intention was to clear the air by addressing root causes and political marginalisation, yet without any explicit acknowledgment by any of the actors involved what lessons needed to be learned from past experiences.

143 R.Doom and K.Vlassenroot, “Kony’s Message: A New Koine? The Lord’s Resistance Army in Uganda”, *African Affairs* 98, 390, 1999.

144 For more information on Kacoke Madit, see <http://www.km-net.org.uk>.

145 J.Obita, LRA/M Secretary for Foreign Affairs, “Letter to His Excellency Yoweri Kaguta Museveni, President of the Republic of Uganda, State House, Kampala, Uganda”, 6/11/1997.

146 Y.Museveni, President of the Republic of Uganda, “Letter to J.Obita (Secretary for Foreign Affairs LRA/M)”, 22/11/1997.

147 Obita’s account can be found in J.Obita, “First international peace efforts 1996-98”, in *Protracted conflict, elusive peace: Initiative to end the violence in northern Uganda. Accord 11*. O.Lucima, ed. London: Conciliation Resources: 2002.

An armistice in northern Uganda from January to December 1999 created space for the next steps.¹⁴⁸ However, the armistice was followed by Carter Center mediation between the LRA, the GoU, and the Sudan government. The final settlement of this mediation—the 1999 Nairobi Agreement—was struck between the two governments only.¹⁴⁹ Signed by Presidents Museveni and Omar Bashir of Sudan, and witnessed by former US president Jimmy Carter and Kenya's President Daniel arap Moi, the Nairobi Agreement excluded northern Ugandan community leaders and terminated talks with the LRA. Describing the Carter Center's involvement, one LRA commander said, "Jimmy Carter's people did not speak to the right people, they did not have the right contacts, it was frustrating."¹⁵⁰ The Nairobi Agreement consequently did not include the LRA, but instead spelt out the end of each governments' support for the other's insurgencies, and paved the way for military intervention by the UPDF in pursuit of the LRA in Sudan.¹⁵¹ From then on, the UPDF was officially allowed to set up bases in Sudanese territory. Crucially, however, the Agreement also put in motion an amnesty law in Uganda as an incentive for rebels to put down their weapons.

In March 1999, Uganda signed the Rome Statute of the ICC. In a parallel development that would come to characterise the tension between international and national justice procedures in Uganda, parliament then in 2000 passed Uganda's Amnesty Act. The Act allowed rebels to return to their homes without fear of criminal charges, thus opening the possibility to end the war without prosecutions. In the opinion of some observers in Juba, the Amnesty Act created the space for Justice Peter Onega as the head of the commission and IKV Pax Christi to pursue the steps that would lead to the Juba Talks.¹⁵² However, Uganda's ratification of the Rome Statute in June 2002 further complicated the interaction between the two parallel justice developments. That the US government had included the

148 Jongomoi Okidi-Olal, a Ugandan who became an investment banker and soldier in the US Army Reserve who appeared in Juba in late 2006 and seemed to be working closely with Riek Machar, in a letter to Machar takes credit for brokering the ceasefire—along with several other people. See J.Okidi-Olal, "Proposal by Lwo Development Incorporated Chairman", Washington, D.C.: Lwo Development Inc., 2006. Various sources also state that Okidi-Olal was instrumental in moving the LRA into DRC.

149 The Governments of Sudan and Uganda and Sudan, "Nairobi Agreement", 8/12/1999.

150 Fieldnotes Nairobi/ Juba: 2/6/2006.

151 For a history on the UPDF in Sudan, see M.Schomerus, "They Forget What They Came For: Uganda's Army in Sudan", *Journal of Eastern African Studies* 6, 1, 2012.

152 Fieldnotes, 24/11/2007. The Amnesty Act has been allowed to expire in 2012, in violation of the Juba agreement. However, the expiry is being challenged. For an analysis of the Amnesty Act, see for example B.Afako, "Promoting Reconciliation: A Brief Review of the Amnesty Process in Uganda", 2002; or L.Hovil and Z.Lomo, "Whose Justice? Perceptions of Uganda's Amnesty Act 2000: The Potential for Conflict Resolution and Long-Term Reconciliation," Working Paper 15. Kampala: Refugee Law Project: 2005.

LRA on its Terrorist Exclusion List in 2001 had further muddled responsibilities.

In 2003, Museveni's half-brother Salim Saleh was tasked with setting up talks with the LRA, but the initiative ceased without success after the LRA refused to assemble in government-appointed ceasefire safe zones and instead asked for a ceasefire in all of northern Uganda. In response, the GoU withdrew its safe zones offer in April 2003. Saleh reappeared as a player in the Juba Talks in the spring of 2007 in the infamous "Mombasa meeting", discussed below.

The 2004 talks, again initiated by Bigombe, used amnesty as the major incentive. Kony appointed Brigadier Sam Kolo to negotiate with Bigombe. The GoU declared a ceasefire in November 2004, which was extended after its initial run of seven days. The ceasefire was, writes Bismarck, "limited to specific zones where the rebels were expected to assemble so that negotiations could begin."¹⁵³ These zones included an initial area of about 300 square kilometres including Patiko, Atanga, Palabek and Atiak. When Acholi leaders assured the LRA that their fighters would be safe in designated assembly zones after a peace deal had been agreed, negotiations seemed close to conclusion. However, Museveni soon reduced the ceasefire area from 300 to about 100 square kilometres and issued a new deadline for conclusion of the negotiations. The LRA stopped trusting the negotiation process. LRA Colonel Lubwoa Bwone emphatically argued in 2006, "last time, it was not peace talks." Drawing a map of the proposed 2004 assembly area along Palabek Kal road in the sand, he explained how the GoU "made the assembly area smaller and then they sent helicopter gunships within hours of our assembly".¹⁵⁴

After the GoU bombed the LRA in the assembly area, the LRA attacked Alero in Gulu District on January 1, 2005. With this, the 2004 talks had officially collapsed; Museveni said that war had resumed. Just over a week later, on January 9, 2005, the South Sudanese rebels of the Sudan People's Liberation Army/Movement (SPLM/A) and the Government of Sudan signed the Comprehensive Peace Agreement (CPA). During the celebrations, SPLM/A leader John Garang de Mabior announced that the LRA would be "treated as enemies of the united Sudan".¹⁵⁵ On February 3, 2005, the GoU declared a limited 18-day truce with the LRA in a bid to revive the flagging peace process. This effort was hampered when on February 16, 2005, LRA negotiator Kolo surrendered to the UPDF. The ceasefire ended on February

¹⁵³ S.Bismarck, "Traditional leaders meet LRA", *Sudan Mirror*, 13 - 26/12/2004.

¹⁵⁴ Author interview with Col. Lubwoa Bwone and Lt.Col. Santo Alit (LRA). Ri-Kwangba: 22/9/2006.

¹⁵⁵ IRIN, "Uganda - Year in Brief 2005 - A chronology of key events", 13/1/2006.

22 with no significant achievements. The next news about the LRA came on March 8, when the UPDF and LRA clashed south of Tore in Sudan. A captured LRA lieutenant told the UPDF that the rest of his group was already in the DRC, and that he had been sent back to Sudan's Central Equatoria to escort Kony to join the others.¹⁵⁶

I asked various LRA/M members how they viewed previous attempts at peace. "Insincere", "full of presidential directives" or "a trap" were common answers. Commenting on the 2004 attempt, one LRA member said that it had damaged their trust in any peace process tremendously because "Kolo took money, and he left a lot of people behind." Otti wrote in his letter to me: "It is not that we are not interested in peace negotiations, but we don't trust Bigombe and her peace team. These are bias people. They are after buying our people with money."¹⁵⁷ Bigombe's very public handling of the peace talks and her close engagement with the GoU had led Kampala donors to nickname the 2004 peace talks the "friends of Betty parade".¹⁵⁸ A South Sudanese politician who had spent some time in Uganda during the 2004 process explained:

people were alienated from the peace process; it was not a people-centred peace. The GoU was not interested in peace, because the more you engage northern Uganda, the more free is South and West Uganda and that is difficult for the GoU because fear of government has always been a factor in this war.¹⁵⁹

Quinn echoes the sentiment that in the process, the voices of civil society had been "largely eclipsed in the fray", although some of the leaders, notably the Acholi religious leaders, had been engaged in peace efforts for years.¹⁶⁰

When the ICC announced Uganda's referral of the situation in northern Uganda to the ICC prosecutor in December 2003, critics argued that the ICC was supporting the Ugandan government by portraying the war as a one-sided LRA-problem and allowed the GoU to use this as a political tool.¹⁶¹ The ICC's engagement sparked a lively international debate on the court's

¹⁵⁶ UNHCR, "Sudan Operations: Sudan/ Chad situation update 50", Juba: 9/3/2006.

¹⁵⁷ Personal letter to author from Vincent Otti, 25/8/2005.

¹⁵⁸ Fieldnotes, Nairobi/ Juba: 2/6/2006.

¹⁵⁹ Author interview with Dr Julia Duany, Undersecretary Parliamentary Affairs, Government of Southern Sudan. Juba: 15/10/2006.

¹⁶⁰ J.R. Quinn, "Getting to Peace? Negotiating with the LRA in Northern Uganda", *Human Rights Review* 55, 2009, p.62.

¹⁶¹ A.Branch, "Uganda's Civil War and the Politics of ICC Intervention", *Ethics & International Affairs* 21, 2, 2007; L.Parrott, "The Role of the International Criminal Court in Uganda: Ensuring that the Pursuit of Justice Does Not Come at the Price of Peace", *Australian Journal of Peace Studies* 1, 1, 2006; P.Clark, "Chasing cases: the ICC and the politics of state referral in the Democratic republic of Congo and Uganda", in *The International Criminal Court and Complementarity: From Theory to Practice, Volume II*, C. Stahn and M. El Zeidy, eds., Cambridge: Cambridge University Press, 2011.

role in conflict situations and the politics of justice and accountability.¹⁶² Local leaders in northern Uganda also voiced their concerns about the impact of potential ICC warrants on a peace process. On March 15, 2005, Acholi leaders from northern Uganda travelled to The Hague to ask the ICC to refrain from issuing arrest warrants against LRA leaders.

In June 2005, just after the Ugandan Parliament had lifted restrictions on presidential terms to allow Museveni to run again for president, the President publicly pledged to forgive Kony if he surrendered to government forces, stating that Kony would receive the same treatment and immunity from prosecution as other former LRA commanders, such as former rebel spokesman Kolo.¹⁶³ In Sudan, Garang reiterated his earlier commitment to get rid of the LRA, promising "Kony won't be hiding there for long."¹⁶⁴ The lack of credibility of any peace process was confirmed from an unexpected source. When a report by the Ugandan health ministry and its partners revealed in August 2005 that 1,000 IDPs in northern Uganda died every week from violence or disease, notably malaria and HIV/AIDS, Egeland commented: "Given the conditions in the camps, it is not surprising that many LRA combatants remain in the bush. We have not done enough to create a 'pull factor' that could draw more of the LRA to disarmament and reintegration programmes."¹⁶⁵

On July 9, 2005, the ICC issued five sealed warrants—which means they were only shared with persons authorised by the court—for LRA commanders Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen. The warrants were unsealed—which means they were made public—on October 13 the same year.¹⁶⁶ Reception was mixed. Some hailed the move as a historic step towards ending impunity for the

162 Notable contributions include T.Allen, *Trial justice: The International Criminal Court and the Lord's Resistance Army. African Arguments*, London: Zed Books, 2006; amnesty international, "Left to their own devices: The continued suffering of victims of the conflict in Northern Uganda and the need for reparations", 2008; K.P.Apuuli, "Amnesty and international law: the case of the Lord's Resistance Army insurgents in northern Uganda", *African Journal on Conflict Resolution* 5, 2, 2005, p.57; Council on Foreign Relations, "In Uganda, Peace Versus Justice" Washington, D.C.: 2006; P. Akhavan, "The Lord's Resistance Army Case: Uganda's submission of the first state referral to the International Criminal Court", *American Journal of International Law* 99, 2, 2005; J. N. Clark, "The ICC, Uganda and the LRA: Re-Framing the Debate", *African Studies* 69, 1, 2010; B.Afako, "Negotiating in the shadow of justice" in *Initiatives to end the violence in northern Uganda: 2002 - 09 and the Juba Peace Process. Update to Issue 11*. Elizabeth Drew, ed. London: Conciliation Resources, 2010.

163 IRIN, "Uganda - Year in Brief 2005 - A chronology of key events", 13/1/2006.

164 UNOCHA-IRIN, "Sudan-Uganda: SPLM/A leader pledges to help Ugandan peace effort", 31/1/2005.

165 IRIN, "Uganda: Year in Review 2005 - rebel activity and political upheaval", 2005.

166 International Criminal Court, "Warrant of Arrest Unsealed Against Five LRA commanders", The Hague: 14/10/2005. Cole gives a useful brief discussion of the pros and cons of keeping ICC warrants sealed or unsealed in active conflicts. See A.Cole, "Gaddafi might have been arrested by now if the ICC's warrant had been sealed", *The Guardian Legal Network*, 31/8/2011.

worst of crimes.¹⁶⁷ Others argued that the option to discuss peace had been curtailed and replaced with a politicised, but difficult-to-execute arrest warrant, leaving northern Uganda without any credible option to pursue peace.¹⁶⁸ ICC supporters later argued that it was because of the warrants that the talks came about, as Grono and O'Brien write: "The threat of prosecution clearly rattled the LRA military leadership, pushing them to the negotiating table."¹⁶⁹ The ICC intervention, it was hoped by its supporters, could change dynamics to spell the end for the LRA, although precisely how local negotiations would be balanced with the international warrants was never clear.

Opponents of the ICC warrants contended that they made ending violence look like an unattractive option, as Dowden holds: "Western policy, led by Britain, is to capture Kony and his fellow cult leaders and take them to the international court, while Museveni's aim is a military victory. Kony has no incentive to talk."¹⁷⁰ Otti's confusion as to how exactly the ICC would deal with him was not surprising—that he would not receive capital punishment was indeed the only clear point. Yet, with all the international attention, at the time of my first contact with Otti in late 2005, it seemed as if the LRA had been cornered. The LRA, however, had quite a different view. They had observed how outside peace-building initiatives were transforming Gulu from the centre of war into an aid-industry hub; the possibility of peace with the LRA was driving business.¹⁷¹ In addition to all the disincentives to engaging in peace talks, seeing the world come to Gulu was one reason why in late 2005 discussing peace became more attractive again to the LRA.

The LRA Moves Towards the Juba Talks

Otti argued that 2005 was a good moment to get the LRA's points across, as the world was now paying attention. Others from the LRA stressed that they were confused by the complicated new situation and it seemed best to

¹⁶⁷ UN News Service, "Annan Hails International Criminal Courts' Arrest Warrants for Five Ugandan Rebels", New York: 14/10/2005.

¹⁶⁸ The literature on this discussion could fill a library. Apuuli and Rodman present concise arguments. K.P.Apuuli, "The ICC Arrest Warrants for the Lord's Resistance Army Leaders and Peace Prospects for Northern Uganda", *Journal of International Criminal Justice* 4, 1, 2006; and K.A.Rodman, "Is peace in the Interests of Justice? The Case for Broad Prosecutorial Discretion at the International Criminal Court", *Leiden Journal of International Law* 22, 2009.

¹⁶⁹ N.Grono and A.O'Brien, "Justice in Conflict: The International Criminal Court and Peace Processes in Africa", *Royal African Society*, 2007, p.15.

¹⁷⁰ R.Dowden, "Inspiration behind the 'terror gang'", *The Observer*, 2/4/2006.

¹⁷¹ An insightful assessment of the impact of the aid industry in Gulu comes is A.Branch, "Gulu Town in War...and Peace? Displacement, Humanitarianism and Post-War Crisis", London: Crisis States Working Paper, 2008.

tackle it through negotiations. However, the LRA wanted time to understand the new situation before making any commitment, and to prove that they were not yet defeated. When I spoke to Otti in January 2006, he expected “to carry on with war until June, July”, which was about when dry season would end. He saw continued fighting until the rainy season as the only option because there was “money out on our heads”. He explained that Walter Ochora, the then Gulu Resident District Coordinator (RDC), had announced this on the radio, and the LRA now had no choice but to be “out to get Ochora”.¹⁷² “We are going to win, we are sure,” Otti said, explaining that Ochora’s announcement had left them with the only option to continue fighting until they were no longer threatened, since they could not have

peace talks on the phone.... Every day in the bush, we are attacked several times. We have killed several [UPDF] commanders, George, the district commander 050. We are staying now in the bush as our home. We are scattered now, I am nowhere near the chairman.

He emphasised “the chairman is not with me, but I will organise a phone talk. Kony is fearing a call from somebody. He will call you, he cannot be called.” Otti told me to call him each day between 7.30 and 7.45pm, because the LRA would be in long prayers before that and they would keep “praying until the end of the month”.¹⁷³

It was during this time in late 2005 and early 2006 that Riek Machar, with the help of IKV Pax Christi, was making contact with the LRA leadership to arrange a meeting in the bush. Machar, one of the most contentious and skilled personalities in Sudanese politics, had just been named Vice-President of GoSS, after the former deputy Kiir had replaced Garang, who was killed in a helicopter crash. Machar’s war history connected him to the LRA: having split from the SPLA in 1991, his subsequent South Sudan Independence Movement was one of the groups acting as connectors between the LRA and their sponsor in Khartoum.¹⁷⁴ Machar returned to the SPLA/M after reconciling with Garang in 2002; nonetheless, his past meant that there was substantial distrust of his motives.

172 Colonel Walter Ochora was Gulu’s LC5 from 1996 to 2006. In 2006, he lost his position to Norbert Mao. In 1985, Ochora had marched with the UNLA towards Kampala to protest against President Obote’s treatment of Acholi officers; one interpretation of the event is that it led to Obote’s flight to Kenya, paving the way for Tito Okello’s government. A great supporter of the NRM, he was best known for leading a delegation of Acholi leaders into the bush to meet with Sam Kolo before the 2004 peace talks collapsed. For the LRA, Ochora remained an important contact: he was Gulu’s RDC, and was seen by the LRA leadership as a nemesis as well as an important contact.

173 Fieldnotes, Juba: 7/9/2006

174 See D.H.Johnson, *The Root Causes of Sudan’s Civil Wars*. Oxford, Bloomington, Kampala: Currey; Indiana University Press; Fountain Publishers, 2003; and M.Schomerus, *The Lord’s Resistance Army in Sudan: A History and Overview*. Geneva: The Small Arms Survey, 2007.

On December 20, 2005, members of the SPLM said that LRA representatives had been in touch by email to respond to an SPLM offer to mediate peace talks. Machar stated that the LRA had accepted, although there had been no direct contact.¹⁷⁵ Parallel contacts developed through individual delegates, through Justice Onega from the Ugandan Amnesty Commission, and through IKV Pax Christi.¹⁷⁶ Sudanese local leaders sought contact with the LRA by leaving messages in villages the LRA had attacked. For months, explained the then MP for Magwi County, Betty Achan Ogwaro, "Riek Machar did not succeed to make contact with the LRA leadership because every group he spoke to claimed to be able to make the contact, but nobody did."¹⁷⁷ In the end, she elaborated, it was a six-man team with people from Juba, the UK, Uganda and Kenya that made contact, possibly triggered by a false alarm in a newspaper.

When the newspaper claimed that one team of those searching for an LRA contact had been contacted by Kony, another team, which was led by Dr Onek, received a phone call and he was told that he would be connected to the leadership. That is how Dr Onek met the LRA representative and they rung Number Two [Otti] and spoke to him. We were looking at that connection for five to six months.¹⁷⁸

On February 2, 2006, Machar succeeded in contacting Otti on the phone.¹⁷⁹ Shortly after, LRA representatives Richard Odong, Martin Ojul, Sunday Otto and Peter Ongom met with representatives of Pax Christi in Nairobi, having made contact with Pax Christi the previous December. For Pax Christi, judging the credibility of the meeting was a challenge. Despite having been working on a peaceful solution for Uganda for years, they had never previously encountered these men.¹⁸⁰ Recalling the first meeting, Onek explained that two men in particular—who were also two of my initial contacts—were "very convincing. [One] was very articulate; he talked like an old man. He was very clever. Pax [Christi] thought we don't have any chance. This might be it."¹⁸¹

After the meeting in Nairobi, on February 14 a small delegation of LRA/M and Pax Christi took a chartered plane to Juba, paid for by Pax Christi, to

175 C.Etukuri, "LRA accepts southern Sudan peace mediation", *The New Vision*: 20/12/2005.

176 Fieldnotes, 24/11/2007.

177 Author interview with Betty Achan Ogwaro, MP Magwi County Southern Sudan Legislative Assembly. Juba: 9/9/2006.

178 Author interview with Betty Achan Ogwaro, MP Magwi County Southern Sudan Legislative Assembly. Juba: 9/9/2006.

179 "The Hot Seat Show Panel", KFM Kampala 5/9/2006.

180 See also S.Simonse, W. Verkoren, and G.Junne, "NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010.

181 Author interview with Sudanese advisor to peace talks. Juba: 8/12/2006.

meet Machar face-to-face.¹⁸² Upon arrival, they were ushered towards the Vice-President's office. For the delegates it was significant that they were allowed to enter Sudan "without having our passports stamped"—akin to the way a diplomat on a covert mission would be treated, as one of the LRA representatives said.¹⁸³ One of the original LRA/M delegates got a nickname out of this: they had entered Juba like diplomats on a mission, so the delegation from then on called him "Ambassador". Because Machar treated them like respected diplomats, the LRA representatives trusted his motives. In a three-hour meeting in Juba that day, Machar—sceptical that he was indeed talking to LRA representatives—asked to call Otti. "He wanted to know if we were real," one of the delegates explained.¹⁸⁴ Delegates and SPLM then checked each other out by comparing phone numbers and text messages sent earlier. "Machar was friendly, he said he had been wanting to make contact for a long time," another delegate said.¹⁸⁵

Machar needed to solve the LRA problem for his own country and to ensure that the CPA could be implemented in all of Southern Sudan, including in the areas in the Equatorias that continued to be affected by the LRA. Additionally, Machar was unhappy about the UPDF moving freely in Sudan: "I don't feel very comfortable under an invasion," he said in June 2006, referring to the fact that the UPDF's mandate to operate in Sudan had expired the previous January.¹⁸⁶ Machar was in a unique position to take the lead in a complicated situation. As Vice-President of a semi-autonomous country (which was southern Sudan's status from 2005 to 2011), he was not bound to most international treaties. Sudan had not ratified the Rome Statute, thus it had no obligation to arrest and extradite those with an ICC arrest warrant against them. He had personal connections with the LRA going back to the times of the SPLA split. A successful peace deal with the LRA would boost both his and his new government's international profile. Still, when Machar invited the delegation to stay in Juba overnight, they declined. "We had to get straight back, we did not trust him enough to stay

182 GoSS's announcements that they would facilitate peace talks immediately widened the circle of participants: Sudanese Acholi elders offered to try to establish trust with the LRA, and argued that they needed to be involved in the complex process. After meeting Machar, the community group connected with Dr Onok and Ojul. Ojul reportedly explained that the LRA did not trust anybody because of the ICC, but he thought that if a mediator could be found who could be trusted, there were possibilities for talks if they were not influenced by, as one of the Sudanese present phrased it, "those who want to crucify the LRA". Staff from Gulu University met with Machar in early January 2006 to discuss the specifics of how GoSS might function as a chief mediator. Various fieldnotes, Juba.

183 Fieldnotes, Juba: 12/9/2006.

184 Fieldnotes, Juba: 9/7/2006.

185 Fieldnotes, Juba: 9/7/2006.

186 Fieldnotes, Maridi: 13/6/2006.

in Juba.”¹⁸⁷ However, the trust expanded far enough to allow a second meeting with Machar to be arranged through Pax Christi, said one delegate: “Machar said he can handle the peace talks.”¹⁸⁸ Machar had set himself a huge task. On March 24, 2006, the UN Security Council passed a resolution that “strongly condemned activities of militias and armed groups such as the LRA, which continue to attack civilians and commit human rights abuses in Sudan”.¹⁸⁹ A week later, Egeland pitched in with a comment, declaring the 20-year conflict in northern Uganda “the world’s worst form of terrorism” during a visit to Uganda’s Patongo camp for the displaced in Pader district.¹⁹⁰

After the first meeting, the LRA/M had led Machar to believe that he would next, as one delegate phrased it, “connect with Otti” in Jebel Lien, just outside Juba, in April.¹⁹¹ At the last minute, Machar was given a new location for the meeting: Nabanga in Western Equatoria, on the border with the DRC. One delegate explained: “Machar thought we were mad when we were asking for Nabanga because [Nabanga and Jebel Lien] are so far apart. But we were in control of the territory; there was nothing he could do.”¹⁹² Exerting this control was particularly important for the LRA.¹⁹³ Onok described the first meeting in the bush on April 11: “It was interesting. It was scary.”¹⁹⁴ Heavily armed LRA fighters led Machar deep into the bush in a stern atmosphere. The outcome was an agreement between Machar and Otti to meet again—next time with Kony in attendance.

On May 3, 2006, Kony turned up at the second meeting in Nabanga. Most of those at the meeting described the moment as exhilarating. During the meeting, Machar handed Kony an envelope with US\$20,000 to buy food. The interaction was filmed, presumably to provide proof to Museveni that Kony really had met with Machar. Reportedly, Salva Kiir showed the video to Museveni on May 13 as evidence that the LRA was engaged; Museveni

187 Fieldnotes, Juba: 9/7/2006.

188 Fieldnotes, 24/11/2007.

189 IRIN, “Uganda: Chronology of key events in 2006”, 2006.

190 IRIN, “Uganda: Chronology of key events in 2006”, 2006.

191 Fieldnotes, 24/11/2007.

192 Fieldnotes, Obbo/ Magwi: 4/10/2006.

193 Dolan argues that in the 1994 talks, the LRA asserted control through rules such as searching outsiders for weapons, cleansing them with holy water, and being in command of where meetings took place. See C.G.Dolan, “Understanding War and Its Continuation: The Case of Northern Uganda”, PhD Thesis, London School of Economics, 2005.

194 Author interview with Sudanese advisor to peace talks. Juba: 8/12/2006.

agreed that the amnesty for the LRA high command would remain in place.¹⁹⁵ The video was leaked to Reuters in Nairobi on May 24, causing a stir: it was the first footage of Kony in more than a decade, and his reappearance made world news. Machar's decision to hand over money was met with international criticism. However, internally in the LRA, enthusiasm for the peace effort was maintained when the SPLA held up their side of the bargain and started to deliver food provisions to Nabanga. The delegation went back to Nairobi to assemble fully, said one delegate: "We thought this was now possible, we could start negotiations, we could start a peace process to end this thing. We could bring all our people together."¹⁹⁶ They said they were unfazed, even when, on May 17, Museveni announced that the LRA would now have a two-month ultimatum "to peacefully end terrorism" or face a combined force of Ugandan and Southern Sudanese troops. However, Museveni reiterated that if Kony "got serious about a peaceful settlement, the government would guarantee his safety".¹⁹⁷

On June 2, the same day Interpol sent wanted persons red notices to 184 countries in connection with the ICC warrants against the LRA high command,¹⁹⁸ a provisional LRA peace delegation travelled to Juba, accompanied by two representatives from St Egidio. A representative of Pax Christi followed a few days later and was surprised to find St Egidio in Juba. The two organisations did not speak to each other. Having waited a few days for a meeting with Machar, who was delayed in Khartoum, they met with the Vice-President in the evening of June 7. Both Machar and the LRA/M reiterated their commitment to the peace effort; plans were made to travel to the bush to connect with Kony and Otti. The following day, representatives of the UN Security Council visited Juba for an extraordinary meeting on Darfur with Kiir and Machar. With the UN press corps in town, the first international news stories appeared about the rumour that an LRA delegation was in Juba.

During the meeting on Darfur, the United Kingdom Ambassador to the United Nations and head of the Security Council visiting delegation Emyr Jones Parry reiterated the international community's position on the LRA: "LRA is a threat to the peace and stability of the region and [the Security Council] would very much like this scourge to be eliminated." Kiir reportedly answered,

¹⁹⁵ IRIN, "Uganda: Key events in the northern conflict since May", 30/8/2006.

¹⁹⁶ Fieldnotes, Juba: 28/9/2006.

¹⁹⁷ IRIN, "Uganda: Key events in the northern conflict since May", 30/8/2006.

¹⁹⁸ BBC News, "Interpol push for Uganda arrests", 2/6/2006.

we think that arresting Joseph Kony is not the solution to the problem by itself. Arresting Joseph Kony, another leader will just surface from nowhere and so, taking Joseph Kony or the other four indictees will not be the end of the problem. Some new commanders will come up they may even be worse than Joseph Kony.

Ambassador Jones Parry reportedly added that he would “support the proposition of the five indictments issued by the International Criminal Court (to) be given effect”.¹⁹⁹

A few days later on June 11, 2006, again in Ri-Kwangba, near the small Western Equatorian village of Nabanga, Machar met once more with both Kony and Otti. The two LRA leaders were dressed in military fatigues and surrounded by armed young soldiers in mix-and-match uniforms. Machar arrived in civilian clothing with only minimal protection from unarmed SPLA soldiers. That the external pressures on the talks would be huge had become even clearer after the Security Council meeting on Darfur, but Machar seemed confident that it was going to be a worthwhile project to mediate between the GoU and the LRA.²⁰⁰ He had also tried to drum up international support. Waiting in the bush for Kony, he spoke on the satellite phone to representatives of President Thabo Mbeki of South Africa and President Mwai Kibaki of Kenya.²⁰¹ Later he tried to convince the White House that his was a promising undertaking.²⁰² While he said Mbeki and Kibaki had responded positively, broader support for his attempt at peace talks in the early days was underwhelming to outright hostile. Machar and the delegates left the bush on June 12, with Ojul officially appointed as the leader of the LRA/M delegation and Olweny as the LRA/M’s spokesperson.

After news of the latest meeting in the bush transpired, Kampala reacted with a turn-around on the earlier statement that the amnesty would stand even for the LRA leadership. The GoU now said that they could not meet LRA leaders who were indicted by the ICC.²⁰³ The to-and-froing was by many in Juba commented on as being typical of Museveni’s approach. A few days later, the ICC insisted that engaging LRA rebels in peace talks would not impede the arrest and prosecution of their leaders.²⁰⁴ Nonetheless, after Kony had appointed his delegates, Machar was elated

199 H.Jada and D.T. Pouch (*Juba Post*), “LRA deny attack on Juba outskirts”, 15/6/2006.

200 Fieldnotes, Maridi: 13/6/2006.

201 Fieldnotes, Ri-Kwangba: 12/7/2006.

202 Fieldnotes, Maridi: 13/6/2006.

203 IRIN, “Uganda: Key events in the northern conflict since May”, 30/8/2006.

204 IRIN, “Uganda: Key events in the northern conflict since May”, 30/8/2006.

and convinced that this approach to peace was going to work. One reason for the optimism was that at the time of Machar's efforts to start peace negotiations, a broad consensus seemed to exist within the Ugandan government and the international community that the LRA stood to only gain from entering peace negotiations and signing a deal. They were, at least according to their military opponents, a spent force, marginalised and deprived of their territory by the new Sudanese CPA. The LRA leaders were hunted individuals; it seemed that signing any kind of peace deal would allow them to stop being on the run.

I talked to Machar at dawn the day after his meeting with Kony and Otti; he was already up and working through documents. He was well aware of the wave of international criticism that was about to hit him for engaging with wanted war criminals, and joked that dealing with Kony would probably be easier than dealing with all the peace-talks sceptics.²⁰⁵ He expected, correctly, that many would argue that even offering the option to pursue a peace deal was giving the LRA more than it deserved.²⁰⁶ Nonetheless, on June 20, 2006, Uganda's ambassador to Juba announced that a GoU delegation was coming to Juba. On June 28, the GoU reported that it had been formally invited by GoSS to attend talks with the LRA, and that it would send a technical team for preliminary meetings.²⁰⁷

This team arrived, led by Uganda's Minister of the Interior Rugunda, on July 3. After meeting with Kiir and Machar, Rugunda said at a press conference that Uganda's government was prepared to talk, that talks would take place in Juba, and that Machar would chair them. Only two days later, Museveni reiterated his offer of amnesty for all LRA, including the top commanders. He failed to address the contradictions between his various statements that the GoU would grant amnesty, but would also not meet with the LRA leadership. The offer of amnesty was flat out dismissed by the LRA/M delegation. A delegate had previously explained to me that they could not take amnesty because it would imply that they had done something wrong. On July 7, newly appointed LRA/M spokesperson Olweny reacted to the amnesty offer in a radio interview, stating that the LRA was

205 Critical writing on engaging in a peace process with the LRA is plentiful, ranging from polemical rants to informed debates about the issues involved, namely the perceived dichotomy between peace and justice. Some examples include: amnesty international, "Uganda strikes deal with LRA on trials", London: 2008; R.Feldman, "A Deal with the Devil: Issues in Offering Joseph Kony Amnesty to Resolve the Conflict in Uganda". *Small Wars and Insurgencies* 18, 1, 2007; Human Rights Watch, "Uganda: No Amnesty for Atrocities—Turning a Blind Eye to Justice Undermines Durable Peace", New York: 2006; C.Onyango-Obbo, "Kony is Crazy, So Why Does Riek Love Him?", *The Monitor*, 27/6/2007; J.R. Quinn, "Getting to Peace? Negotiating with the LRA in Northern Uganda", *Human Rights Review* 10, 2009; K.A.Rodman, "Is peace in the Interests of Justice? The Case for Broad Prosecutorial Discretion at the International Criminal Court", *Leiden Journal of International Law* 22, 2009.

206 Fieldnotes, Maridi: 13/6/2006.

207 IRIN, "Uganda: Key events in the northern conflict since May", 30/8/2006.

not denying having committed atrocities, but they wanted to talk peace and that was why they were rejecting the idea of amnesty. On the same day, ICC Chief Prosecutor Luis Moreno-Ocampo insisted that Kony must eventually face trial.²⁰⁸

On July 11, Machar made a final attempt to convince Otti in a meeting in Ri-Kwangba to join his delegates in Juba. The following day, Otti declined the invitation and instead sent two additional officers as the most senior military representatives in Juba. Upon return to Juba on July 14, Machar announced that the Juba Peace Talks would start the following day with an opening ceremony.

Representation and context

When the Talks opened with the scene described at the beginning of this thesis, media attention focussed particularly on the LRA/M delegation. A big question loomed large over any interaction: Who are these people? Who is the LRA/M and how do the two connect with each other? Chapter 8 of this thesis provides more detail on who represents the LRA and the connection with the LRM. Yet that this question remains such a challenge points to its answer: both LRA and LRM are at the same time fixed and entirely flexible entities, both groups at times encompass a range of actors who are loosely affiliated. A trademark of contemporary conflicts is that they lack reliable boundaries in terms of geography, ideology, and affiliation. Let's take these in turn to try and find a workable answer to the question who the LRA/M is.

Space and ideology

Geographically speaking, the LRA/M conflict's fighting territory has shifted from northern Uganda into other countries. To help with a definition of who the LRA/M is, broadening the understanding of geographic boundaries is useful. Spatial expansion has been a characteristic of conflict in other contexts, and it is worth thinking about what it means. Lomo documents how two other Ugandan rebel groups, the WNBF and the UNRFII, were in direct contact with the LRA when all three groups were operating from Sudan. Lomo's point is that all conflicts are not only inter-related, but also evoke international geopolitical issues because of the wider geographical setting:

Although the exact nature of the relationships between the groups is unclear, the extent to which insurgents were not acting

2008 IRIN, "Uganda: Key events in the northern conflict since May", 30/8/2006.

in total isolation is an important dynamic that has to be taken into consideration when attempts to resolving these conflicts are being made.²⁰⁹

In the case of the LRA, the lack of focus on territorial control has often been used to argue that the group lacks a political agenda. Instead I propose that transcendence of geographical space, rather than being an expression of meaninglessness, emphasises that the conflict is more broadly representative of conflict dynamics in the region which lie in marginalisation. Pécaut states that “the perception of space is inseparable from social experience rooted in memory.”²¹⁰ With the widening of the space of the LRA, the social experience of marginalisation, “rooted in memory” and in the experience of being ever further from home, strengthened the broader conflict landscape, which also involved other actors interested in hardening or ending marginalisation. The geographical reach thus includes the pattern of proxy wars so common to the region, in which actors reach across geographical boundaries to pursue goals at home. Additionally, the point about the memory of marginalisation links the LRA as an actor to the broader conflict landscape in time. This includes, for example, previous rebellions in Uganda, most prominently the above mentioned groups in West Nile.²¹¹

The fluid geographical reach also highlights the blurred boundaries of ideology. The most obvious one is the LRA’s military support of an Islamist agenda from Khartoum in exchange for material support in their fight against Museveni. Khartoum loomed large as a player during the LRA’s stay in southern Sudan. During the peace negotiations in Juba, its influence was much less clear, particularly because of the parallel challenges that were ongoing regarding implementation of the Comprehensive Peace Agreement. During the Juba Talks, however, the relationship between the LRA and the government in Khartoum to a great extent came to symbolise narratives of power relations and collusion: at no point was Khartoum’s role entirely clear, including the crucial question of whether or not its support to the LRA continued, but as a looming player with major influence, Khartoum was never absent.

Affiliation

209 Z.Lomo and L.Hovil, *Negotiating peace: Resolution of Conflicts in Uganda's West Nile Region*. Refugee Law Project Working Paper No. 12. Kampala: June 2004, p.15.

210 D.Pécaut, “Configurations of Space, Time, and Subjectivity in a Context of Terror: The Colombian Example”, *International Journal of Politics, Culture, and Society* 14, 2000, p.131.

211 See Leopold, M. *Inside West Nile. Violence, History, & Representation on An African Frontier*. Oxford: James Currey, 2005.

The brief history of the war provided in this chapter has shown how individual attachments to the LRA were often fluid between force and volunteerism, between despair about the situation in which residents of northern Uganda found themselves and despair at the armed response that was contributing to making the situation worse. Individuals who were assembled in Juba to represent the LRA were there for a range of reasons: because they were close to Kony or others in the high command, because they had for years supported the LRA from the diaspora, or because they were so entrenched in the conflict spiral between government and LRA actors that they could turn to be on either side at any point, but carried valuable insider information that made them useful while they were openly on board.

Not all delegates chose to be very public about their engagement, thus describing individual's motivations and backstories could put them at risk. The chairperson and the spokespeople over the course of the Juba Talks can all be broadly put in the category of those who were very close to Ugandan politics: one chairperson had been known to work for government agencies and had lived in Kampala for several years, another was a member of the opposition party Ugandan People's Congress, but had been in exile. A third delegate had run for Museveni's NRM in the last elections before the talks and failed to gain a seat. A set of delegates were drawn from the diaspora in London; often these delegates held close connections to the elders who are perceived to have been the instigators of the rebellion against Museveni.²¹² Some had fled Uganda to Kenya and had never returned to their homeland. Quite a few delegates had never met Kony before, having been drawn from the often more vocal exiles. Yet who exactly the LRA and LRM is at any given point is impossible to say conclusively.

The same applies when it comes to describing the exact nature of the relationship between LRA and LRM, and how these two are embedded in the broader conflictscape that also involves other actors. What this thesis aims to broadly show is that while conflict resolution processes aim to single out specific actors and their roles, entrenched conflicts are in fact characterised by the inseparable interaction and overlaps between actors. This thesis will show how, for example, Ugandan politicians used the Juba Talks to express their support for the LRA's grievances. Some of these politicians used their past close connection with either LRA or the GoU to achieve a prominent position within the broader Juba debate. Titeca makes this point most strongly about civil society actors, pointing out that for example the Acholi Religious Leaders Peace Initiative has long claimed a

212 Finnstrom. S. *Living with Bad Surroundings: War and Existential Uncertainty in Acholiland, Northern Uganda*. Uppsala Studies in Cultural Anthropology. Uppsala: Acta Universitatis Upsaliensis, 2003, 82ff.

certain kind of ownership of the LRA and thus over its narratives of grievance.²¹³

Finnstroem has attempted in the past to give a more accurate description of who the LRA is. He has pointed out, however, that the LRA/M tends to think of itself in terms of “what we are not”.²¹⁴ He argues that this is a reflection of skewed outside perceptions which create the need for the LRA to justify itself in relation to what is being said about them. “What we are not”, a negative definition, thus becomes the dominant discourse within the LRA/M, with the only steady connector being “what we are against.” However, the narratives of “what we are,” of change and ending armed resistance to enter a transformative process, are weak. The limitations caused by this overwhelming “presence of what is missing” as Freeman calls it, become apparent in a peace process.²¹⁵ As particularly Chapter 8 will show, the need for the LRA/M to find its single voice to speak about what and who they were became an impossible task.

The LRA/M at the Juba Talks struggled with an internal process of being a fluid entity and an external reality of having to present a united front in order to achieve any agreements. Chapter 8 shows that the internal narratives that nobody could ever be trusted to deliver structural change ultimately contributed to the failure of the Juba Talks. Internal betrayal and shifting affiliations are part of this. Richards suggests that to transform a conflict it is necessary to “remake social worlds,” a process that was absent from Juba.²¹⁶ At best, the remaking of social worlds occurred in the corruption, back-channel processes and lack of transparency that undermined the main process and highlighted the fluidity and opportunism of affiliation.

Information

213 Titeca, K. “An LRA for everyone. How different actors construct different images of the LRA , and instrumentalise the conflict”, Lisbon: ECAS conference paper, 2013.

214 Finnstroem, S. *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008, p.123

215 Freeman, M. “The presence of what is missing: Memory, poetry, and the ride home”, In: *Between fathers and sons: Critical incident narratives in the development of men's lives*, edited by R. J. Pellegrini and T. R. Sarbin. New York: Haworth Clinical Practice Press, 2002.

216 Richards, P. “New War: An ethnographic approach”, In *No Peace No War: An Anthropology of Contemporary Armed Conflicts*, edited by P. Richards. Athens/ Oxford: Ohio University Press/ James Currey., 2005.

In his letter to me, Otti had expressed concern about who I was and whether I would perpetuate the “wrong” kind of stories, those that confirm the established government narrative.²¹⁷

What I want to ask you are these: are you a rumour monger, an activist, a journalist or a researcher? If one of these; then whose interest are you representing? Let me hope you are trustworthy and somebody who keeps secrets because if not then definitely you will put the life of these boys at a very high risk.²¹⁸

The LRA notion that rumour-mongering and activism drove the availability of information was strong. Olweny argued: “We give our side of the story against extremely negative and malicious distortions, misinformation and outright lies about the role of the LRM/A in the conflict, and to a no less extent, against the people of northern Uganda.”²¹⁹ Kony stated,

People are fighting with propaganda. But for me as a guerrilla, I have not yet reached. I am lacking so many things, that is why you are here. All thing from Museveni side or from some other people, because I do not have proper propaganda machineries. I do not have some other people also.²²⁰

As spokesperson of the LRA/M delegation, Olweny had also signed one of the early position papers, stating: “we appeal to NRM to stop its elaborate propaganda machinery that has caused the international community to treat the LRM/A with absolute scorn, disdain and contempt, based on prejudices and misgivings.”²²¹ “Time has come when the truth must be told,” he exclaimed in another paper, “and all stake-holders challenged to give their side of the story.”²²² This included establishing that it was not true

that the LRM/A has no political agenda. To say so is to underrate the problem at hand and to give the false impression that LRM/A has no cause for its armed rebellion. Failure to express its political agenda loudly in intellection [*sic*] form does not mean the lack of it. Until now we have been speaking through action. We now want to use this forum, space and time to express our agenda in words.

217 Although Otti confirmed to me that he had indeed written this letter, and the handwriting is very similar to what I saw when he wrote in my notepad in Ri-Kwangba, I remain sceptical. Producing a letter after a supposedly elaborate adventure to get it is precisely the kind of behaviour that some LRA associates display when they want to keep the interest of an outsider, although delivering a letter from the bush is a common way of communicating within the LRA.

218 Vincent Otti, “Personal letter to author,” 25/8/2005.

219 LRA/M delegation in Juba /O.Olweny, “First position paper of the LRA Peace Delegation during negotiations”, Juba: 16/7/2006.

220 Author interview with Joseph Kony, Sudan/ DRC border: 12/6/2006.

221 LRA/M delegation in Juba /O.Olweny, “First position paper of the LRA Peace Delegation during negotiations”, Juba: 16/7/2006.

222 LRA/M delegation in Juba /O.Olweny. “LRA/M opening speech at first Juba Peace Talks opening ceremony.” Juba, 14/7/2006.

Let the world and all the stakeholders grasp this opportunity to hear us out and be the final judges.²²³

Until the Juba Talks, information on the LRA/M message and their perspective on their own role had indeed been fuzzy. Written manifestos were scarce, and when they appeared, they were discredited by the GoU or by the LRA's own atrocities.²²⁴ The delegation argued that they had been denied media exposure, but this "failure of the LRM/A to have access to the mass media to express its political agenda loudly in intellectual form does not mean the lack of it".²²⁵ I asked Kony, Otti and other LRA members why they had been so reticent to state their side of the story. Kony emphasised that LRA manifestos were well known in Uganda; the fact that I did not know them was my own shortcoming.²²⁶ Otti argued that in a "bush war" it was difficult to distribute strong messages, especially because "rebel supporters" faced persecution.²²⁷ Another delegate thought my questions were misguided: "The cause is obvious and needs no explanation," he said. "We have a cause."²²⁸ When appointed spokesperson, Olweny was elated because the "LRA never had a proper spokesperson."²²⁹

Otti several times mentioned to me that he wanted to write a book, just as Museveni had done with *Sowing the Mustard Seed*, to explain what the world was like in Uganda and for the LRA.²³⁰ In November 2006, Otti asked me about the LRA's image abroad: "Tell me, what does the outside world now think about LRA? Do they know about LRA? Do they understand about LRA?"²³¹ The topic came up often. In July 2007, Otti said that he had just given another television interview—to Sky News—but had not yet been able to watch the story to see if it was "truthful". His parting words were "I

223 LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006.

224 Finnstrom argues that while past manifestos were crudely assembled, they nonetheless expressed popular sentiments. S.Finnstrom, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008, Chapter 3. The International Crisis Group (ICG) in later years agreed with this point, stating: "until the legitimate grievances and feeling of marginalisation of northern Uganda's communities are genuinely addressed, LRA fighters remain a possible vehicle for the expression of northerners' frustrations." International Crisis Group. Northern Uganda: The road to peace, with or without Kony. In *Africa Report*. Nairobi/Brussels, 2008, p.i.

225 LRA/M delegation in Juba /O.Olweny, "LRA/M opening speech at first Juba Peace Talks opening ceremony." Juba, 14/7/2006.

226 Author interview with Joseph Kony, Sudan/ DRC border: 12/6/2006.

227 Author interview with Vincent Otti, Ri-Kwangba: 14/11/2006.

228 Fieldnotes, Juba 23/10/2006.

229 Fieldnotes, Juba: 6/6/2006.

230 Y.K.Museveni, *Sowing the Mustard Seed: The struggle for freedom and democracy in Uganda*. New York: Macmillan Education, 1997.

231 Author interview with Vincent Otti, Ri-Kwangba: 14/11/2006.

will talk to you with your tape recorder to set the story straight.”²³² Yet rather than being able to author the counterpart of Museveni’s founding Ugandan myth, Otti became overwhelmed. Within the LRA, he was seen as the best person to provide information on the LRA—and really the only person. An LRA member explained, “We did not have a manifesto because we did not have anybody who could do such thing. Otti could not be waiter, cashier and cook at the same time.”²³³

The lack of LRA/M capacity to impart its message was for Olweny symptomatic of the cause of the conflict.²³⁴ His point was that the scale of GoU crimes, the displacement camps, and the lack of the educational opportunities that would have given the victims the political tools to deal with their plight had silenced Acholi people who resisted the GoU.²³⁵ The way the war between the GoU and the LRA had been conducted had closed down any public sphere in which to discuss the reasons for the war; the Acholi people’s livelihoods had been so severely curtailed that they were no longer able to change their situation.²³⁶ For the LRA, the Acholi people had been turned into anonymous victims, as outlined in an LRA position paper that addressed crimes committed by the NRA:

Our mothers, sisters and wives were raped in front of us; and in some extreme cases men were sodomised in public; and in front of their family members. This became infamously known as “Tek Gungu”... The NRA soldiers went to the extent of cutting men’s anuses with razor blades and pouring paraffin therein to enlarge them to fit their sex organs. Evidence of all these abound, but common decency compels us to keep the victims anonymous as this

232 Author interview with Vincent Otti, Ri-Kwangba: 13/7/2007.

233 Fieldnotes. Juba: 6/6/2006.

234 Kriesberg argues that communities need people such as intellectuals and politicians who have the power to shape a discourse, and thus to shape interpretations of the past. L.Kriesberg, “Conclusion”, in *Intractable conflicts and their transformation*, ed. L.Kriesberg, T.A. Northrup, and S.Thorson Syracuse: Syracuse University Press, 1989, p.220.

235 Comerford makes a similar point regarding Angola, where history had left the public sphere with no space to discuss issues of war and peace. M.G.Comerford, “The Public Sphere and the Construction of Peace Narratives in Angola: From the Bicesse Accords to the Death of Savimbi”, *PhD Thesis*, 2003.

236 Lack of voice equals lack of access to livelihood. The LRA consulted the blog of a Sudanese writer published in the *Sudan Tribune* on 19/8/2006. Drawing on a wide range of supporting facts about the economic disparity between north and south, the blogger argues that the system established in Uganda resembles South Africa’s apartheid regime. J.A. Akec, “Can South Africa help dismantle Ugandan apartheid?”, in *JohnAkecSouthSudan Blog*, 2006. Jackson recounts the evidence of the economic marginalisation of the Acholi, expressed initially through the depleting of cattle stocks through government theft. P.Jackson, “Negotiating with Ghosts: Religion, Conflict and Peace in Northern Uganda”, *The Round Table* 98, 402, 2009, p.324

phenomenon was hitherto unknown to the northern and eastern tribes of Uganda and remains anathema even to talk about it.²³⁷

The experience of such violence limited the extent to which information about it could be spread, according to the LRA/M's argument. The LRA/M gave as an example of limiting information through violence "the case of the sub county chief of Patiko, Mze [Muzee] Owiny [who suffered abuse from the UPDF]... who consequently committed suicide".²³⁸

While the LRA/M continued to feel that no proper information on their plight was available, nonetheless the Juba Talks reignited interest in the LRA. Increasing internationalisation of the conflict had made information on many facets of northern Uganda and the LRA more accessible. Scholarship on the LRA conflict has covered a range of issues, such as the debate about international and transitional justice,²³⁹ the role and ineffectiveness of aid agencies in complex situations,²⁴⁰ health in the displacement camps,²⁴¹ living conditions in the war zone,²⁴² and later on the role of international advocacy.²⁴³ Much has been written about northern Uganda's and the Acholi people's marginalisation and deprivation, and on how both vertical and horizontal inequality has contributed to the long

237 LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006. The notion that the crimes committed were so bad that they cannot be talked about echoes Agamben's concept of bearing witness to something so horrific it cannot be witnessed. G. Agamben, *Remnants of Auschwitz: The Witness and the Archive*, 2002. The challenge of "bearing witness" to violence has also been struggled with by scholars seeking to understand it, such as Kleinman et al. A.Kleinman, V.Das, and L. M. Margaret, *Social Suffering*. Berkeley: University of California Press, 1997.

238 LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006. This underscores Chiwengo's point that "bearing witness to African events in literature, the media, or human rights discourse is challenging because of the power relations that undergird its representation and visualization." N.Chiwengo, "When Wounds and Corpses Fail to Speak: Narratives of Violence and Rape in Congo (DRC)", *Comparative Studies of South Asia, Africa and the Middle East* 28, 1, 2008, p.81.

239 For example T.Allen, *Trial justice: The International Criminal Court and the Lord's Resistance Army. African Arguments*, London: Zed Books, 2006.

240 For example A.Branch, *Displacing Human Rights: War and Intervention in Northern Uganda*. New York: Oxford University Press USA, 2011.

241 For example S. Accorsi et al., "The disease profile of poverty: morbidity and mortality in northern Uganda in the context of war, population displacement and HIV/AIDS." *Transactions of the Royal Society of Tropical Medicine and Hygiene* 99, 3 (2005).

242 For example S.Finnstroem, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008.

243 For example A.Taub, ed., *Beyond Kony 2012: Atrocity, Awareness and Activism in the Internet Age*, Leanpub, 2012.

conflict, as well as broader about political and social developments in Uganda.²⁴⁴

Additionally, news coverage, personal writing, advocacy and popular culture (evident in Internet campaigns, feature films or graphic novels) have been abundant.²⁴⁵ The war and the LRA have a certain pop-culture allure. The elusive leadership, the brutality and duration of the conflict, the number of people affected in various ways, the geographical spread and the impact of the conflict on the developmental situation in four countries—Uganda, South Sudan, DRC and CAR—remains baffling. In its later years, the conflict drew huge interest from new and established international advocacy groups, most prominently the California-based evangelical Invisible Children, which in 2012 with “Kony 2012” launched the most successful Internet advocacy campaign ever with the release of a video on the LRA.

However, with more information being produced and researched on the LRA, two opposing developments occurred. Scholarship and some journalism gave further nuance to the complex conflict dynamics and actions of a range of actors—most prominently the LRA, the GoU and international organisations—focusing increasingly on the political economy of the conflict,²⁴⁶ and along the way dismissing the simple label “the LRA

244 F.Stewart, "Horizontal Inequalities: A Neglected Dimension of Development", CRISE Working Paper. Oxford: not dated. Some important examples include E.A.Brett, "Neutralising the Use of Force in Uganda: The Role of the Military in Politics", *The Journal of Modern African Studies* 33, 1, 1995; as well as three edited volumes by H.B. Hansen and M Twaddle, *Uganda Now: Between Decay and Development*, Oxford: James Currey, 1988; *Changing Uganda: The Dilemmas of Structural Adjustment & Revolutionary Change*, Oxford: James Currey, 1991; H.B. Hansen and M Twaddle, *Developing Uganda*. Cleveland/ Oxford: Ohio University Press/ James Currey, 1998. Girling and Atkinson have both written on Acholi identity and leadership. F.K. Girling, *The Acholi of Uganda*. London: HMSO, 1960; R.R. Atkinson, *The Roots of Ethnicity: The origins of the Acholi in Uganda*. Kampala: Fountain Publishers Ltd, 2010 (1999).

245 International audiences became engaged, thanks to a whole series of films and documentaries on the plight of the children of northern Uganda, for example A.S.Ahadi and O.Stoltz, "Lost Children", Germany/ France: 2004; B.Bailey, L.Poole, and J.Russel, "Invisible Children", USA: 2003; S.Fine and A.Nix Fine, "War/ Dance", USA: 2007.

246 S.B. Tindifa, *Listen to the people! A call for an inclusive approach to the peace process in northern Uganda: A report on the study on peace and reconciliation in northern Uganda*. Kampala: The Human Rights and Peace Centre, Makerere University, 2006; M.Bøås and K.C. Dunn, *African guerrillas : raging against the machine*. Boulder, CO: Lynne Rienner Publishers, 2007; K.C.Dunn, "Uganda: The Lord's Resistance Army", *Review of African Political Economy* 31, 99, 2004. As the War on Terror got underway, the LRA situation was recast, and rather than analysing it as an internal political-economy conflict, primarily US analysis drove the storyline that the entire region was prone to become a breeding ground for future terrorists. See R.Feldman, "A Deal with the Devil: Issues in Offering Joseph Kony Amnesty to Resolve the Conflict in Uganda". *Small Wars and Insurgencies* 18, 1, 2007. This was accompanied by a shift in the understanding of the role of the GoU. It has remained challenging to move the understanding of the contributions of both sides in the war, rather than swinging the pendulum of blame back and forth between the LRA and GoU. However, the GoU has come increasingly under criticism for conditions in the displacement camps. The Enough Project wrote that "the Ugandan government holds the majority of blame for herding people into camps, a move they undertook because of their inability to provide sufficient protection to them in their home villages" J.Spiegel and J.Predergast, "A new peace strategy for northern Uganda and the LRA", ENOUGH strategy paper, 19/5/2008.

war" as inadequate.²⁴⁷ Finnstroem and Dolan avoid using the term "war" altogether, both offering more socially inclusive terminology. Finnstroem describes the state of permanent warlike activities as "living with bad surroundings", while Dolan uses the term "social torture" to describe how rebel and government activity destroyed the social fabric of the north.²⁴⁸ During the Juba Talks, the LRA/M contested the title "LRA war" primarily because the issues were relevant to a larger group of people than just the LRA.²⁴⁹ In late 2009 the LRA/M delegation urged in its rejection of military action against the LRA "a return to the negotiating table, to save all the peoples affected by the 'Northern Uganda' conflict from further senseless, destructive and unnecessary military adventures".²⁵⁰

In a parallel development, the more prominent pop-culture public image of the LRA became increasingly jejune. Herwig has outlined how important events "are hardest to understand because they attract the greatest attention from mythmakers and charlatans", and the LRA war was no exception.²⁵¹ Most of the mainstream information on the LRA and the war was and remains heavy on atmospheric description, one-sided human rights reporting and simplifications about youth participation that creates and perpetuates myths about the LRA, but is light on analysis that might allow answers to the persistent basic questions.²⁵² A simplistic view was presented even by those close to the issues in Uganda, such as the former Ugandan government minister and peace negotiator Bigombe, who asked in an article co-written by US activist John Prendergast: "How do you end a 19-

247 Lepore writes that in naming a war lies "a contest for meaning". J. Lepore, *The Name of War: King Philip's War and the Origins of American Identity*. New York: Vintage Books/ Random House, 1998, p.xvi. In the list of wars jointly published in 2003 by the Centre for Systemic Peace and the Uppsala Conflict Data Project, the LRA's activities do not make the cut as a "war" at all: the list puts the combined deaths of conflict between the GoU and the LRA, West Nile Bank Front and Allied Democratic Front at less than 1,000 conflict-related deaths since 1994. O.Ramsbotham, T.Woodhouse, and H.Miall, *Contemporary Conflict Resolution*. Cambridge: Polity, 2005, p. 63.

248 S.Finnstroem, *Living with Bad Surroundings: War, history, and everyday moments in northern Uganda*. Durham: Duke University Press, 2008; C.Dolan, *Social Torture: The Case of Northern Uganda, 1986 - 2006*. Oxford/ New York: Berghahn Books, 2009.

249 At other moments, however, they emphasise the "LRA" war to stress their role as Museveni's adversary. They objected to the description of "LRA-affected areas" with the argument that the same areas might also be called "UPDF-affected areas".

250 LRA/M Peace Team/ J.Labeja, "Open Letter: LRA/M Private Bag, RE: L.R.A. DOCUMENT ON JUBA PEACE TALKS", Nairobi, 9/11/2009.

251 H.H. Herwig, "Clio Deceived: Patrotic Self-Censorship in Germany after the Great War." *International Security* 12, 2, Autumn 1987, p.7.

252 Good examples of atmospheric, often disturbing memoirs that are at the same time infused with symbolism are K.Cook, *Stolen angels : the kidnapped girls of Uganda*. Toronto: Penguin Canada, 2007; D.H.Dunson, *Child, victim, soldier : the loss of innocence in Uganda*. Maryknoll, N.Y.: Orbis Books, 2008; P.H.Eichstaedt, *First kill your family : child soldiers of Uganda and the Lord's Resistance Army*. Chicago, Ill.: Lawrence Hill Books, 2009; F.J. H. McDonnell and G.Akallo, *Girl soldier : a story of hope for northern Uganda's children*. Grand Rapids, Mich.: Chosen, 2007; and N. Caruso, "Refuge from the Lord's Resistance Army in Uganda: a report from a Medecins Sans Frontieres team leader", *Emerg Med Australas* 18, 3, 2006. An accomplished, humorous approach to the question why Museveni has not been able to defeat Kony has been offered by J.Bussmann, *The Worst Date Ever: War Crimes, Hollywood Heart-Throbs and Other Abominations or how it took a comedy writer to expose Africa's secret war*. New York: Pan, 2010.

year insurgency led by a messianic guerrilla leader with an army of abducted, tortured, and brainwashed children?"²⁵³ The imagery of an army of brainwashed child soldiers has sustained international outrage. The LRA has been accused of everything from cannibalism to drug-running. A particularly sensationalist example of storytelling without empirical evidence about the LRA's cannibalism is Raffaele's purported "adventures on the trail of man's darkest ritual".²⁵⁴ Feldman's broad-brush assessment confidently asserts that Kony "appears to be a delusional madman"²⁵⁵ and claims that

narcotics sales also help fund LRA operations. Being involved in the drug trade has the advantage of making them available for its own use. Some of the atrocities that are committed are reportedly so brutal that Kony's followers rely on drugs for their courage to perform them.²⁵⁶

As all returnees and active LRA agree that they are drug-free and no evidence exists that the LRA are drug dealers, it is worth noting that Feldman's source for this information is a conference paper given in Washington, DC, by Uganda's Director of Public Prosecutions on terrorist financing.²⁵⁷

Dowden writes that the LRA's portrayal as a "mindless terror gang" that was "so evil it makes political or military analysis unnecessary" was fed by the general assumption that Africa is a place of darkness. Because of the war's virulence, Dowden argues, the assumption had long been that "the LRA would quickly burn itself out."²⁵⁸ In Juba, the LRA/M implemented a new information policy to strongly counter the notion that they had burnt out. Their aim to influence public opinion, however, did not generate a more nuanced picture. While many important points need to be made about the role of the GoU in the conflict, the public manifestation of the new LRA/M information policy hardly moved beyond a crude whitewash, with a focus on denying atrocities and deflecting guilt for attacks on the UPDF. Privately the LRA/M argued that the set-up of the talks had made a

253 B.Bigombe and J.Prendergast, "Stop the crisis in northern Uganda", *The Philadelphia Inquirer*, 21/2/2006.

254 P.Raffaele, *Among the cannibals : adventures on the trail of man's darkest ritual*. New York: Smithsonian Books : Collins, 2008.

255 R.Feldman, "A Deal with the Devil: Issues in Offering Joseph Kony Amnesty to Resolve the Conflict in Uganda". *Small Wars and Insurgencies* 18, 1, 2007.

256 R.Feldman, "A Deal with the Devil: Issues in Offering Joseph Kony Amnesty to Resolve the Conflict in Uganda". *Small Wars and Insurgencies* 18, 1, 2007, p.138.

257 R.Buteera, "The Reach of Terrorist Financing and Combating It – the Links Between Terrorism and Ordinary Crime", in *IAP Annual Conference* Washington, D.C.: 2003. The paper is no longer available online, and the LRA has never been charged with narcotics-related crimes.

258 R.Dowden, "Inspiration behind the 'terror gang'", *The Observer*, 2/4/2006.

more nuanced public presentation impossible. I observed several moments during the talks when delegation members and the high command were cornered with hostile questioning about their own atrocities. Their visible reaction seemed to be embarrassment, as if atrocities and the past should not be discussed in public. An LRA member confirmed that this impression was correct—from the LRA point of view, he said, the LRA could not talk openly about crimes they had committed, because of the threat of ICC persecution and because “talking about it like that makes it hard to reconcile.”²⁵⁹ In less public situations, members freely admitted that the LRA had committed violent crimes, although they maintained that rape was not a crime sanctioned by Kony.²⁶⁰ However, it is important to note that while for a while rape of civilians by the LRA was limited and punished, the LRA’s definition of rape would not include intercourse in forced marriage.²⁶¹ In the early days of the talks, delegates even argued that it would be beneficial for the LRA to go to the ICC in The Hague to be tried, as it would give them an opportunity to present their evidence of GoU atrocities and provide what they referred to as “proper information”.

A Focus on Joseph Kony

Multiple theories and hypotheses exist about the behaviour of the LRA, but these tend at best to be based on accounts by those who have left the LRA and at worst are speculative, driven by ideology or even propaganda that uses evidence selectively. During 20 years of war, not much was seen of Joseph Kony and not much was heard of the LRA, allowing fantastical accounts of exoticism to dominate the debate with no possibility of fact-checking. Advocacy regarding the LRA has primarily been focused on Kony as the undisputed centre of the conflict whose movements and decisions determine its continuation or end. He has been portrayed by insiders and outsiders alike as a spirit-possessed leader of charisma and brutality who has fought the war fuelled by a mixture of spiritual force, religious extremism and outside military support. Of all of these, his reported spirituality usually fascinates most.

²⁵⁹ Fieldnotes, Juba/ Magwi: 1/10/2006.

²⁶⁰ Fieldnotes, Juba/ Magwi: 1/10/2006.

²⁶¹ For a discussion on definitions of rape, see H.E. Porter, “Justice and rape on the periphery: the supremacy of social harmony in the space between local solutions and formal judicial systems in northern Uganda.” *Journal of Eastern African Studies* 6, 1, 2012; for statistics on rape of civilians, see Annan, J. And C. Blattman, D. Mazurana and K. Carlson, “Women and Girls at War: ‘Wives’, Mothers, and Fighters in the Lord’s Resistance Army”, Unpublished: 2008.

Yet generally the assessment of Kony's role has been based on hearsay, with little consideration or evidence of Kony's own perspective or that of other active members of the LRA. Part of Kony's appeal and his ability to evoke fear lay in his invisibility, as rebel leader characterised only in the stories of those who had escaped. The invisibility of the main actor also made the LRA war seem pointless, confused, and lacking a coherent agenda beyond being a thorn in the side of the government at the expense of civilians. Stories of Kony's mysterious strength and unspeakable brutality made the descriptions of this ghost-like figure even more powerful and the use of fear became a strategic "force multiplier", as Vinci calls it, for the LRA.²⁶² Kony's spirituality and his presumed madness were readily picked up by international organisations and advocates to drive often hugely successful fundraising campaigns, in a fine example of what Agamben calls the commodification of evil and the messianic.²⁶³ Professional consideration of what some claimed was a serious psychiatric condition was shambolic. Engagement with background spiritual beliefs or the notion that Kony was "evil" was righteous and thus lacked insight.²⁶⁴ Marchal is correct when he writes that in the labelling of conflict actors, "moralistic judgements obscure analysis."²⁶⁵

The focus on Kony as the sole responsible actor means there is little mainstream analysis of group behaviour, or of the individual choices by LRA actors. A pop-culture focus on Kony as the root of all evil has blurred understanding of the broader context. Both the LRA and those describing the conflict have commodified these fleeting characteristics to avoid taking apart the personal and societal issues at the heart of the conflict. Presuming that Kony's military might was the result of *afflatus*—a transcendental inspiration—creates the perfect straw-man argument that no analysis is possible or necessary because divine forces are at work. As a broader problem, because of lack of data, most events were analysed as if macro-level events, such as the behaviour of the GoU or the issuing of ICC

262 A.Vinci, "The Strategic Use of Fear." *Small Wars and Insurgencies* 16, 3, 2005.

263 G.Agamben, *The Coming Community*. Minneapolis: University of Minnesota Press, 1993.

264 A good example is Vinci's treatment of Kony's spirituality, which draws entirely on a description given by Behrend of Kony's engagement with spirits, but manages to misspell the crucial word "malaika" as "malailka". A.Vinci, "Beyond Terror and Insurgency: The LRA's Dirty War in Northern Uganda," in *Warrior's Dishonour: Barbarity, Morality and Torture in Modern Warfare*, ed. G.Kassimeris. Hampshire: Ashgate Publishing Limited, 2006, p.83. Vinci treats the idea that soldiers are given protection through spirituality as somehow exotic. Holmes, however, points out that soldiers in many cultures have relied on talismans for protection.R. Holmes, *Acts of War: The Behaviour of Men in Battle*. London: Free Press, 1970, p.238.

265 R.Marchal, "Warlordism and terrorism: how to obscure an already confusing crisis? The case of Somalia", *International Affairs* 83, 6, 2007.

warrants, could deliver direct explanations of micro-level, individual LRA behaviour.²⁶⁶

In a conflict that involves armed rebellion against a government, empirical information on the rebel perspective tends to be rare. Cunningham argues that this is because “systematic information about the opposition” is missing or is only visible in “the occurrence of civil war”, creating a research focus on the role of states.²⁶⁷ While the interest in the LRA war has often focussed on the LRA—with a lot less attention being paid to the GoU or the UPDF, it was the case that until 2006 the only primary data available on the thinking within the LRA was provided by those who had left the LRA. Presumably they had also left behind some of their motivations—if they had stayed voluntarily—for being in the LRA. As much of the literature on the LRA is driven by agency-funded research reports, this has largely led to the cherry-picking of evidence to underscore previously held assumptions and programming goals. Agency research also requires a certain visibility of both issue and findings, which is achieved more powerfully through anecdotes, giving much greater presence to powerful individual stories of victims.²⁶⁸

With a rebel leader silent on political causes and a government pushing the propaganda that the northern rebellion was nothing but a violent fight without reason—and the press largely following that line of thinking—outside more nuanced scholarship the war was effectively depoliticised, a general characteristic of wars in recent years.²⁶⁹ This was echoed, for example, in remarks of the then UN High Commissioner for Human Rights, Louise Arbour, who called the LRA a “well-armed criminal enterprise” that did not have “any kind of political agenda” and ought not to be “romanticized”.²⁷⁰ Such remarks are characteristic for the Manichean view of the conflict which had infused each stage of war, peace and information. The dualism was emphasised by the ICC’s engagement. Overall, it is in this prevalent interpretation that an explanation can be found for why the first months of the Juba Talks struggled with establishing a level playing field for negotiations.

266 Uvin makes this point about the unbalanced use of evidence, whereby different levels of evidence and explanation are used. P.Uvin, “Reading the Rwandan Genocide”, *International Studies Review* 3, 3, 2001, p.98.

267 D.E.Cunningham and D.Lemke, “Combining Civil and Interstate Wars” (n/d), p.2.

268 Literature commissioned by agencies is endless. One of the more influential early reports to note is R.Gersony, “The anguish of northern Uganda: results of a field-based assessment of the civil conflicts in northern Uganda”, Kampala/ USAID: 1997.

269 T.Allen and J.Seaton, “Introduction,” in *The Media of Conflict: War reporting and representation of ethnic violence*, ed. T.Allen and J.Seaton. London/ New York: Zed Books, 1999.

270 Inner City Press, “UN’s Louise Arbour Calls Lord’s Resistance Army a ‘Criminal Enterprise’ With No Political Agenda”, ed. Matthew Russell Lee (2007).

Conclusion

Much has been written on the LRA war, peace and information. Yet, strikingly, only few scholars see the three as working on a continuum. Mostly, efforts at making peace tend to be seen in isolation and as if these are moments to reset the conflict. Understanding of conflicts is gradually changing, as they are seen in the context of long trajectories. However, peace efforts that occur along the way tend to be treated as exceptional situations that take the conflict away from its usual nature, rather than simply as an extension of the conflict. Yet such understanding was rarely applied in the more public discourse in Juba.

A look at the history of LRA war and peace clearly shows that moments of peace were integral elements of the conflict, including the continuation of conflict dynamics around the table. Yet when the Juba Talks started in 2006, they were widely—and mistakenly—treated as a blank slate. There was hardly any debate or analysis on what roles the actors who were now gathered in Juba had played in previous efforts at peacemaking and on what kind of information they were drawing. Instead, actors such as the various international organisations or the mediator succeeded in casting themselves in a fresh light. One reason for this might be found in their previous experiences with the LRA/M, which had all ended in the LRA withdrawing from engagement. A later chapter shines a light on how the LRA/M uses this pattern of connecting and disconnecting with outsiders to its advantage. Although this pattern was familiar to almost everyone in Juba, it was not addressed constructively. So while there was initially a public focus on the root causes and the broader history of the war, the same attention was not given to lessons learned from previous peace negotiations.

Right away, this created a parallel reality between the LRA/M and everyone else. Most actors wanted to treat the Juba Talks as a clean slate to finally get the conflict resolved. For the LRA/M the Juba Talks were only another chapter in the long trajectory of the conflict and with that also a moment in which previous treatment specifically during peace processes needed to be addressed as part of paying attention to root causes. They were not surprised when the first year of the Juba Talks brought a repeat of previously experienced security concerns for LRA fighters called to assemble for peace negotiations. Crucially, 2006 from the beginning replicated hostile power dynamics that the LRA/M had wanted to tackle.

3. 2006: “While talking, there is troop movement”

Introduction

On July 12, 2006, two days before the scheduled opening ceremony, the LRA/M delegates learned that a minister would head the GoU delegation. The LRA/M delegation consisted of sympathisers who primarily lived in the diaspora, as well as some who had been involved in previous talks and a former NRM political candidate. Strikingly, neither Kony nor his deputy Otti were prepared to join the delegation in Juba. Faced with a high-level GoU delegation and the news that Museveni had extended the deadline for LRA disarmament to September 12, the LRA/M delegates had little hope that, with a deadline-driven negotiation process and a high-level counterpart, they would enter what they considered “proper” peace negotiations. The consensus in the delegation was that if Museveni wanted to come with such a prescribed approach, there was no hope of having genuine peace talks that would lead to lasting change. In addition, Museveni had stressed that there would be a deadline to his willingness to negotiate. The discrepancy between the political, multi-layered process the LRA/M said they wanted and the technical process that seemed to be emerging became clear even before the talks had started.

I had observed the delegates’ reluctance to trust that the GoU wanted to seriously engage in a political process for a few weeks at that point. In 2006, I spent time with the LRA/M in the weeks leading up to the peacetalks and stayed for the opening ceremony. I returned again for a week in August, and then moved to Juba from September to December. Over the course of this time, my reflection on what was going on changed several times. In sum, 2006 started off with doubt for the delegation and they wanted to make their reluctance to trust the GoU known. Gradually, when they realised that the architecture of these talks was growing bigger than anything they had known before, they trusted that they could become meaningful. When problems emerged that were too reminiscent of the baggage of previous peace talks described earlier—such as competing actors, military pressure from the UPDF and harassment of LRA representatives—2006 ended with the sobering realisation that familiar unhelpful patterns had been repeated. In chronicling the convoluted events and dramatic challenges of 2006, this chapter outlines how previous baggage as well as muddled information almost led to a quick failure of the talks within a few months.

Being faced with Museveni's deadline and a strong GoU delegation, the LRA/M debated how to react. Even in these early discussions, a range of challenges facing the LRA/M were clear. Some argued that they would only be wasting their time by engaging in a futile process that would be of limited benefit for the people of northern Uganda. Instead, they suggested countering Museveni's approach by travelling to the ICC in The Hague to hand-deliver LRA evidence against Museveni and the UPDF. Those in favour of addressing the ICC viewed the institution as a sort of umpire that would arise as the unbiased voice of reason if only presented with the right evidence. Others argued that they needed to strengthen presence in Juba with as many representatives from northern Uganda as possible. Things grew complicated when the flipside to both approaches became obvious. Calling for justice also meant subjecting the LRA to justice; calling in more support from civil society also meant that the power of the delegation, intended to be the exclusive voice for Kony, would be diluted.²⁷¹ In both discussions it was remarkable to me that the delegates seemed largely convinced that pointing out the guilt of their enemy would make the ICC automatically exonerate the LRA, and that all representatives of northern Uganda would be firmly on the side of the LRA. It certainly expressed that the LRA/M thought that their commitment to peace talks would allow for concessions from different actors and that they were in a good position to ask for these.

Out of these debates emerged Olweny's fiery opening speech. While delegates were divided over the speech, there seemed to be consensus that it was a good idea to remind everyone of the peace talks baggage. For the LRA/M this translated into making the point that asking for peace was not new territory, but that in the past, peace talks had in the end always been betrayed and created more military pressure.

First on the Agenda: Ending Hostilities

When the designated LRA/M delegation arrived in Juba for the first time, GoSS—having moved to Juba in late 2005—had just started to buy new cars. Non-government cars and motorbikes were rare on the unpaved roads of the capital. Not even a year old when the peace talks started, the young government was struggling to find accommodation even for its own

271 P.Wallenstein and M.Eriksson, *Negotiating Peace: Lessons from Three Comprehensive Peace Agreements*. Uppsala/ New York: Uppsala University/ Mediation Support Unit UN, 2009. It is a similar dilemma to the ambiguity Mergelsberg describes in encountering LRA members who are proud of being good LRA soldiers while acknowledging that they are LRA victims. B.Mergelsberg, "Between two worlds: former LRA soldiers in northern Uganda", in *The Lord's Resistance Army: Myth and Reality*, ed. Tim Allen and Koen Vlassenroot. London/ New York: Zed Books, 2010, p.172.

parliamentarians who had been given the task of drawing up southern Sudan's new laws. A few aid workers and engineers stayed in tented or prefabricated camps; SPLA officers or SPLM politicians took many of the beds. After 6pm, when the BBC's *Focus on Africa* jingle wafted across the town from dozens of shortwave radios, it was difficult to find dinner in the markets or in the handful of local restaurants. International staff, hungry for anything that did not come from a US-\$15 hotel buffet, made weekly pilgrimages to a corner supermarket on Hai Malakal, known to be the only one in town that sold cans of Diet Coke, Snickers bars and Heinz baked beans brought in from Khartoum.

One of the first hotels to be erected using a mixture of prefabricated and existing structures, the Juba Raha is a bamboo-covered building with a dining hall and two meeting rooms. In the yard, where frogs hopped around and lizards chased each other, the hotel initially consisted of a few dozen army tents scattered around a few piles of large rocks. The brick structure hosting the showers and toilets was cleaned once a day in a swift but effective way: the cleaner would block the sink with a rag and turn on the tap to let the water overflow the bathroom. Later, the Juba Raha would upgrade to "self-contained", offering green military tents on a concrete base with a little porch in the front and a shower and toilet in the back for \$260 per night. Booking the larger Juba Raha meeting room for a year for the LRA talks must have been one of the first commitments entered into by the new GoSS with a local commercial outlet.

Most hotel guests were MPs without a place to stay in Juba, plus the occasional UN staff member, or SPLA who sat in the bar with their guns. Juba Raha staff served drinks wearing white T-shirts with red art deco writing that said: "Juba Raha. I stay. You stay. We stay." The weathered dartboard declared the bar the "Dart Palace Juba". Those who were not playing darts or nursing a beer were usually transfixed by the TV that hung from the roof in one corner of the bar. A few times a day, plane noise from the flight path directly above Juba Raha drowned out the TV. As plane arrivals were still a new and relatively rare occurrence, such noise tended to trigger a guessing game among patrons on whether it was a World Food Programme plane, the daily passenger jet from Nairobi, or the president returning from Khartoum.²⁷² During peace-talk session breaks, every corner of the Juba Raha yard seemed to be occupied by small groups in heated discussions.

The Juba Talks secretariat next to the meeting hall was a narrow military tent that doubled as the residence of the head of the secretariat, MP James

²⁷² Fieldnotes, Juba: 30/9/2006.

Gony. Inside the tent stood a bed, a printer, a computer and a photocopier. Upon hearing the car siren signalling the arrival of Machar's motorcade, whoever was staffing the secretariat would jump up. Following the signal, a handful of Ugandan or international journalist would come running from Juba's most reliable satellite Internet café around the corner to catch a sound-bite. In the early days of the talks, the best communication was by word of mouth. Mobile networks were unreliable. The best was GemTel, operating calls in southern Sudan under Uganda's country code, but SIM cards were always sold out. When making a phone call, people usually had to stand outside and away from trees, shouting into Thuraya satellite phones: "Can you hear me? Can you hear me? I cannot hear you. Change your location." The delegation spent many hours shouting updates down the phone, communicating the complexities of goings-on in Juba at US\$1 a minute to Otti or Kony.²⁷³

At the start of the Juba Talks, the two parties swiftly agreed on five agenda items:

1. Cessation of Hostilities (CoH)
2. Comprehensive Political Solutions
3. Justice and Accountability
4. Demobilisation, Disarmament and Reintegration
5. Permanent Ceasefire

Negotiations started with discussions on Cessation of Hostilities. The GoU took the position that there would be no end to hostilities until an agreement was signed; the LRA/M insisted it was a prerequisite for further talks. As negotiations got under way in Juba, in other parts of the world the Juba Talks were discussed at the highest level. A few days after the opening ceremony, UN ambassadors of the so-called Core Group met at the UN in New York. The Core Group is comprised of the Group of Seven plus one: Belgium, Germany, Ireland, the Netherlands, Norway, Sweden, the United Kingdom and Canada. The heads of the Department of Peacekeeping Operations (DPKO), the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Political Affairs (DPA) joined them. It was disclosed to them that the UN Secretary General Kofi Annan had suggested sending the former president of Mozambique, Joaquim Chissano, as a special envoy to the Juba Talks. All seemed supportive of the idea, going on to discuss various awkward scenarios regarding the ICC, including the possibility that if the UN Mission in Sudan (UNMIS) were to arrest LRA leaders under an ICC warrant, "they would have

²⁷³ Fieldnotes, Juba: 30/9/2006.

to be turned over to the Sudanese government for further action.”²⁷⁴ International support for the Juba Talks was thus hesitant, but the UN was putting structures into place to allow them to be supported.

Back in Juba, the lack of confidence of the LRA/M delegation in the fledgling talks was obvious. To stabilise negotiations and build confidence, Machar and GoSS organised a large gathering of family, leaders and politicians from northern Uganda in Ri-Kwangba in late July 2006. It was a last ditch attempt to convince Kony or Otti to directly strengthen the negotiations. The gathering also created curious scenes, some of which were later publicly regretted. Ugandan politician Norbert Mao, for example, was photographed as he enthusiastically hugged Kony. Kony gave two significant speeches. He apologised—in Acholi, to representatives from northern Uganda and southern Sudan—for atrocities committed by the LRA. On August 2, he held a befuddled four-minute press conference, with the assembled international journalists shouting questions at him.²⁷⁵

Challenges in Ceasing Hostilities

The following day, Machar continued his mission to persuade Otti to join the delegation in Juba. He further insisted that the LRA needed to disclose their deployments in southern Sudan and northern Uganda, despite Kampala’s insistence that there would be no ceasefire before a final agreement was signed. Otti’s response expressed the level of distrust in the facilitation and environment: “Why is Machar making my presence in Juba a condition? There must be something hidden. After all there are no guarantees that I won’t be arrested.” For the LRA leadership, the pressure to come to Juba was suspicious. For the delegation, hearing rather publicly from Machar that he had no trust in their ability to speak for the LRA/M was embarrassing, particularly because they were surrounded by so many representatives from northern Uganda at the time. The situation became heated, even as Machar backed down from his demands that the LRA disclose their troops. To publicly express their distrust, Kony and Otti ordered the four men on the delegation considered representatives of the military wing to remain in the bush. Machar left, taking with him the means of transport that had brought the delegates to the bush.

274 UN Mission of the US, “06USUNNEWYORK1404 (For official use only): Gambari, Kalomoh, Guehenno, Egeland Attend Core Group Meeting On Northern Uganda”. New York: Wikileaks, 25/7/2006.

275 The best description of this meeting is M.Green, *The Wizard of the Nile: The Hunt for Africa's Most Wanted*. London: Portobello Books, 2008.

The delegates remained stranded in the bush for a few days. During that time they were also detained and questioned by the SPLA, who made it clear that they had no respect for the LRA/M. One of the LRA/M delegates would later address Machar to complain that this had been humiliating and had left one delegate in serious health trouble, as he had not travelled with enough medication to keep his blood pressure under control. On August 4, with his delegates still stuck in Ri-Kwangba without GoSS transport, Kony ordered a unilateral ceasefire to counter Machar's distrust and express the LRA's seriousness. Rugunda was not ready to respond by doing the same: "We will wait and see what it means on the ground because the previous ceasefires have been abused." The next day, the LRA/M delegation returned to Juba without any military representation, furious at the treatment they had received. Yet it was announced that talks would resume on August 7. Machar had in the meantime issued invitations to Mao and community leaders from northern Uganda to strengthen the talks by coming to Juba. For the LRA/M delegates, such a unilateral move was again an expression of Machar's lack of confidence in them.

When talks did continue on August 9, Cessation of Hostilities (CoH) was on the table again. The GoU insisted that they would not cease hostilities. The LRA/M team left the assembly hall, angrily explaining that Machar had promised that the GoU would agree to cessation if the LRA/M returned to the talks, but now the GoU had failed to reciprocate.²⁷⁶ Kampala described the walkout as unfortunate; the press widely reported that the LRA was quitting the peace talks. The following day, Ugandan military chief Aronda Nyakairima said that the UPDF would "pound Kony". The GoU demanded that the LRA release women and children in their captivity.²⁷⁷

Rugunda, who presented the GoU position paper on the cessation, also demanded that within one week the LRA spell out in precise detail the strength and positions of their forces, full particulars of members of the forces, inventories of arms and ammunitions and other military equipment. The position paper further proposed the creation of a ceasefire monitoring team composed of ten members led by a senior official appointed by GoSS. The others would be two representatives each from the LRA, UPDF and SPLA, and one each from the AU, UN and Core Group. The GoU further proposed locations at which the LRA was to assemble in the case of cessation: Waligo in Uganda's Kitgum District, and Nabanga under the control of the SPLA.

276 F.Nyakairu and E.Okiror, "Govt rejects ceasefire", *The Daily Monitor* 10/8/2006.

277 F.Nyakairu and E.Okiror, "Govt rejects ceasefire", *The Daily Monitor* 10/8/2006.

The LRA/M was enraged at the pressure to disclose their forces without a declared cessation of hostilities. Days went by without developments, until President Kiir on August 11 invited the LRA/M to his house. In a private conversation he talked about the SPLA struggle, and said that the SPLA never made a ceasefire a condition during peace talks because they knew it would create an early impasse and give them fewer means to exert pressure. LRA/M delegates afterwards said that Kiir's talk was "very impressive and insightful".²⁷⁸ Negotiations about a CoH were back on, but the tone had markedly changed, at least for a short while. The announcement of a death in Uganda made an agreement on CoH even more pressing.

When the UPDF announced that they had killed LRA commander Raska Lukwiya—one of the five LRA commanders wanted by the ICC—in Uganda, the LRA was at first reluctant to acknowledge that this was true. While they were still waiting for Lukwiya to be identified by their own sources, one of the LRA in the bush said that it was a ploy by the GoU to make them "feel bad. We don't want nail for a nail, eye for an eye, tooth for a tooth. We don't want to pull out, but this is not right. Raska's ID and what happened is very hard to confirm. We don't want to give them that."²⁷⁹ When they received positive identification of Lukwiya, the LRA/M asked for three days of mourning away from the talks, returning to the first session with black armbands. Olweny stated that in the interest of truth, the LRA would continue talks with the GoU delegation, even if the government refused to cease hostilities and despite the fact that Ugandan government soldiers had killed Lukwiya: "We hope that all in good time the public shall put the blame where it lays."²⁸⁰

Still feeling betrayed by GoSS, and weakened by Lukwiya's death, Otti demanded that South Africa should take over the mediation. Museveni rejected the demand outright, instead suggesting that the LRA should assemble in southern Sudan only, rather than also in Uganda, as a condition for the UPDF's cessation of hostilities. Museveni also said that the DRC would allow the UPDF to attack the rebels in their DRC base in Garamba Park should peace talks fail.²⁸¹ When Kiir returned from a visit to Kampala with the renewed demand that the LRA disclose their troop deployments in Sudan, DRC and Uganda to allow monitoring, the LRA countered that they would only assemble if the UPDF declared its weapons of mass destruction.

²⁷⁸ Fieldnotes, Juba: 11/8/2006.

²⁷⁹ Fieldnotes, Juba: 12/9/2006.

²⁸⁰ B.Kenyi, "LRA delegation progress on with peace process", *Juba Post* 17/8/2006.

²⁸¹ Sudan Tribune/ Daily Monitor, "Sudan's Kiir says LRA must disclose troops positions for ceasefire", 21/8/2006.

The UPDF shrugged this off: “We have never owned and we do not intend to own any weapons of mass destruction,” said UPDF Captain Paddy Ankunda, the government team’s spokesman.²⁸²

On August 24, Museveni reportedly emailed his GoU delegates new terms for an agreement on Cessation of Hostilities: he required LRA fighters to assemble at designated points in southern Sudan, offered safe passage to the rebels through Uganda, agreed to declare a truce for 14 days renewable upon review, and mandated the SPLA to provide security at the assembly points. After the LRA/M agreed to concentrate all its forces in two assembly points, the GoU proposed to cease hostilities as a first step and expression of goodwill.²⁸³ Divided by the Nile and hundreds of miles apart, the two assembly points assured the GoU that the agreement would not simply allow the LRA to regroup all of its forces in one place with no threat of attack. The Agreement on Cessation of Hostilities (CoH) was signed on August 26, 2006, to great fanfare.²⁸⁴

The breakthrough was astonishing. Since I was not there when the agreements were finalised and signed, I asked LRA/M delegates a few weeks later where the sudden success had come from, considering all the tension leading up to it. None of the explanations given to me were very clear. However, two delegates argued that they had to sign an agreement quickly to ensure that the Talks would continue. When asked why they thought the GoU had agreed to it, they explained that the GoU did not believe that LRA would assemble, thus signing the agreement was without consequences for them. I asked whether the LRA was genuine in its commitment to assemble. Of course, the delegates answered.²⁸⁵

In retrospect, the unexpected signing established a typical pattern, but it was too soon to recognise it at this point. The LRA/M delegates saw the agreement as the only tool available to move things forward, yet also argued that its meaning was diminished by a GoU undercurrent that speculated that the agreement would be easy to dismiss. It was the first manifestation of the divergent dynamics between the process amongst the actors and the process on paper. From the LRA/M point of view, signing the agreement was a necessary act of maintaining engagement with the process, its facilitators and other actors in it. Additionally, the first sign of success crucially changed how the Juba Talks were perceived.

282 Sudan Tribune/ Daily Monitor, “Sudan’s Kiir says LRA must disclose troops positions for ceasefire”, 21/8/2006.

283 Fieldnotes, Juba: 7/9/2006.

284 The CoH was periodically renewed and at times amended. A total of five annexures exist, signed on 1/11/2006, 16/12/2006, 14/4/2007, 3/11/2007, 30/1/2008.

285 Fieldnotes, Juba: 7/9/2006.

With one success under its belt, international actors were more inclined to give their support. Switzerland had been the first country to back the Juba initiative, even when success seemed extremely unlikely. As talks got underway, UNICEF joined the mediation team as the first UN agency. While very keen to get involved, UNICEF struggled with the sequencing of stressing its child protection mandate while aiming to support negotiations. Other UN agencies and the Core Group countries came on board after the signing of the CoH.²⁸⁶ Quinn writes that these countries had “pledged to support the peace talks morally and financially”.²⁸⁷ The UN Security Council (UNSC) called on the conflict parties “to commit themselves fully” to finding “a long-term and peaceful solution to the conflict” and called for the peace process “to be concluded expeditiously”, in addition to affirming its commitment to bringing the LRA leaders responsible for war crime to justice.²⁸⁸

The international support was double-edged for the LRA/M delegates. On the one hand, they were unsure what position the donor countries would take vis-à-vis the ICC. On the other, seeing more money being pledged allowed them to voice demands for a support infrastructure. On August 28, two days after signing the CoH, the delegation wrote to Machar, apologising for delivering papers late because of

failure to establish a well manned secretariat with sufficient logistical support. We would appreciate if you would finance the establishment of a secretariat with resource persons with the capacity to fully utilise the Internet, carry out research and supply the Delegation with information, while at the same time coordinating us with the international community and our people at home. You may also wish to be reminded that up to now, we do not have internet service at our residence.²⁸⁹

Implementation Challenges

The CoH stipulated that by September 18, all LRA forces would be assembled in two sites in southern Sudan: Owiny-Kibul in Eastern Equatoria, and Ri-Kwangba in Western Equatoria.²⁹⁰ In preparation for the assembly,

²⁸⁶ Personal email to author from S.Simonse, IKV Pax Christi. 10/10/2007

²⁸⁷ J.R. Quinn, “Getting to Peace? Negotiating with the LRA in Northern Uganda”, *Human Rights Review* 10, 2009, p.62.

²⁸⁸ UN Security Council, “Statement by the President of the Security Council (S/PRST/2006/45)”, New York: 16/10/2006.

²⁸⁹ LRA/M delegation in Juba, “Letter to Dr Riek Machar Teny”, Juba: 28/8/2006.

²⁹⁰ Government of the Republic of Uganda and Lord’s Resistance Army/ Movement, “Agreement on Cessation of Hostilities”, Juba: 26/8/2006.

the UPDF agreed to cease hostilities against moving LRA soldiers, withdraw all its troops from near the assembly areas, and cease further deployment in Sudan. The SPLA committed itself to providing protection for LRA forces in both assembly areas. The sites were chosen because Owiny-Kibul was easily accessible from Uganda and many of the LRA troops were said to be in Eastern Equatoria anyway; the leadership was already gathered in the vicinity of the second assembly site in Western Equatoria. How many LRA fighters were expected to emerge at the assembly sites was never fully clear: estimates ranged from 1,000 women and children to up to 15,000 combatants, a number that was provided by the LRA/M.²⁹¹ The agreement further created a Cessation of Hostilities Monitoring Team (CHMT). This was to be made up of representatives of the LRA, UPDF, SPLA and AU.

The day after the signing, UPDF Colonel Otema instructed UPDF troops on northern Uganda's Mega FM radio to halt all operations against the LRA rebels: "I have received communication from the president that beginning this morning at 6am, we should suspend operations against the LRA rebels to allow them to move to the designated areas for peace talks."²⁹² Museveni declared: "It is hereby directed that the UPDF should withdraw to their barracks and to the guarding of internally displaced people. They should not shoot at the LRA unless in defence of the population."²⁹³ Otti followed suit, announcing on Mega FM that LRA fighters were to meet the two main field commanders—Dominic Ongwen and Caesar Achellam—and proceed under their command to the assembly points.²⁹⁴ On their way, he ordered, troops were not to abduct, kill, harass or commit any violent act against civilians, or attack the UPDF.²⁹⁵ Instead, Otti made a plea to civilians:

But I also ask the civilians to allow these fighters to get some food from their gardens as they move to assemble, and this would be the last time to do this because we are sure of the positive outcome of the peace talks... But you, as Acholi people and Ugandans, should have a close watch on those opportunists who may be interested in spoiling the peace. I know they are out there, very many and some would begin to do things that would spoil our name but tell them it is now time for peace in our land.²⁹⁶

291 UNICEF Sudan, "List of requirements for the non-combatant population—women and children—in LRA camps", Juba: 2006.

292 C.Ocowun, "Army to halt military escorts", *The New Vision*: 29/8/2006.

293 A.Wasike, "UPDF/ LRA truce starts", *The New Vision*: 29/8/2006.

294 AP, "Ugandan rebels say war is over after 19 years", 28/8/2006. Ugandan forces captured Caesar Achellam in the Central African Republic on 12/5/2012.

295 A.Wasike, "UPDF/ LRA truce starts", *The New Vision*: 29/8/2006.

296 D.Ojwee and C.Lubangakene, "Stop killing, Otti orders", *The New Vision*, 28/8/2006.

The UPDF also announced 10 safe corridors in Gulu, Kitgum and Pader to “separate the LRA from some other criminals, who might take advantage of the situation”.²⁹⁷

When the CoH Agreement came into effect at 6am on August 29, 2006, Gulu was full of white flags waved by crowds of people parading through town. Flags were also planted along major roads in the municipality; UPDF General Katumba Wamala handed one to a son of Kony who lived in Gulu.²⁹⁸ Northern Ugandans perceived the expressed intention to cease hostilities as a major achievement. The LRA now had two weeks until September 12 to assemble before the CoH was to be reviewed again. The tight deadline also put the required assembly close to the government’s deadline for the successful conclusion of the Juba Talks, which the GoU had now declared for September 18, 2006.

The LRA fighters’ journey produced news of highly symbolic value. The Ugandan parliament endorsed a resolution commending the great successes so far in the Juba Talks. A few Ugandan MPs asked the ICC to revoke the warrants against the LRA’s top leadership,²⁹⁹ a request the ICC rebuffed, saying that they would not act on rushed “speculation” that the talks might succeed.³⁰⁰ Instead, the ICC reacted a few days later by ordering an urgent investigation into Uganda’s efforts to arrest Kony and others, arguing that such efforts were vital for the prevention of further crimes. The ICC insisted that the GoU submit a written report by October 6.³⁰¹

Meanwhile Ongwen, a man on the ICC’s wanted list, celebrated a friendly encounter at Barayomo/Lacekot junction on September 3, 2006, with the UPDF 509th Brigade commander. Looking on as the enemies shook hands were Gulu Resident District Commissioner (RDC) Walter Ochora, Pader RDC Santa Okot Lapolo, and Bishop Onono-Onweng, who had brought 200 kilos of beans, 200 kilos of posho [maize porridge] and 20 litres of cooking oil to sustain Ongwen’s troops on their way to Owiny-Kibul.³⁰² The UPDF proposed to load the LRA fighters on their trucks and drive them towards the border. Having pleaded for help from civilians in his previous appearance, Otti now came on the airwaves to reject assistance from

297 C.Ocowun, “UPDF withdraws”, *The New Vision*, 30/8/2006.

298 A.Okot, “North celebrates LRA truce”, *The New Vision*, 31/8/2006.

299 R.Mutumba, G.Natabaalo, and R.Muhumuza, “Otti gives LRA rebels Sept. 19 deadline”, *The Daily Monitor*, 8/9/2006.

300 R.Muhumaza and E.Gyezaho, “No deal on arrest warrants, ICC tells Kony”, *The Daily Monitor*, 7/9/2006.

301 The New Vision, “LRA warrants to stay, says ICC”, *The New Vision*, 26/9/2006.

302 C.Ocowun and C.Mukiibi, “Top LRA meets UPDF”, *The New Vision*, 4/9/2006. S.Egadu et al., “Top Kony rebel contacts UPDF”, *The Daily Monitor* 5/9/2006.

official quarters. He ordered his soldiers not to accept any offers of transport from either the SPLA or the UPDF. "All LRA fighters and commanders will have to walk to the assembling areas. Our legs are our vehicles," Otti said on Mega FM.³⁰³ He also insisted that they were to walk to southern Sudan without detours to make sure they would arrive in Owiny-Kibul by September 19: "You should stop north and south movements. This will cause confusion."³⁰⁴

Approaching the Assembly Deadline

However, the enthusiasm after the promising first steps towards peace was short-lived. Within days of the agreement being signed, the LRA/M announced that Owiny-Kibul was not a suitable assembly area as it was heavily mined. The claim could never be substantiated,³⁰⁵ but the choice of Owiny-Kibul became open to debate again. A rapid assessment by various UN agencies in Southern Sudan articulated some of the logistical challenges of preparing the assembly areas adequately: "Air and road transport constraints", lack of "qualified staffing and availability in the very short term" as well as "staff security and psycho-social well-being" and "landmines and other UXO [Unexploded Ordinances] that may be in surrounding areas".³⁰⁶

While Ongwen and the UPDF were engaged in conciliatory handshakes, the GoU delegation returned to negotiations in Juba with two people who had been mutilated by the LRA. The display of victims outraged the LRA/M delegation. One delegate said, "Getting the victims is bad taste. Who are the perpetrators?"³⁰⁷ The LRA/M retaliated by distributing a photograph showing a naked woman lying on the ground. In the photograph, someone is holding her arms stretched above her head; a UPDF soldier is pinning her legs apart while holding a razor to her crotch.³⁰⁸ The woman was identified

303 R.Mutumba, G.Natabaalo, and R.Muhumuza, "Otti gives LRA rebels Sept. 19 deadline", *The Daily Monitor*, 8/9/2006.

304 R.Mutumba, G.Natabaalo, and R.Muhumuza, "Otti gives LRA rebels Sept. 19 deadline", *The Daily Monitor*, 8/9/2006.

305 A local chief said to his knowledge there was no problem with mines in the area.

306 UN System Southern Sudan. UNOCHA/ UNICEF. "Southern Sudan Care and Protection and Women and Children Associated with the Lord's Resistance Army Status Report". Juba: September 2006.

307 Fieldnotes, Juba: 6/9/2006.

308 Fieldnotes, Juba: 7/9/2006.

as Candida Lakony, with the picture reportedly taken in 1999.³⁰⁹ With this picture, the LRA/M wanted to counter the GoU's move of bringing victims into the negotiations, to remind everyone in Juba that the army was also a perpetrator of crimes against civilians.³¹⁰

On September 11, Egeland visited Juba on an official OCHA mission to discuss the humanitarian aspects of the Juba Talks during negotiations and beyond. It had become clear that dispensing funds through the UN systems was going to be problematic, and OCHA took on the responsibility. In a meeting with NGOs in Juba, Egeland also asked for project proposals to support the peace talks—to which none of the present NGOs responded.

Meanwhile, reports of LRA troops moving towards Owiny-Kibul continued to trickle through, but it was also clear that their progress was slower than expected. Otti made explicit in an interview on Mega FM on September 13 that he was unhappy with government pressure to conclude the talks:

You know I am telling you clearly listeners, peace talks have no date. If he [Museveni] says the talks are expiring, I don't know what he is saying. It may be expiring on their side but not on our side because we are still continuing talking peace. You cannot say that you can talk peace and finish today while even one agenda among the five agendas has been signed just recently. The second agenda has not yet started. Now I don't understand the meaning when you say, expiry date.³¹¹

On September 14, Otti came on the radio again to announce that the GoU also had to extend its September 18 deadline for the peace talks, otherwise he would order all assembled fighters to disperse so as to not be attacked unawares if the UPDF should adhere to the peace talks' deadline rather than the assembly deadline, which had been extended to September 21. Otti further declared that he himself and Kony would leave Ri-Kwangba if the deadlines were not clarified.³¹²

On September 17, the delegates, the facilitators and some journalists went to Ri-Kwangba to see the progress of the LRA assembly. When the plane touched down in Maridi, to the dismay of the LRA/M delegates there were no cars waiting and no UN peacekeepers keeping an eye on the situation. A few hours later, the swiftly hired cars pulled into Ri-Kwangba, in what

309 Democratic Republic of Congo Permanent Mission United Nations, "Torture by Ugandan soldiers - Worse than animals", 20/6/1999; G.Matsiko, "Canadian nude photos mess up Juba talks", *The Daily Monitor* 9/9/2006. The picture and the accompanying story had been published in the *Daily Monitor* in mid-1999. The story purported that none of the soldiers in the photograph had been charged; Candida Lakony was imprisoned on charges of theft and later giving false information to the police. I have not been able to verify whether the purported UN document from 1999 is real.

310 Fieldnotes, Juba: 6/9/2006.

311 The Hot Seat Show Panel. KFM: 13/9/2006.

312 C.Ocowun, "ICC blocking peace talks, says LRA's Otti", *The New Vision*, 14/9/2006.

previously had been a humble clearing in the dense forest. The clearing was now expanded to about 400 metres wide. A few huts were sprinkled across and a little seating area made from logs had been arranged. LRA commander Colonel Lubwoa Bwone and Lieutenant Colonel Santo Alit were in charge of the area. When asked whether the LRA was now getting settled here and how many there were, Bwone was cagey: "Don't mind about numbers, don't mind about our time here. Don't mind." He seemed uncomfortable in the new Ri-Kwangba, eyeing both the CHMT and the journalists who had come with the team suspiciously. Alit was more at ease. "This is now our headquarter," he said, waving his arms in the general direction of the clearing around him. Lubwoa interrupted him, clearly not pleased with the description. "Yes, this is what we have been given. This is now our country. This is where I came, I came here to announce liberation."³¹³ He was clearly irked at what the LRA had ended up with. Some of his concerns were later voiced in the LRA/M press release on the inadequate preparations of the assembly area: "No medical facilities, no water, no beddings, no tents; most of the food that was delivered is rotten."³¹⁴ "We have better food if we go to the bush," Lubwoa commented before wandering off to talk to some soldiers.³¹⁵

On September 21, the day full assembly was required, the SPLA head of the yet-to-be-constituted Cessation of Hostilities Monitoring Team (CHMT) had to confirm that the LRA had assembled. A group of more junior LRA holding watch in Ri-Kwangba, among them Otto, complained to the press that conditions in Ri-Kwangba were still not conducive to assembly. There was, for example, still no clean water, Otto said, walking reporters to the only water supply: a muddy puddle.³¹⁶ Nonetheless, the SPLA general told reporters at a makeshift press conference that 804 LRA had assembled in Ri-Kwangba, and that he was satisfied that the LRA had fulfilled the requirements of the CoH. Both SPLA and journalists then returned to the SPLA detachment in Nabanga. Two hours later, a Reuters journalist wanted to follow up with a few more questions. In this follow-up interview, the CHMT leader revised his assessment: "The LRA have not assembled, there is a violation of the ceasefire. The mediator will have to decide what to do next. Kampala will extend the deadline for assembly." He explained that 804 fighters had assembled, but three more large groups would arrive the

³¹³ Fieldnotes, Ri-Kwangba: 17/9/2006.

³¹⁴ LRA/M delegation in Juba, "LRA/M Press Release", 23/9/2006.

³¹⁵ Fieldnotes, Ri-Kwangba: 17/9/2006.

³¹⁶ Fieldnotes, Nabanga/ Ri-Kwangba: 21/9/2006.

following day.³¹⁷ The reporters present reported that there was obviously confusion about what had been achieved.

The LRA/M reacted in a radio interview: Olweny stated that the conditions in the camp did not allow an assembly, and that in any case the CoH allowed a two-week grace period. Museveni responded in an interview on Mega FM, calling the LRA a terrorist outfit that would be finished. Ugandan Acholi leaders would later protest against his belligerent language.³¹⁸

The following day, the SPLA head of the CHMT consulted with the LRA in Ri-Kwangba. Otti, angry about the assertion from the previous day that the LRA had not assembled, stated that the SPLA was "sympathetic to the UPDF. You reported that we violated the ceasefire when we did not. I was here and the chairman [Kony] was also here in Ri-Kwangba," to which the head of the CHMT answered: "It is true the UPDF are our allies. You [LRA] were our enemies. We fought you but all this has been put behind us. We want this war to end. So do not doubt our commitment."³¹⁹ In a short press conference given by Otti with Odiyambo by his side, Otti stated that he would sign a peace deal before the ICC warrant was lifted as long as it was signed in Nabanga, but that no LRA fighter would leave the bush as long as the warrants stood. He said that the remaining women and children were all family members, so they would stay with the fighters.³²⁰

Museveni responded to the latest news coming out of Nabanga, saying that the ICC warrants would need to remain in place:

The ICC... indictments have to continue until the LRA leaders fully embrace the peace talks... How do you ask for safety from the ICC when you haven't given safety to Ugandans?... You have to give safety to Ugandans first. If you don't do that, you will die.³²¹

He expressed his irritation that the talks were taking too long, and also that the set-up by which he had to call Rugunda and Rugunda then had to call Kony was too complicated. Museveni's solution was to come to Juba to lead the government team himself.³²² Otti commented on this declaration in a private conversation:

If Museveni wants to come and join the peace talks in Juba, let him fight with Martin [Ojul, the chairman of the LRA/M delegation]. Let him have it out with Martin. Why does Museveni want to come

³¹⁷ Fieldnotes, Nabanga/ Ri-Kwangba: 21/9/2006.

³¹⁸ J.Moro and C.Ocowun, "M7 talk angers Acholi leaders", *The New Vision*, 26/9/2006.

³¹⁹ *The Daily Monitor*, "LRA's Otti accuses Sudan of favouring Ugandan govt", 23/9/2006.

³²⁰ Fieldnotes, Ri-Kwangba: 22/9/2006.

³²¹ Reuters, "Uganda dismisses LRA appeal over arrest warrants", *Reuters*, 20/9/2006.

³²² F.Kwera, "Uganda's Museveni says wants to steer LRA talks", 22/9/2006.

to Juba, does he not trust his own delegation? I am only sending two military men for the monitoring team. It actually means I have a lot of trust in my delegation.³²³

Upon return to Juba on September 23, the LRA/M delegation held an impromptu press conference in the Juba Airport VIP Lounge. Ayena, as the main speaker, first demanded that the GoU delegation be changed from mainly military and security personnel to a delegation with political credibility. He further announced that an estimated 7,000 LRA would assemble and that all UPDF troops stationed around Owiny-Kibul had to withdraw in order for talks to continue. This was a direct order from Kony, who, Ayena said, had in the past month travelled to Owiny-Kibul to inspect the conditions and the presence of UPDF troops there. The announcement that Kony had secretly travelled across southern Sudan's Equatorial states caused great confusion.³²⁴ Most journalists and the GoU delegation dismissed it as impossible, yet Machar—who had received reports that the LRA had been crossing the Nile without notifying the SPLA, in violation of the CoH—said he thought “it is possible that Kony crossed, too.” He explained later that he had “told them off for letting Kony go because if something happens to him now it is a really bad thing to happen.”³²⁵ The same day, the LRA/M issued a press release that contradicted the findings that the LRA had not assembled in Ri-Kwangba:

While at Ri-Kwangba, the chairman of the Cessation of Hostilities Monitoring Team, Maj. Gen. Wilson Deng, visited the designated Assembly area, where he found all the top commanders and more than 1,848 members of the LRA combatants now assembled. He was fully briefed about the inadequate preparations in the area, where there is [*sic*] no medical facilities, no water, no beddings, no tents; most of the food that was delivered is rotten; etc. This shall definitely impede the arrival of roughly 7940 combatants unless it is urgently addressed.³²⁶

Talks Continue Amidst Confusion

On September 25, 2006, the third round of peace talks started, and the LRA/M issued a press statement. They claimed that the UPDF had increased its deployment near the assembly areas and that this posed a grave threat to the Juba Talks.³²⁷ The release countered a UPDF statement to the press that

³²³ Fieldnotes, Juba: 7/9/2006.

³²⁴ Fieldnotes, Juba: 23/9/2006.

³²⁵ Author interview with Riek Machar, Vice-President of the Government of Southern Sudan, Juba: 26/9/2006.

³²⁶ LRA/M delegation in Juba, “LRA/M Press Release”, 23/9/2006.

³²⁷ Fieldnotes, Juba: 25/9/2006.

the army was ready to attack should the LRA fail to keep its side of the Cessation of Hostilities bargain.³²⁸ Otti commented a day later that the UPDF should not provoke the LRA: "Don't play with war."³²⁹ The LRA/M asked for a seven-day deadline for the UPDF to withdraw, and called on the international community to provide aid to fighters in assembly areas.³³⁰ When the US Senate passed a bill to support the Juba Peace process, for a brief moment such aid seemed plausible.³³¹ Despite all obstacles, it seemed as if the Juba Talks were riding a wave of support.

It was thus jolting when two different sets of news arrived almost simultaneously: news about US support, and news about a UPDF military convoy travelling unauthorised towards Owiny-Kibul. The SPLA in Juba said that they had no knowledge of such a convoy; they implied that it might not be true, and that the LRA/M's accusation of UPDF movement was unfounded. A delegate countered the SPLA line:

Since we have our information from our people, our moles in the UPDF and local people, we know it is true. The GoSS says it is not true. What can that mean? Either they are complicit with the UPDF or they are not capable of controlling their territory. Both is [*sic*] worrying.³³²

At first, the story seemed to suggest that a group of journalists had travelled by themselves to Owiny-Kibul to see the assembled LRA, but had been turned back by the UPDF, who claimed that Ongwen and his men had left the Owiny-Kibul assembly point on September 25.³³³ The first version of the story said that UPDF soldiers had argued with the journalists that their safety could not be guaranteed now that the LRA was at large again.³³⁴ UPDF spokesman Kulayigye was quoted as saying: "We were let down by the SPLA which was supposed to pick us from Ngomoromo but they didn't. We proceeded with our own UPDF protection up to Pajok with hope that we could find more SPLA protection but that wasn't the case."³³⁵

328 AFP, "Ugandan army vows immediate attacks on LRA if peace talks fail", 25/9/2006.

329 E.Gyezaho, P.Harera, and G.Matsiko, "Otti endorses Rugunda, tells of LRA Juba team", *The Daily Monitor*, 27/9/2006.

330 LRA/M, "Press Release", 26/9/2006.

331 The Senate of the United States, "Resolution 573 SRS ATS", 109th Congress, 2nd session, 2006.

332 Fieldnotes, Juba: 27/9/2006.

333 Reuters, "Top LRA leader violates ceasefire—Ugandan army", 27/9/2006.

334 G.Matsiko, F.Nyakairu, and E.Gyezaho, "Kony orders rebels to quit assembly points/ LRA threaten to leave talks in 7 days", *The Daily Monitor*, 28/9/2006; A.Wasike, "LRA vanish from Kibul", *The New Vision*, 27/9/2006.

335 G.Matsiko, F.Nyakairu, and E.Gyezaho, "Kony orders rebels to quit assembly points/ LRA threaten to leave talks in 7 days", *The Daily Monitor*, 28/9/2006.

In Juba, these snippets of news caused confusion. It was unclear whether the LRA had left Owiny-Kibul and whether the UPDF was moving troops towards the area. The LRA/M delegates said that their fighters had informed them of heavy UPDF deployment around the area; the added story about the group of journalists was yet another incomprehensible element. A leading delegate was concerned: "I do not want to have blood on my hands. I did not start the peace talks for these people to gather in the assembly points, to bring their women and children to be killed."³³⁶ Conjuring up the Acholi experience of being forced into camps, one LRA commander said he was worried that "the fighters will be kept in concentration camp conditions at the assembly points."³³⁷ When the BBC called the unprotected open site at Owiny-Kibul a "reception centre" and reported that the LRA had broken the CoH agreement, without mentioning the information on alleged UPDF deployment, the LRA/M delegates in Juba were again enraged.³³⁸ It was to be a sign of things to come. A few weeks later the Acholi Parliamentary Group (APG) would issue a report about their visit to Juba, stating that there was a feeling in Juba that "Ugandan newspapers are the worst enemy of the peace process."³³⁹

Within the delegation, the mood was volatile. A few remained convinced that the CoH was a great success and would be adhered to. Some implementation issues were to be expected, some argued, and the LRA/M remained adamant that they could prove they were right about UPDF deployment. On September 28, the LRA/M delegation presented a 33-second video clip of a UPDF military vehicle, a mamba, to the mediator, claiming that the footage had been taken a few days earlier in Sudan. Machar responded with a quip: "I did not know we had such good roads in Sudan," he said. Gulu District Chairman and former MP Norbert Mao who had been present during the showing, made fun of the huge billing the LRA/M had given to the few seconds of disputed footage.³⁴⁰ He laughed about Olweny's interview on the BBC in which he had said that the LRA had "video clips" of UPDF deployment. Another LRA delegate was listening quietly to Mao's amused depiction of the LRA/M's PR manoeuvre. Finally, he responded: "That's the war of the words." In the end he also laughed when Mao concluded that the LRA/M reminded him of the Iraqi propaganda

³³⁶ Fieldnotes, Juba: 27/9/2006.

³³⁷ Fieldnotes, Juba: 12/9/2006.

³³⁸ BBC News/ BBC Focus on Africa, "Uganda's LRA rebels 'on the move'", 27/9/2006.

³³⁹ J.Maseruka, "Screen observers, Acholi MPs insist", *The New Vision*, 13/10/2006. This statement coincided with another Reuters report on the LRA violation of the CoH that failed to mention that it would be officially established that both UPDF and SPLA had also broken the agreement. Reuters, "Ugandan LRA rebels violate truce - monitors", *Reuters* 13/10/2006.

³⁴⁰ Mao would go on to challenge President Museveni in the elections of 2011 as leader of the Democratic Party of Uganda.

minister Al-Sahaf who, in commenting on the US invasion, "kept claiming during Iraq war 'we are pounding them, we are pounding them.'"³⁴¹

Other LRA/M delegates were less light-hearted about the developing dynamics. They saw patterns emerging that they had seen in previous peace negotiations. One of the delegates described how tired he was of the GoU presenting a set of conditions for the talks and their outcome to the outside world as if these were negotiations. In his argument, the talks had not yet moved beyond the government setting the rules, thus limiting political debate. "The GoU delegation uses the same words, I wait for them every day," he said, shrugging. "'Amnesty, soft landing, deadline and expeditious'."³⁴²

Although UPDF military deployment and the challenges of assembling were unresolved, the LRA/M moved forwards. They presented a 26-page document on comprehensive solutions. The GoU straight away rejected the suggestion to mandate the LRA as the official army in charge of the north during an interim period in which the national army was to be fully integrated. The LRA/M had also demanded that both forces be given "equal consideration and treatment as Uganda's national armies."³⁴³ In Kampala Museveni announced that Uganda would contribute US\$1 million to the Juba Peace Talks.³⁴⁴ Despite Mao's amusement at LRA/M tactics, the delegates also started engaging more with the group of Ugandan MPs who had arrived in Juba to support the talks. Their arrival had created mixed feelings in the LRA/M delegation. Most delegates felt that they were being stripped of their negotiating authority. The day after the LRA/M had presented its document on comprehensive solutions, the Ugandan papers reported that negotiations continued, but also that the LRA/M had threatened to abandon peace talks if the UPDF did not withdraw from Sudan, and that the LRA/M would review their position on this within seven days. A confidential letter from Uganda's State House to Kiir claimed that all LRA had left the assembly areas on Kony's orders, a statement which Otti denied right away: "We have not instructed anyone to withdraw from the assembly point. But because of the impending situation where we are being surrounded by the UPDF, when this situation continues I will ask them [LRA fighters] to take care of themselves."³⁴⁵ Machar stated to the delegation

³⁴¹ Fieldnotes, Juba: 30/9/2006.

³⁴² Fieldnotes, Juba: 30/9/2006.

³⁴³ H.Mukasa and A.Wasike, "Uganda: Govt Snubs LRA Demand", *The New Vision*, 1/10/2006.

³⁴⁴ E.Allio, "Museveni gives \$1m for Juba peace talks", *The New Vision*, 28/9/2006.

³⁴⁵ G.Matsiko, F.Nyakairu, and E.Gyezaho, "Kony orders rebels to quit assembly points/ LRA threaten to leave talks in 7 days", *The Daily Monitor*, 28/9/2006

that increased UPDF deployment had been observed near the border, but not inside Sudan.³⁴⁶

Throughout this time, the LRA/M delegates were staying in the Juba Bridge Hotel, located on a downward-sloping left turn just before the bridge crosses the Nile. At the beginning of the talks, the hotel was a muddy area of prefabricated containers lined up behind a bamboo gate. Thousands of bricks were stacked under a tarpaulin; a satellite dish was waiting to be installed. Heavy vehicles had left huge track marks that after each rain shower turned into puddles and drinking fountains for roaming white goats. Someone somewhere in the compound was always hammering or drilling. With construction advancing, the owner sometimes proudly remarked, he was doing his bit to “build the peace” in Sudan. The LRA/M delegates rolled their eyes at this suggestion. They lived in prefabricated rooms with communal washing areas in which showers or toilet flushes worked only erratically.

During rain showers the intermittent crash of a mango outdid the steady drumming of rain on corrugated iron roofs. It sounded as if someone was launching an aerial attack. I was sitting with two delegates under the thatched roof of the bar area, waiting for the rain to stop, when we heard several close thumps in short succession. We all jumped. The two delegates regained their composure much more quickly than I did. I was still clasping my heart while they laughed and joked: “We are under attack now! See, we are under attack, but the LRA is in peace! Wherever we go, we are not safe! We are under attack. Even in peace talks, we are under attack!”³⁴⁷

A few weeks later, they had lost their sense of humour about mangoes masquerading as artillery. The SPLA raided two rooms in one of the prefabricated containers; the delegate inhabitants of the other two rooms were asked to leave. In the raided rooms, the SPLA found weapons stacked high—mainly AK-47s and ammunition. Hundreds of them, a soldier said vaguely, maybe more. Hotel staff who had seen a suspicious truck unloading dubious cargo in the parking lot had tipped off the SPLA. The truck’s driver had told the security guard to mind his own business. The driver was a former Sudanese Armed Forces (SAF) soldier who was now part of the Joint Integrated Units. The CPA had established so-called Joint Integrated Units (JIU), which brought together SPLA and SAF in areas where both armies had had soldiers in order to facilitate the gradual withdrawal of SAF forces from southern Sudan. After seizing the weapons, the SPLA was very vocal about who they saw as the culprit. A stack of weapons in the

³⁴⁶ Fieldnotes, Juba: 28/9/2006.

³⁴⁷ Fieldnotes, Juba: 12/9/2006.

LRA hotel, delivered by SAF soldiers? It seemed obvious that the LRA was “preparing for war”. The Ugandan press corps was also convinced that the LRA/M was now using the negotiations to launch an attack on Juba; they reported it as evidence that the LRA was “not serious”.

Further investigation brought to light that the weapons had been stolen from the SPLA by SAF. SAF was securing extra weaponry as they were moving out of Juba to fulfil CPA obligations, and the Juba Bridge Hotel must have seemed like an easy place to use for storage. SPLA security and surveillance had slipped up. The delegation was outraged at this breach of their personal safety. “These weapons,” one delegate said, “could have easily been used against us.” The implication in the volatile environment of Juba in 2006 that all weaponry was connected to the LRA, rather than to intra-Sudanese tension, meant, said one delegate, that people had a very limited understanding of the challenges that arose in establishing peace, even after a peace deal had been signed. This had implications for the LRA/M too: “Sudan is not in peace, even though they are supposed to be. So it is extremely volatile for peace negotiations, it is very easy to shake things up.”³⁴⁸

Security at the LRA/M hotel was beefed up instantly. Cars were now stopped at the bamboo gate, which was locked at night. Bags were searched and torches shone into the eyes of drivers. It was a big step up for the Juba Bridge Hotel, but still a long way behind security at other camps: at Civicon, where the GoU delegation was residing, the guards wrote down car registration numbers and asked for the ID of all passengers.³⁴⁹ A few days after the incident, a senior GoSS representative came to see Ojul over lunch to apologise for the mess. When I indicated that I could leave for the conversation, the GoSS person motioned for me to stay. “I think we have mishandled the situation,” he explained. Ojul accepted the apology generously, if a bit patronisingly, and turned to me as soon as the representative had left. “GoSS knows they screwed up,” he said. “Such thing could derail the peace process but we are here for peace. But how they do this, this is not peace. We are not moving in peace now. I don’t think this is what peace should look like.”³⁵⁰

The Cessation of Hostilities Monitoring Team Fact-Finding Mission

³⁴⁸ Fieldnotes, Juba: 30/9/2006.

³⁴⁹ I Fieldnotes, Juba: 30/9/2006.

³⁵⁰ Fieldnotes, Juba: 30/9/2006.

On October 1, a couple of days after the gun incident at Juba Bridge Hotel, the hastily constituted CHMT left on its first fact-finding mission. The LRA/M representatives insisted that this was not to be seen as a full mission, as international representatives had not yet strengthened the team. Crucially for the LRA/M contingent on the team, they had not been given uniforms. They delayed the departure of the convoy by going to the market to at least buy themselves identical clothing to show, as they said, that they were “professional”. Led by international technical advisor Anton Baare and accompanied by a few journalists—and me—the team left for Owiny-Kibul on October 1. At the heart of the trip lay the question whether the parties to the CoH had violated the agreement.

Travelling through Magwi to arrive in Owiny-Kibul the following day, the CHMT waited to make contact with the scattered LRA forces, discussed what the exact boundaries of the assembly area were, and met with the SPLA and the local chief to establish what had happened here in the past few days. Both the SPLA and the chief confirmed that the LRA had been present in the area and had come to collect some of the food delivered by the SPLA in preparation for the assembly, but that they had left just a few days prior to the CHMT’s visit. Both mentioned the incident involving a UPDF convoy which chased the LRA away. Upon hearing this, the LRA/M on the team argued that their people had stuck to the agreement, but had been forced away by the UPDF. The UPDF on the team pointed out that the LRA was nowhere to be found at Owiny-Kibul; hence they had broken the agreement. The latest information from LRA commander Achellam to the LRA on the CHMT had been that the LRA were in the immediate vicinity, but had to remain hidden because of the UPDF.³⁵¹ The day ended when the CHMT agreed to wait until the morning to see if the LRA forces in the area would make contact.

While everyone was getting ready for the night, news from Kampala came on the radio: the UPDF announced that as of then it was resuming operations against the LRA because the CHMT had conclusively established that the rebels were not assembled. UPDF spokesperson Kulayigye announced that the UPDF had closed all safe routes to the assembly areas:

Our team of observers in Owiny-Kibul have confirmed there is no presence of LRA at that assembling point. They have abused the Cessation of Hostilities Agreement. For that matter, we are back to war because we do not know their motive and where they are. We are back to business. It’s business as usual. We are looking for the

³⁵¹ Fieldnotes, Magwi: 2/10/2006.

LRA. It is because of the development that we have resumed operations against the LRA."³⁵²

Simultaneously, it was reported that Museveni had contacted US President Bush to ask for support a military "Plan B" for dealing with the LRA.³⁵³ Tensions between LRA and UPDF representatives in Owiny-Kibul were unsurprisingly high.

The next morning, October 3, 2006, Otti called the CHMT technical advisor to tell him that the LRA fighters could no longer make contact with the CHMT at Owiny-Kibul because the UPDF had announced that they would target the LRA. While the CHMT continued to travel towards Palotaka and Pajok, Museveni met with John Edwards, the former North Carolina senator, at State House in Kampala. During the meeting, Museveni reportedly said that unless a comprehensive peace agreement was signed soon, Uganda was expecting US support for a military plan against the LRA, and he hinted that such a plan was already underway since "the peace talks might improve Kony's life expectancy, but cannot fix an insurgency." State House released a statement that Edwards had promised to lobby for the passing of a resolution that would allow the pursuit, disarmament and demobilisation of the LRA.³⁵⁴

In Pajok, the CHMT settled down for a meeting with local residents to shed light on the incident involving the UPDF military convoy travelling from Uganda towards Owiny-Kibul. Major General Deng spoke encouraging words to the residents, who found themselves in the worrying situation of having to answer to representatives of the LRA and the UPDF. "Let there be no fear from your side. Just tell us the reality," Deng said encouragingly.³⁵⁵ The residents of Pajok then went on to explain that on September 27 one of the elders in Pajok had seen Ugandan military vehicles just before UPDF soldiers came to him to ask for a spade that they needed to dig out a bus that had become stuck in the mud. When the elder saw the military vehicles, he asked whether anything was wrong. The UPDF answered that the only problem was that the bus was stuck. The elder found a spade and then drove with the soldiers to the location where the bus was stuck.

352 F.Ahimbisibwe, "LRA war resumes", *The New Vision* 3/10/2006. Reuters, "Ugandan army resumes offensive against LRA rebels", 4/10/2006.

353 A.Matia, "LRA soldiers missing, peace talks continue", *Juba Post*, 5/10/2006.

354 R.Muhumaza, "Museveni Asks U.S. to Back Plan B Against LRA", *The Daily Monitor*, 3/10/2006. This Resolution would later become the LRA Act in the US.

355 Answers were given in Acholi and translated by the assistant to the chief (in Owiny-Kibul) and by Gulu's Sheikh Khalil (in Owiny-Kibul and Parajok). Arabic answers from the local SPLA commander in Owiny-Kibul were translated by SPLA Major General Wilson Deng and SPLA Colonel Kwai.

When he reached the location, he saw many people, men and women, black and white. Many of the people had cameras; even a musician was performing. Many photographers from the bus were busy taking photos. The music system was playing. The entire convoy was made up of a bus (which was light blue with a yellow-green top and Bugandan writing on the side), two mambas [armoured personnel carriers], two buffaloes [mine-protected clearance vehicles], two Toyota double-cabin pick-up trucks, and a lorry. Each Toyota was carrying at least four UPDF soldiers. Another vehicle carried six UPDF soldiers and the mambas carried "the normal crew of two UPDF soldiers standing". It was difficult for the locals to determine the number of men inside the buffaloes. The locals said that the entire convoy came like this from Uganda, "acting as the same team" and connected "just like the fish move in the river".

After the locals and UPDF soldiers managed to get the bus unstuck, the entire convoy was taken to the Norwegian Church Aid (NCA) compound in Pajok. The locals asked where the convoy was headed and were told it was going to Owiny-Kibul. The residents then asked: had the delegation been properly cleared and authorised by the SPLA to go and visit the LRA in Owiny-Kibul? The answer given was: "No, we have just come to negotiate with the SPLA soldiers who are here to allow us to proceed to Owiny-Kibul and see the LRA." The locals then asked the head of the delegation from "which side he was exactly in Uganda". The head of the delegation was identified to the locals as the UPDF brigade commander from Kitgum.

Informing the Ugandan delegation that they had to gain permission from the SPLA, the residents insisted that in order to see the local SPLA soldiers, the convoy would have to go to Palotaka where the forces were located. The locals further stated that they could not give "any single authority to proceed" unless the SPLA, maybe even in Magwi [the county seat, further away], was informed, and that the delegation could only proceed in the presence of an SPLA officer. Letting the delegation proceed, explained a local elder later, was seen as potentially giving the residents of Palotaka problems. Also, the elder said, he was aware that the LRA had "just come" to the assembly point, so allowing the delegation to go there could be "kind of dangerous". He said, expressing his fear, the delegation "had guns. And the uniform, they were putting... And things were still premature." So he said that the delegation could cause a problem for the LRA because once "two brothers fought and they have just been separated, their eyes and anger still are within them and it can really cause a lot of problems."³⁵⁶

³⁵⁶ Fieldnotes, Palotaka/ Parajok: 3/10/2006.

The Ugandan delegation attempted to contact the SPLA by radio, but ended up spending the night of September 27–28 in the NCA compound. The Ugandan Media Centre, the GoU's public relations branch, signed for the bill. In the end, the senior authorities of the governor and the commissioner refused permission to proceed to the delegation. Having received this news, the delegation returned to Uganda at around 10am on September 28. At the same time the chief of Parajok was working on the airstrip in Owiny-Kibul, where he saw members of the LRA and shared food from the same store with them. The food was stored under the roofs of the school structure in Owiny-Kibul.

The people working on the airstrip also told the LRA about the bus with strangers heading towards Owiny-Kibul from the Ugandan border and that the UPDF was moving towards Owiny-Kibul with a mamba [military vehicle]. Those working on the airstrip at that point had not heard that the convoy had turned back. The Parajok chief said he was "frightened" upon receiving this news. The SPLA commander based in Owiny-Kibul then sent his junior officer to tell the UPDF forces that "you people cannot go ahead," and that they were to wait in Parajok unless there was confirmation from the SPLA that they were allowed to proceed.

The news that the convoy had returned to Uganda after being "restrained by the SPLA" came shortly afterwards, so at that time the LRA was still in Owiny-Kibul. Nonetheless, the information that military vehicles were moving had caused unrest among the assembled LRA. Three days after the initial news, the locals in Owiny-Kibul found that food in one location had been poured onto the ground, presumably by the LRA, and they found an unsigned letter, presumably from the LRA, that instructed the finder of the food not to take it, but to please "cover it with canvas". This location was visited and inspected by the CHMT on October 2, together with the chief of Owiny-Kibul and the local SPLA commander. The chief told the CHMT that the LRA forces had not informed him when they were leaving the area, but according to him they had left on September 30.³⁵⁷

After questioning the residents, the SPLA, UPDF and LRA on the CHMT agreed that this version of the story was correct. Later, Kampala reacted through Nankabirwa, who said, "the trip was sanctioned officially, it was innocent. It was genuine. It was meant to enable journalists and diplomats to verify whether the LRA had assembled or not. It was not meant to deliberately breach the agreement."³⁵⁸ The CHMT also heard from residents that there was continuing UPDF movement near the border. As the CHMT

³⁵⁷ Fieldnotes, Obbo/ Magwi: 4/10/2006.

³⁵⁸ A.Wasike, "'LRA must assemble'", *The New Vision*, 15/10/2006.

was about to leave Parajok to investigate the areas towards the Ugandan border, news came that a group of LRA was crossing the Juba-Torit road. Despite protests by the LRA contingent that they needed to move towards the Ugandan border first, the CHMT returned to Magwi and then travelled onwards to Juba.³⁵⁹

On the same day, Uganda's Solicitor General Lucien Tibaruha sent a letter to the ICC to confirm that "the commitment of the Government to cooperate with, and support the Court, remains unchanged." The letter further stated that the GoU was working with the DRC, UNMIS, and the UN Mission in the DRC (MONUC) "to ensure effective operational planning and coordination to tackle the threat posed by the LRA", but "for reasons of operational security, the government of Uganda is not in a position to provide the ICC with details of its operational planning or activities."³⁶⁰

Violations

Having gathered information on their first trip, the CHMT established in its first report that all parties had violated the CoH agreement: the LRA had not fully assembled by the deadline, the SPLA had not provided the promised protection, and the UPDF had deployed military vehicles into Sudan and near the assembly area. The report was never made public: with all three parties in breach, the mediation team decided to keep details concealed. Additionally, the CHMT was clearly not working at its fully mandated capacity: AU members had not arrived, and the team barely had the resources to travel, never mind to quickly follow up on incidents. In early October the technical advisor to the CHMT repeatedly asked for a few relevant documents to be given to the LRA/M, such as copies of reports on small arms and the Cape Town Principles on Children Associated with Armed Groups and Armed Forces, because, explained one of the members of the CHMT, "not enough copies were given by OCHA."³⁶¹

OCHA and the UN showed their commitment in other ways. On October 5, the UN announced the launch of the Juba Initiative Fund (JIF) under the auspices of OCHA. Initially valued at \$4.8 million, the fund was financed through GoSS and the GoU "to facilitate the basic necessities of the Juba peace talks and support the start-up of the Cessation of Hostilities Monitoring Team." Commenting that talks had reached a critical point, but were hindered by the LRA's failure to assemble "out of concern about the

³⁵⁹ Fieldnotes, Obbo/ Magwi: 4/10/2006.

³⁶⁰ E.Gyezaho and F.Nyakairu, "Govt still wants ICC to rest Kony, Otti", *The Daily Monitor*, 11/10/2006.

³⁶¹ Fieldnotes, Juba/ Magwi: 2/10/2006.

deployment of the Ugandan Popular Defence Force in the vicinity” a press release also stated “the Cessation of Hostilities Monitoring Team will return to Juba today with a full report verifying the situation in Owiny-ki-Bul.” Egeland was quoted in the press release: “The United Nations is firmly behind the peace process in Juba... A conflict that has dragged on for 20 years may not be resolved according to the clock. Both sides need to show patience to ensure a successful conclusion to the peace process.”³⁶² Other donor governments would later support the fund, although actually dispensing funds remained a problem.

With military pressure being kept on the LRA near the Eastern Equatoria assembly site, Otti retracted his earlier statement regarding the ICC warrants. On October 9, 2006, he announced that the LRA would not sign a peace deal before the ICC charges were dropped. He told his fighters that if they found themselves under pressure in Eastern Equatoria, they should cross to Western Equatoria: “They should quit [Eastern Equatoria] if possible, because they are my people. Why shouldn’t they come to live with me?”³⁶³ Intelligence reports a day later confirmed that Ongwen and about 150 LRA had crossed the Nile north of Juba. There were reports that the LRA were carrying a white flag wherever they might be seen.³⁶⁴ It was presumed that they had gone so far north because the UPDF had deployed all along the east bank in response to Otti’s statement.³⁶⁵

On October 12, LRA reportedly clashed with Mundari militias—a group of fighters that had been supported by the Khartoum government during the war—at Mangalla, 15 kilometres north-east of Juba.³⁶⁶ The LRA reported to the delegates that the Mundari fighters had attacked them marching in single file, as if under unified military command. “This is not militia behaviour,” was the message that was delivered to the delegates from the LRA fighters on the road. In their opinion this proved that the Mundari had been ordered to attack the LRA, although by whom was never made clear. The following day reports came through of more than 200 LRA attempting to cross the Nile near there. UPDF spokesperson Nankabirwa commented on the developments a few days later:

We are not satisfied at all. We expect the LRA to honour their side of the agreement we signed by assembling. We have written to

³⁶² United Nations, “United Nations launches Juba Initiative Fund to aid peace in northern Uganda (AFR/1439; IHA/1239)”, 5/10/2006.

³⁶³ R.Muhumaza, F.Nyakairu, and S.Kasyate, “Kony rebels refuse to sign peace deal”, *The Daily Monitor*, 10/10/2006.

³⁶⁴ Fieldnotes, Juba: 17/10/2006.

³⁶⁵ E. Allio, “LRA return to Garamba,” *The New Vision* 13/10/2006.

³⁶⁶ UNMIS source. For an analysis of the Mundari militias, see Human Rights Watch, *Civilian Devastation: Abuses by All Parties in the War in Southern Sudan*. New York: 1994, p.123.

the mediator (Lieutenant General Riek Machar). The LRA moved away from the assembly points. They are trying to sneak back to their bosses at Garamba in DRC.³⁶⁷

To counter the accusation that the LRA was breaking the agreement, Otti ordered his forces to again assemble in Owiny-Kibul. On the way towards the site, the LRA troops were ambushed by the UPDF near Bilinyang 100 kilometers south-east of Juba, during the night of October 15–16 and then again in the morning and afternoon of October 16. Two LRA were critically injured in what the LRA/M called a “severe provocation” and a “very grave violation of the truce”.³⁶⁸ The UPDF rebuffed those claims as “theatrical”, with spokesman Kulayigye quoted as saying:

We have not had any contact with the LRA in as many months... Bilinyang is not an assembly point, is not a safe zone and is not a safe corridor. So it cannot affect Juba at all. They have the safe zones to use so why should they meander through Bilinyang, which by the way used to be their [LRA] base? I am urging the LRA to stop these games.³⁶⁹

He also stated that Bilinyang had been occupied for some time by UPDF troops, since it had formerly been an LRA base.³⁷⁰ Until that evening, the UPDF remained adamant that there had been no incident. In the evening the SPLA confirmed that there had been shelling.³⁷¹

Having heard of the attack, LRA/M delegates went to buy emergency food to be sent out to the bush. They described an uncomfortable situation as “we were followed by UPDF wherever we went in the market,” said one delegate.³⁷² They also requested—and were granted—authorisation from the SPLA to send food and medicine to LRA who had been injured and possibly remained surrounded by UPDF. The following day, October 17, a truck manned and authorised by the SPLA left Juba to deliver these goods to the LRA. Accompanying the truck was Achama from the LRA/M team on the CHMT. Not far south of Juba, a UPDF roadblock stopped the SPLA truck. The UPDF denied the SPLA passage and detained Achama in the UPDF barracks for about four hours. He described the time spent in the barracks as dangerous, and he said UPDF soldiers had repeatedly threatened to kill him because he was LRA. He said he replied to them: “I said you can kill me.

367 A.Wasike, “‘LRA must assemble’”, *The New Vision*, 15/10/2006.

368 BBC News, “Uganda ‘attack’ threatens talks”, 16/10/2006.

369 F.Nyakairu, E.Gyezaho, and P.Harera, “Museveni heads to Juba”, *The Daily Monitor*, 17/10/2006.

370 BBC News, “Uganda ‘attack’ threatens talks”, 16/10/2006.

371 Reuters, “Ugandan rebels accuse army of launching attack”, *Reuters*, 16/10/2006.

372 Fieldnotes, Juba: 17/10/2006.

But you would only kill me because of the peace process. If it was not for the peace process, you would never find me to kill me.”³⁷³

With Achama in detention, an enraged LRA/M delegation insisted in a meeting with Machar that UPDF hostilities had to stop, and that talks could not resume until it was investigated why the UPDF had more authority in southern Sudan than the SPLA. They expressed their doubt that the SPLA would provide the promised protection to the LRA, either outside or inside the assembly areas, if the SPLA could be bossed around in their own country by UPDF. A little later, news arrived that the LRA had killed a UPDF captain near Lyria.³⁷⁴ Machar was outraged at all developments, including the incident in Lyria. After all, neither the LRA nor the UPDF were supposed to be anywhere near there.

On the same day, Machar briefed US Presidential Special Envoy Andrew Natsios on the mood at the talks. A confidential US diplomatic cable about the meeting recounted Machar’s description that “a pronounced lack of trust between the two parties” was making progress difficult. Machar said, according to the cable, “LRA negotiators question the GoU’s motives at every turn, and force protracted debate on even trivial matters like the use of the word ‘combatant.’ The GOU ‘stigmatizes’ and ‘castigates’ the LRA” and “some members of the GOU negotiating team believe the LRA can only be dealt with through military means.” Asked what type of support the US could provide, Machar noted the need for financial help and responded: “convince Museveni that there is no military solution.” The cable states that in response to Machar’s suggestions, “Natsios made no commitments.”³⁷⁵

Starting the following day, a series of ambushes on the Juba-Torit road and an attack on the village of Gumbo outside Juba were carried out by unidentified perpetrators resembling the LRA.³⁷⁶ LRA commander Achellam in a phone call refused to take responsibility for the attacks: “No LRA has attacked civilians in southern Sudan... If attacks took place, it is more likely UPDF who are deployed around Juba. They do this, then accuse LRA.” He stated that some LRA had scattered north of his position towards Juba, but not as far north as where the killings had taken place, he said. “The UPDF surrounded us. We had to move for fear of being attacked... They did not

373 Fieldnotes, Juba: 2/11/2006.

374 IRIN, “Gov’t says LRA killed army officer, demands action”, 18/10/2006.

375 US Embassy Khartoum, “06KHARTOUM2564 (Confidential): GoSS Vice President tells Special Envoy that ‘distrust’ pervades LRA peace talks”, 29/10/2006. It is worth noting that this conversation took place a few days after the US allowed an easing of sanctions against Southern Sudan, keeping in place sanctions against Sudan.

376 A.Matia, “Attacks continue around Juba”, *Juba Post* 26/10/2006.

go that far.”³⁷⁷ Both conflict parties suspended their participation in negotiations until the matters were clarified. With a prominent visitor about to arrive, the talks nonetheless had a sense of momentum, although the negotiation partners were not talking to each other.

Museveni Comes to Juba

On October 21, 2006, Museveni paid a visit to the Juba Talks. What was touted in the Ugandan government newspaper as a “major boost” to faltering peace talks soon turned into a disaster.³⁷⁸ Reports about what exactly happened in the meeting between Museveni and the LRA/M delegates, with Kiir and Machar present, were unclear. It remained questionable whether Museveni had been hostile to the LRA/M delegation first or whether the LRA/M delegation had treated Museveni very rudely. Everyone agreed that when Museveni moved towards the deputy LRA/M delegation chairperson Apire to shake her hand, Apire refused to take his hand. Reportedly, she demanded first an apology from him for what he had done to the people of eastern and northern Uganda. A scheduled joint news conference was cancelled; members of each delegation separately reported their perceptions of the encounter to the press.

LRA/M spokesperson Ayoo told the BBC that Museveni had been abusive towards the LRA/M delegation, having been adamant that he was not interested in peace talks and calling the LRA/M delegates “uninformed Ugandans who have been out of the country for 20 years”. GoU delegate and Uganda’s Deputy Foreign Minister Henry Okello Oryem denied that Museveni had been abusive: “To the contrary, he used the opportunity to make it very clear that he had come all this way to support and encourage the peace process.”³⁷⁹ When Museveni later addressed the press, he commended Machar: “He is a very patient and persistent person who knows how to deal with unserious people like the LRA. If it were me ...” he trailed off, before bursting into laughter without clarifying what he would do.³⁸⁰ After Museveni left, most delegates agreed that his visit had created more problems than it had solved. Between the LRA/M and GoU delegations, Museveni’s appearance had created further mistrust. The LRA/M delegates were no longer sure that the GoU delegates were really conveying the President’s opinion during their negotiations, since he had so clearly stated that he was not supporting the process. Internally, the delegates were split

377 T.Cocks, “Commander denies LRA rebels killed civilians in Sudan”, *Reuters*, 20/10/2006.

378 H.Mukasa and F.Osike, “Museveni to meet LRA”, *The New Vision*, 22/10/2006.

379 BBC News, “Museveni meets Ugandan LRA rebels”, *BBC News*, 21/10/2006.

380 F.Nyakairu, “Museveni meets LRA face to face”, *The Sunday Monitor*, 22/10/2006.

over Apire's reaction: some called it a necessary statement in light of the press exposure that the atrocities would receive if she refused to shake his hand. Others found it clumsy and strategically unwise to be so confrontational.

Continued Violence

A few days after Museveni's visit, Machar upset the UPDF by ordering them to withdraw from Aruu, Palotaka and Magwi.³⁸¹ The LRA/M demanded a complete withdrawal of the UPDF from southern Sudan a few days later. The GoU countered that the LRA/M's response was "ambiguous and diversionary... Their demand that our troops deployed in Eastern Equatoria leave or also assemble is unacceptable because they are there under a protocol we signed with the government of Sudan."³⁸²

Reports of individual car ambushes by unidentified gunmen and LRA increased.³⁸³ Uganda's Defence Minister stated, "We are investigating the attacks. Partial results indicate there are other groups in southern Sudan that are involved, maybe groups that do not want the peace talks to succeed... Those could be people who are entrepreneurs of violence, who gain from the violence."³⁸⁴ Who some of those were came to light at the end of October when the SPLA arrested 17 suspected former government militia members near Gumbo bridge after a shooting near Civicon Oasis Camp in Juba. It transpired from the arrest that a network of north Sudanese traders had staged the latest ambushes and shootings to interrupt the goods supply from Uganda. Increased trade across the Ugandan border after the CPA had pushed down prices in Juba markets—for example, from three dollars for a beer to one dollar. The north Sudanese traders had wanted to make the roads to Uganda unsafe so as to maintain their lucrative trade routes from Khartoum and their quasi-monopoly on supplying Juba with goods. This was done in close collaboration with former SAF military officers controlling the Juba Market.³⁸⁵

381 F.Nyakairu, P.Harera, and G.Matsiko, "SPLA orders UPDF out of Owiny ki-Bul", *The Daily Monitor*, 26/10/2006.

382 IRIN, "Dispute over truce terms holds up peace talks", 26/10/2006.

383 .Nyakairu, P.Harera, and G.Matsiko, "SPLA orders UPDF out of Owiny ki-Bul", *The Daily Monitor*, 26/10/2006; A.Matia, "Attacks continue around Juba", *Juba Post* 26/10/2006; C.Ocowun and C.Ayugi, "Two Sudanese killed by LRA rebels", *The New Vision*, 26/10/2006; H.Mukasa, "Five People Killed in Juba Gunfire", *The New Vision*, 27/10/2006.

384 G.Musamali, "Stop LRA Food Supply, Government Tells Machar", *The New Vision*, 27/10/2006.

385 H.Mukasa, "Five People Killed in Juba Gunfire", *The New Vision*, 27/10/2006. This version of events was confirmed to me by UN security in Juba.

With no let-up in the military pressure on the LRA, Otti announced that LRA fighters should not assemble at Owiny-Kibul but rather stay hidden in the bush: "I have asked them to use their guerrilla tactics and hide from them [UPDF]. But if this intensifies, do not be surprised to hear that they have clashed with the UPDF because they are looking for this themselves."³⁸⁶ Museveni reacted a few days later by saying that DRC's president Kabila and Vice-President Bemba had both "consented to Kampala's request to flush out LRA insurgents in the Congo, whether or not the Juba talks succeed",³⁸⁷ adding that the GoU had only entered talks to avoid trouble with the Congolese government by going into DRC to get the LRA.³⁸⁸

Two days later, an SPLA Colonel was shot dead in Juba outside a bank. The incident caused panic as rumours spread quickly that "Kony" had invaded Juba. Traders near the bank talked about having seen "Kony's fighters" and said that the LRA had abandoned the peace process and was taking Juba. In Juba Market, the consensus was clear that the LRA could not be trusted as peacemakers. Rumours about the LRA abandoning the process persisted, even after it had come to light that the murderer was a member of *Ismail* Kony's militia. Ismail Kony, a Murle from South Sudan's Jonglei State, has no connection to his namesake Joseph Kony, but in the reporting of the incident, the names had been mixed up. Ismail Kony had led his militia drawn from Murle elements during the war; his soldiers were to be officially integrated into the SPLA.³⁸⁹ The man who killed the SPLA colonel was reportedly aggrieved at having received no pay from his new employer.³⁹⁰ With the two Konys continuously mixed up, the incident deepened persistent rumours, supported by Ugandan and Southern Sudanese security, that a new "LRA Sudan" had been established:

a militia recruited by Khartoum from the large Acholi community in South Sudan... Some of these groups organised as the Southern Sudan Defence Forces (SSDF) by Khartoum never fully integrated into the new force created after the signing of the CPA. Some of these groups like the Mundari militia commanded by Major General Clement Wani and sections of the Equatorial Defence Forces (EDF) have remained out of the reach of the Southern Sudan government.³⁹¹

386 F.Nyakairu, P.Harera, and G.Matsiko, "SPLA orders UPDF out of Owiny ki-Bul", *The Daily Monitor*, 26/10/2006.

387 R.Muhumaza, "Kabila okays plan to capture Kony", *The Daily Monitor*, 30/10/2006.

388 Y.K.Museveni, "Statement about prospects for durable peace in Uganda", *The Daily Monitor*, 3/10/2006.

389 Ismail Kony announced in April 2007 that he was joining the SPLA. He became Salva Kiir's peace advisor. M.Mayom and A. Kur, "Ismail Kony joins SPLM and pludges [sic] and end to raids", *The Juba Post*, 20/4/2007.

390 Juba Post, "Man gunned down in town, Juba residents run scared", *Juba Post*, 6/11/2006.

391 A.Izama, "New 'LRA' group emerges in Sudan", *Sunday Monitor*, 5/11/2006.

Comprehensive Political Solutions

The CoH periodically expired—and was periodically renewed in continuing attempts to make the LRA assembly happen and to move the talks forwards. Yet in early November, when negotiations turned towards Agenda 2 on comprehensive political solutions, the LRA/M failed to present a new position paper, saying they had been too preoccupied with the safety of their troops. The LRA/M's lack of effort angered the GoU, who expressed doubt at the usefulness of the Juba Talks, as the LRA was failing to assemble or constructively move the peace talks forward.³⁹² The LRA/M finally presented a position paper on Agenda 2 to Machar on November 6. Reflecting on experiences of the past few months, the paper included the demand for both parties to "recognise the need to ensure effective protection for LRA combatants and personnel during the implementation of the agreement and to that end, the parties to adopt special security measures including a designated assembly area in northern Uganda, to be elaborated in subsequent agreements".³⁹³

Further, the paper suggested the establishment of a ministry in which the LRA/M would play a role by being consulted in the appointment of a minister. The LRA/M demanded that local leaders and the donor community be responsible for the rehabilitation, reconstruction, construction and recovery of war-affected areas and other regions affected by natural or other disasters, expressing their distrust in the GoU's intentions to rebuild northern Uganda. The area concerned, the LRA/M suggested, should include Masindi as a war-affected district, which constituted a significant widening of the area under consideration. The LRA/M further requested to hold a referendum within 12 months of signing a final agreement to ask the population whether they would support Uganda's transition to federalism. The LRA/M argued that a referendum would show that "there is genuine demand for a sizeable population of Uganda for a federal form of government as the only way for guaranteeing political stability of the country."³⁹⁴

The GoU rejected most of the suggestions straight away, particularly taking issue with the preamble of the LRA/M's position paper, which stated: "Having realised the futility of resolving the armed conflict... by military

³⁹² H.Mukasa, "LRA tactics irk govt", *The New Vision*, 5/11/2006.

³⁹³ G.Matsiko, "Govt rejects LRA demand for ministry", *The Daily Monitor*, 8/11/2006.

³⁹⁴ G.Matsiko, "Govt rejects LRA demand for ministry", *The Daily Monitor*, 8/11/2006.

means (the two parties) have heeded the hues and cries of the people of Uganda.” The GoU challenged the usage of the words “futility” and “hues and cries of the people of Uganda”. To the specific demand for protection, the GoU responded that the “parties recognise the need to offer protection to LRA combatants and personnel during the transition from conflict to peace and to the end the parties agree to adopt security measures in subsequent agreements.” The parties managed to agree that children of LRA combatants were to be given access to education and that a special fund for northern Uganda would be established, although the GoU argued that such a fund was already in place and the demand thus outdated. It was further agreed that Uganda would pass an Equal Opportunities Act and involve the international community in rebuilding northern Uganda.³⁹⁵

Continuation Doubts

A few days later, the UPDF made a statement regarding the LRA’s failure to assemble at Owiny-Kibul. In a newspaper statement, the spokesperson wrote that

the Lord’s Resistance Army (LRA) have neither shown any commitment nor willingness to implement their own part of the bargain signed in the document. UPDF on the other hand has played by the rules to the letter. Whereas the majority LRA moved out of Northern Uganda to Southern Sudan, it’s on record that only 45 LRA turned up at the assembly area of Owiny-Kibul for one day, picked food and moved away. As for Ri-Kwangba, LRA did not bother to make any attempts to assemble at all... We also have strong information that LRA has effectively used the peace talks in Juba to re-organise. They have now, through their financiers and collaborators, acquired more communication gadgets, especially satellite phones. They also for the first time managed to access their underground armouries and have re-armed themselves with more guns and ammunition which had hitherto been inaccessible because of UPDF pressure... LRA in Garamba has meanwhile moved deeper into Congo to the Ituri province and have struck alliances with Ugandan rebels there such as NALU, PRA and ADF... The Cessation of Hostilities Monitoring Team (CHMT) is either not adequately empowered, weak to effectively monitor LRA violations or has deliberately chosen to treat LRA with kid gloves.³⁹⁶

The GoU delegation left Juba on November 8: they stated that the stalemate over the proposed assembly and the LRA’s unwillingness to stop committing violence made their stay superfluous. It had by now been weeks since tangible progress had been made regarding either the assembly or the negotiations. One LRA/M delegate felt that the LRA was being unfairly

³⁹⁵ G.Matsiko, "Govt rejects LRA demand for ministry", *The Daily Monitor*, 8/11/2006.

³⁹⁶ UPDF Spokesperson, "LRA has committed gross violations of truce", *The New Vision*, 7/11/2006.

blamed regarding the various attacks that had been happening. He said other perpetrators had been identified, but this had been largely ignored: "A hare does not eat meat, but if the leopard comes and kills the kid of the goat and then smears blood on the sleeping hare's mouth, people will come and accuse the hare," he said.³⁹⁷

On November 12, UN Undersecretary for Humanitarian Affairs Egeland arrived in Juba. His visit had been much anticipated, as he had announced his intention to meet with the LRA leadership in the bush. The high-level UN meeting with an armed group was unprecedented, and contentious within the UN system. LRA/M delegates saw its merit but were also sceptical. Otti said he was not sure whether Egeland had the power to arrest in the name of the UN, but finally agreed to allow a UN helicopter to land in Nabanga. Several helicopters descended on Nabanga, carrying Egeland, LRA/M delegates, the mediation team and a group of international journalists. UNICEF had provided a large canopy tent for the meeting, much of which was held without the journalists. While Kony and Otti were debating with Egeland over allowing NGOs to build a clinic near Ri-Kwangba to treat women and children, the BBC reporter stood not far away, giving a loud radio interview in which he reiterated the charges of abduction and sex slavery against the LRA for everyone to hear. Egeland, who had made clear before his visit to Ri-Kwangba that he would not discuss the ICC, said that when he asked Kony why the assembly had become the problem on which the talks were stuck,

Kony's position was that they were trying, the LRA, to do their best, but they were harassed and persecuted by the Ugandan army all over Southern Sudan. So he said it is not going to last long because they are breaking the ceasefire. That was Kony's position.

Straight after leaving Ri-Kwangba, Egeland travelled to Kampala to report to Museveni. During that meeting, said Egeland, Museveni "still maintained that the most probable outcome would be a military solution". Egeland said of Museveni:

Well, he did not offer much in a way. What he did offer was to go with the Juba process but he did not offer, at one point he also actually agreed with me to redeploy some of his soldiers in Southern Sudan as they were blocking access to one of the assembly points for the LRA. But he sort of played it two ways, as he often does. He both instructed his minister Rugunda to keep negotiating as well as he said, internal and publicly that he was very impatient and he would actually be considering ending it all at any point if there was not enough progress.³⁹⁸

³⁹⁷ Fieldnotes, Juba: 6/11/2006.

³⁹⁸ Author telephone interview with Jan Egeland, former UN-Undersecretary for Humanitarian Affairs, 15/10/2007.

On November 23 the chief of Owiny-Kibul confirmed that as far as he knew, there were no more UPDF in the area. While LRA troops claimed to be in the area ready to assemble, the CHMT failed to make physical contact with them on its first helicopter-supported mission to Palotaka and Owiny-Kibul. On November 26, Caritas Uganda arrived in Owiny-Kibul to set up a support structure for the assembly. A day later, the SPLA reported that about 300 LRA were "crossing outside Magwi near a bridge", seemingly headed towards Owiny-Kibul. Two days later, however, attention was diverted from events in Owiny-Kibul to Malakal in Upper Nile when heavy fighting broke out. Having always been considered rather volatile unions, the Joint Integrated Unit in Malakal broke apart in a trice when pro-SAF militias attacked the barracks. Having broken up again into SPLA and SAF, the formerly integrated unit descended into the worst fighting since the signing of the CPA. This required Machar's full attention; events in Eastern Equatoria faded into the background.

Yet on November 29, 2006, three LRA fighters were killed during early-morning clashes with the UPDF in the north of Eastern Equatoria, around Mogiri, Nisitu and Ngangala. Otti complained to the CHMT about constant military pressure on the LRA by the UPDF. That day the LRA/M announced its "suspension of face-to-face" negotiations until the UPDF's withdrawal from Sudan, even though face-to-face negotiations had not happened anyway for quite some time.

The next day, between 11am and 2pm, shots were fired between LRA and UPDF north-east of Lyria. The situation was confusing: Lyria in Central Equatoria was about 150km from the assembly area in Owiny-Kibul; both the LRA and the UPDF had yet to explain why their troops were in that area. The same day, the UPDF deployed helicopter gunships to bomb the LRA near Opari, a stone's throw from Owiny-Kibul.³⁹⁹ The SPLA commander in Owiny-Kibul reported hearing helicopter gunship fire in the area from 9.30am onwards, lasting about 45 minutes; UN security confirmed that on November 30, Ugandan Hind helicopter gunships and troops had moved across the Uganda-Sudan border, and also towards Nabanga.⁴⁰⁰ For the SPLA holding guard in Owiny-Kibul, it was clear that this was a full military assault by the UPDF. The LRA stated that its forces had come under attack, with delegates protesting against this violation of the CoH. They stressed that the CoH stipulated that there could be no new UPDF deployment and that any troops present had to be withdrawn; what was happening now was in direct contradiction of both clauses. They pointed out that the CHMT

399 Fieldnotes, Owiny-Kibul/Juba: 4/12/2006, D.Mwaniki and M.Wepundi. "The Juba Peace Talks: The chequered road to peace for Northern Uganda". Global Crisis Solutions: 2007.

400 Fieldnotes, Juba: 30/11/2006.

had officially confirmed that the UPDF had withdrawn from its bases in Tibika, yet had not actually been able to go there, calling into question the credibility of the work the CHMT was able to do.⁴⁰¹ When the LRA/M delegation demanded credible protection of their troops, the GoU dismissed the demand, arguing that the LRA had no right to call for protection for their troops since most of the troops had been abducted in the first place.

On November 30, 2006, I noted that the mood in the Juba was at its lowest. The previous day, the LRA/M delegation had announced that it was suspending “face-to-face” negotiations until the UPDF had entirely left Sudan. They had expressed their lack of confidence in the chief mediator, and felt that their safety and reputation were not guaranteed in Juba, instead suggesting moving talks elsewhere. One delegate explained to me that for him, asking for a suspension of the talks was not an indication that the LRA was withdrawing from the peace process; on the contrary, giving such statements maintained engagement: “That is also fighting, by the way. Fighting with words.”⁴⁰²

Another LRA/M delegate explained how he—and others in the delegation—felt about Machar’s mediation at that point. He said that in meetings, Machar was seen as abusive towards delegation leader Ojul. At one point, he said, Machar had said, “fuck you” to Ojul and told him to “get out here.” Machar was said to have yelled at an LRA delegate who was positioned near Kony for his protection to get away from Kony while the latter had been meeting Sudanese elders to shake hands. This was a clear sign to him that Machar did not respect LRA structures: “Riek does not listen. He always thinks he knows best.” He said that Machar was also yelling at the mediation team—including Professor Assefa who was seen by the LRA/M delegation as more competent to handle the mediation—“but all the mediation team keep quiet when he yells and when he is fairer and more respectful to government side.” In summary, he said Machar was “extravagant” and “not civilised”.⁴⁰³

In a briefing in Juba, UN security stated that they had confirmation that “large groups of LRA might become targets” and that some of the UPDF deployed in Sudan were from the 105th battalion comprised of former LRA. UN security stated that the “framing of incidents is a possibility”, and that the situation had made it difficult for the UN to enter Owiny-Kibul and get an understanding of the local situation. There was further suspicion,

401 Fieldnotes, Juba: 30/11/2006.

402 Fieldnotes, Juba: 30/11/2006.

403 Author interview with LRA/M delegate, Juba: 15/10/2006.

drawing on reports from border residents, that the “UPDF might be on the way to West,” meaning that troops might be moving towards the site in Western Equatoria. “Some [UPDF] elements are moving along border regions... there is an attempt of sorts to disrupt things on the Western side.” Overall, the UN concluded, albeit never publicly and officially, that the “UPDF is setting up a targeting mechanism for the assembly.”⁴⁰⁴

During that time, the LRA continued small-scale abductions. One young woman from Maridi, for example, recounted that in December 2006 she was taken by LRA fighters six miles from Maridi and into Garamba Park, from where she walked to Ri-Kwangba, although only to pick up food, not to stay. Most LRA, she said, were staying in Garamba Park at the time and only went to the assembly area in Ri-Kwangba to collect food, which was still being delivered through Caritas Uganda.⁴⁰⁵

By the end of November, there was no longer any sign of engagement by either IKV Pax Christi or St Egidio. Pax Christi write in their account of the Juba Talks that the reasons for their withdrawal were to be found in Machar trying “to get a firmer grip on the process” which meant a domination of the chief mediator that left the Pax Christi team wondering “whether it still added enough value.”⁴⁰⁶ For the LRA/M delegates who had remained in Juba, ending their pursuit of peace seemed for the first time a plausible option, despite their being encouraged by Otti to stick to their proposed agenda of negotiating comprehensive solutions even if, Otti had said, that meant death for the fighters who were still out in the bush unprotected. Otti’s reasoning was that the LRA expected to be betrayed anyway, so they had little to lose by sticking to their principles. These arguments came up in a heated debate on the reported helicopter gunship attacks by UPDF soldiers on moving LRA troops near the proposed assembly areas.

On December 1, UN security reported that more UPDF gunships had been sighted above Owiny-Kibul; Caritas Uganda confirmed that non-UN helicopters had hovered over the designated assembly area at around 10am with at least one of the helicopters headed east towards Kapoeta.⁴⁰⁷ Two days later, residents of Owiny-Kibul reported helicopters passing at 8am and

404 Fieldnotes, Juba: 30 /11/2006.

405 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

406 S.Simonse, W. Verkoren, and G.Junne, “NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi”, in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.232.

407 Fieldnotes, Juba: 1/12/2006.

at 12 noon.⁴⁰⁸ Gunfire was heard again at 2pm.⁴⁰⁹ The LRA/M stated that their forces were attacked between 11am and 2pm by mixed forces of UPDF and SPLA, explaining that LRA fighters had been able to identify the two armies from their distinct fighting styles. In the days leading up to these events, the LRA/M had grown increasingly suspicious regarding the safety of their troops. They also said that they were witnessing a revival of the SPLA/UPDF relationship in which they had become a pawn. "The SPLA is complicit," one delegate said, explaining that Machar's reaction to the news of the fighting between the UPDF and the LRA was that "[the LRA] should just go to the assembly areas now. After all, those people shooting you should not be in that area anyway."⁴¹⁰

"So if we get peace and we are killed, not even the mediator will speak for us," one member of the CHMT argued.⁴¹¹ They had expected that Machar would put the gunship attack on the agenda. I asked the SPLA leader of the CHMT why there had been no official statement by the CHMT regarding the attack. The CHMT had not inspected the site of the attack. A CHMT visit was scheduled to the site in question, but was not carried out.⁴¹² "All sides have confirmed this incident, there is no need to monitor," was his response.⁴¹³ However, in the *New Vision* a few days later the UPDF publicly denied that they had attacked the LRA or had even used a helicopter in Sudan.⁴¹⁴ On December 7, a few days after the gunship attack, I attended a meeting with Acholi leaders from Uganda and representatives of Caritas Uganda who were supplying the support structure for the assembly area in Owiny-Kibul. The Caritas representative announced that the LRA were being bombed on their way to and near the assembly area.⁴¹⁵ "So in peace, it means that we can be killed, that we can be surrounded, that they can bring helicopters to kill us," one LRA/M delegate said, visibly enraged.⁴¹⁶

On December 3, helicopters were again heard near Owiny-Kibul, first at 8am and then at midday, circling near the areas of the LRA route into the

408 Residents in the area confirmed that they had spotted helicopter movement and had heard gunfire around Owiny-Kibul on November 30 and December 3.

409 Fieldnotes, Juba: 3/12/2006

410 Fieldnotes, Juba: 30/11/2006.

411 Fieldnotes, Juba: 30/11/2006.

412 H.Mukasa, "Uganda: Monitors Set to Visit Scene of LRA Clashes", *New Vision*, 4/12/2006.

413 Fieldnotes, Juba: 30/11/2006. I later travelled to Lyria, where residents confirmed that a helicopter had been shooting in the area.

414 "UPDF Denies LRA Claims", *The New Vision*, 3/12/2006.

415 Fieldnotes, Parajok/ Owiny-Kibul: 7/12/2006.

416 Fieldnotes, Juba: 30/11/2006.

assembly area. The UPDF, with a presence along the Nile and along all roads in Magwi County, had positioned itself so that the troops could seal all entryways into Owiny-Kibul quickly.⁴¹⁷ On December 9, the head of the CHMT denied in an interview with an international reporter that an incident involving a helicopter had taken place.⁴¹⁸ “It is always the same,” one delegate said angrily. “How can the government say they want peace if they behave as if they are in war? They shoot, they kill, they lie. It does not matter if we are in Juba or in Gulu—it is exactly the same. This time, it is not the LRA obstructing the peace.”⁴¹⁹

Strengthening Negotiations

In the midst of the military turmoil, other elements were put into place to strengthen the architecture of the Juba Talks. Mozambique’s former president Chissano was appointed the UN’s Special Envoy for LRA-Affected Areas on December 4, following the suggestion first made back in July. Mandated by UN Secretary-General Kofi Annan to “facilitate the search for a comprehensive political solution to address the root causes of the conflict in northern Uganda and the implications of the LRA activities in the region”, Chissano’s task was to “help develop a cohesive and forward-looking policy approach among all external actors”. Annan wrote that “taking into account the independent nature of the judiciary process, my Special Envoy will also liaise with the International Criminal Court, United Nations missions in the Great Lakes region and regional actors concerned on matters pertaining to the indicted LRA leaders”.⁴²⁰

Another sign that the peace talks infrastructure was developing coincided with Chissano’s appointment. The same day, a drilling rig arrived in Nabanga to ensure water supply for the LRA. Building a livable assembly area had been part of agreements made with the LRA; engagement with women and children by UNICEF and Save the Children Uganda who were to build a clinic for women and children and to send social workers to engage with LRA family members had also been sanctioned by the LRA. Although plans for the assembly seemed to strengthen again, two days later Save the Children Uganda reviewed its proposal to send social workers to Ri-

417 Author interview with international security expert, Nabanga: 13/4/2008. I was given this description of the situation in November/December 2006 by a security expert who was working in the area at the time.

418 Personal email to author from an international reporter based in Kampala. 9/12/2006.

419 Fieldnotes, Juba: 9/12/2006.

420 Annan, K.F. (United Nations). “Letter dated 30 November 2006 from the Secretary-General to the President of the Security Council (S/2006/930)”. 1/12/2006.

Kwangba and Owiny-Kibul and withdrew its commitment to help the assembly. Save the Children Uganda explained that it was withdrawing because family tracing was not going to be a priority in the assembly area. However, a few months later the organisation's position changed again when they along with UNICEF supported the clinic. Staff from both organisations expressed in private meetings how difficult it was to find internally and externally acceptable terms on which to engage with the LRA.⁴²¹

As the UN secured high-level support, leaders from Gulu worked on persuading the LRA/M to go back to the table. They were relaying messages from Uganda that people were very upset about the LRA's refusal to go back to the table and about the UPDF shooting LRA fighters on their way to the assembly. Generally, said Rwot Oywak from Pader, "people in Gulu are very discouraged."⁴²²

Then a delegation from Uganda, led by RDC Ochora and including Owiny Dollo—who had many years earlier dressed as a woman to find Kony in Khartoum to talk about the possibilities for peace—and Kony's mother travelled to Ri-Kwangba, followed a few days later by representatives of UNICEF, OCHA, the mediation team and LRA/M delegates. The delegation now included the newly arrived technical advisor James Obita, who was well known to all parties from previous attempts at peace in the late 1990s. On December 12, Kony, Otti and other members of the LRA's high command Control Altar held meetings with Dollo and the mediation team's legal advisor to discuss legal options. In a long speech, Kony summed up why for him the preceding months had replicated previous failed peace attempts: "While talking, there is troop movement from Eastern Equatoria to here, 7 miles from here", he explained. He then complained about the unfairness of the international justice system. He stated:

It was us who initiated peace talks, so that we have a peaceful solution, a negotiated settlement. That is why we are talking openly about ICC. Suppose we had not opened up to peace talks, would there not be an opportunity for ICC to talk to us? If we had reported Museveni and ICC first, would they have pursued Museveni? No. They are only doing to Kony and commanders because they are weak. Is this the best way to handle matter? We are relying on lawyers to give good advice, we are committed to peace process but there are a lot of contradictions.

He gave his assessment of what had happened in the Juba Talks so far and the role the LRA had played:

⁴²¹ Fieldnotes, Juba: 7/12/2006.

⁴²² Author interview with leaders from Kitgum, Pader and Gulu. Juba: 6/12/2006.

We are fully committed to the peace process. We want you to take note of our concern about this process. I am talking to you, lawyers. I am sure you are aware that there is no law in the world, even the law of God, that says people should not fight. God has created man and other creatures in anticipation of war. The lion has sharp teeth, the tree has thorns and the snake is born with poison. So we shall not relent on protecting ourselves.⁴²³

Two days after this meeting in the bush, the GoU delegation returned to Juba to restart talks for a final round before Christmas to make sure that the year would end with a sense of success. It was not to be. Talks were cut short when on December 15, 2006, SPLA soldiers, firing into the air, stormed into Juba via the bridge to take the Ministry of Defence to protest that they had not been paid. With many bullets being fired in the streets, Juba remained in lockdown all day. Instead of ending with another signed agreement and consensus on the way forward, the Juba Talks in 2006 ended with uncertainty over whether an LRA assembly would be possible, whether Juba was a suitable place for these negotiations, and whether either party was committed to moving things forward. For the LRA/M, the end of 2006 also came with increased doubts over whether their pursuit of peace was being supported by either the mediator or the international community.

Conclusion

The LRA/M went into the Juba Peace Talks in 2006 with both bad memories and high hopes. The same can be said for other actors in the talks, most of whom came with baggage accumulated during previous attempts to end the conflict either peacefully or militarily. For the LRA/M, 2006 quickly turned into a replica of previous ill-fated peace processes, which they had experienced as inadequate to open avenues that would allow discussion of substantial issues without the threat of violence. High hopes had come, however, from the unprecedented international profile—heightened even further by the ICC warrants—of the Juba Talks from the very beginning. Yet it was soon clear that chasms were emerging between how the LRA/M experienced the talks and what others expected. Conflict resolution scholarship puts a strong emphasis on a participatory process which involves representatives from different parts of the community in conflict, and on confidence-building measures. Neither were lacking in Juba. What was lacking, however, from the LRA/M perspective was a credible sign that the

⁴²³ Fieldnotes, Ri-Kwangba: 12/12/2006.

talks would bring greater attention to UPDF attacks, both in Uganda and during the Juba Talks, and thus avoid a similar military ending that they knew from previous talks. With the safety and compliance of LRA troops called into question almost as soon as the CoH was signed, all achievements in 2006 were overshadowed by the looming question of how LRA fighters could assemble safely, so as to no longer be able to attack civilians, but also so as to be able to start their own transition to a peaceful existence.

Crucially, the events regarding the assembly and the information management regarding UPDF attacks proved to the LRA that structures within the peace negotiations closely mirrored those of the conflict. From the outside, the Juba Talks were mostly hailed throughout 2006 as the most promising attempt at peace ever, and the LRA was periodically blamed for not showing enough seriousness. The LRA/M soon perceived the Juba Talks as a set-up that maintained the existing power structures. They cited as reasons the volatile security situation, the mediator's murky information policy, clear signals that both the Ugandan military and the international justice actors maintained that they had a role to play in ending the LRA war, and growing demands from all sides. The GoSS was juggling a volatile internal situation with having to maintain good relationships with the GoU; the GoU maintained that the talks should be over soon and was unwilling to address the issues of attacks on the LRA. Internationally, the end of 2006 brought a certain amount of disillusionment with the Juba Talks, fed by unclear information and a general distrust of the LRA/M's motives. In addition to the points made about the existing structures in Uganda, the LRA/M also increasingly focussed on the relationship between the SPLA and the GoU. With Machar as a much-disputed mediator, the LRA/M's trust in the impartiality of the SPLA towards their longstanding ally Uganda became more and more questionable. All in all, what had started with great promise in July was by December a lacklustre and complicated process.

I left Juba on the day the SPLA marched into town to demand payment, driving to the airport as shots could be heard fired near Juba Bridge. A few points seemed to me particularly important: Having observed how international actors had struggled to navigate their own frameworks, including circumventing them, had emphasised that to a certain extent rules could be bend and mandates reinterpreted if needed. The lack of clarity that resulted from this process on paper did very little to move procedures forward, yet it had created a parallel space in which sideline engagements had contributed constructively to the discussion. When it came to enforcing the agreements, particularly the CoH, the muddle had also created a situation in which violations were not sufficiently condemned, thus damaging trust. Crucially, 2006 had been the opportunity

to discuss issues frankly with the LRA as the leadership and lower ranks were accessible and open. How they experienced the talks and what their hopes were, however, was somewhat drowned out by the broader focus on finding a way to conduct the talks in a way that would satisfy international standards.

The end of 2006 also brought into focus the disconnect between the kind of transformative process conflict actors aspire to and the procedural toolkit available—mediation, negotiation, diplomacy and peacebuilding. Mediation and negotiation continued to confirm the LRA/M's understanding of being trapped in an unequal power relationship: the uneven set-up of the negotiation teams, with the GoU's team sporting highly qualified and powerful government representatives, rendered the tool of negotiation meaningless. Generally speaking, 2006 already showed a glimpse of why for the LRA/M actually committing to a signed agreement would pose a challenge, as a signature might become an endorsement of the hostile system in which the LRA/M found itself.

There was a contradiction in this: on the one hand, most observers and facilitators seemed to agree that engaging with individuals would go a long way towards encouraging the group to put down their weapons. On the other, opportunities to do that were not taken up. The next chapter provides such engagement with individual experiences, hopes and assessments of LRA actors during this time.

4. "Am I an Animal?": LRA Members During The Peace Talks

Vincent Otti was drafting the LRA coat of arms on the last page of my notebook. Using a strip of thinly sliced wood as a ruler to draw the outline, he turned to ask one of his runners to first fetch first a red and then a green pen. He carefully divided the space around the crane in the centre of the emblem into equal parts, then added other elements: the Ten Commandments scroll, the palm leaf, the name Lord's Resistance Army. He was so meticulous about the sketch that dinner was ready before he was finished. He packed away his coloured pencils and said he would continue the next morning.

The next day, while cross-hatching the shaded parts of the emblem, he explained each part. The crane signified Uganda, the palm leaves peace. The Ten Commandments scroll expressed the LRA's Christian faith "because we are resisting in the name of the Lord." Listening to his explanation, I watched the perfectionist crafting of the LRA symbol and thought that none of what this man believed he stood for seemed to me like it might even remotely resonate with the outside world.

Yet Otti's concern was to explain to that very outside world what the LRA was about, and crucially that the LRA was not about terrorism. He had written to me about being called a terrorist in August 2005: "...we are not such."⁴²⁴ The emblem for him expressed more than the mission of the LRA. He often made the point that he was the best person to speak for the LRA. He finished the drawing, and then looked up to proudly tell me that each LRA uniform displays this emblem. He pointed to the sleeve of a soldier nearby, which sported a carefully needleworked version. "It is my work," he said, signing the drawing in my notebook with his name and rank.⁴²⁵

Introduction

In conflict studies, an understanding of actors' motivations and experiences is an established necessity. However, such emphasis is often reduced to what has been experienced as a group during the conflict. The LRA group identity, while strong, does not adequately describe how individuals view their own complex LRA/M existence. Otti proudly stressing that he was solely responsible for the design of the LRA coat of arms was a reminder that even in an entrenched group conflict, individuals are important. They

⁴²⁴ Vincent Otti, "Personal letter to author," 25/8/2005.

⁴²⁵ Fieldnotes, Ri-Kwangba: 12/6/2006.

have all, in an active or passive way, experienced a moment of commitment—what Ricoeur calls an act of “attestation”.⁴²⁶ While spending time with the LRA/M, I collected snippets of conversations and remarks. This chapter brings these together in a narrative enquiry into individuality within the amorphous and often contradictory conflict landscape.⁴²⁷ As a snapshot of individual sentiments during the Juba Talks, this chapter gives an insight into the extent to which the LRA experienced this time as a deep peace process that would change their own and everyone else’s thinking—or as one heading towards written agreements.

Experiencing the broken and fragmented individual views of LRA members also poses an analytical challenge, as establishing coherence through interpretation risks giving only my own rather limited perspective. It is only through narratives that a story can be told without explaining what the story is about and why things in the story proceed the way they do. The range of themes that emerged from at times very brief exchanges serve less as an exposition of the LRA and more as an illustration of individual experiences in the LRA. These include the need to have personal identities acknowledged and the hierarchies that emerge from that, the tension between having rules and breaking them, trust and distrust, and aspirations held in the past and the present.

Identities and Personal Choices

In a conversation in the bush, Otti was talking again about how the LRA’s goals had been misunderstood. In a very matter-of-fact way, he mentioned the injustice of being labelled “terrorists”, “killers” and “animals”—three words regularly used to describe the LRA. It seemed as if the label terrorist was the greatest insult of the three. I was not surprised that he did not seem particularly fazed by the label “killers”. In previous conversations he had alluded to the fact that the LRA took a lot of pride in being such an efficient military force. Being called a good killer by your enemies was a badge of honour rather than an insult. In other conversations with LRA members, I had encountered that boasting about violent group successes, particularly against the UPDF and the SPLA, was common—as was being a lot less open about one’s own individual role. Otti’s being unperturbed about being called a killer was not jarring. His being publicly referred to as

426 P.Ricoeur, *Oneself as Another*. Chicago: Chicago University Press, 1992.

427 Guidelines on writing narrative enquiry come from R. C. Bogdan and S. K. Biklen, *Qualitative research for education: An introduction to theory and methods*. Boston: Allyn and Bacon, Inc., 1982; D. J. Clandinin and F. M. Connelly, *Narrative inquiry: Experience and story in qualitative research*. San Francisco: Jossey Bass, 1990.

an animal, on the other hand, elicited a surprising reaction: it seemed to tremendously amuse him. He was laughing, waving his hands to loosely point at the LRA fighters around him to indicate that nobody there was an animal. He then got up and left.

I took the opportunity to stroll over to join Colonel Lubwoa Bwone, who was sitting with Alfred "Record" Otim. They were seated too far away to have overheard my conversation with Otti. As soon as I asked if I could join them, they demanded that I take their picture, joking that I was photographing "jungle animals". Another LRA soldier, to whom I had not been introduced by name, walked past. He stood for a moment, then lifted up his shirt and turned his backside to me. "Do you see my tail?" he asked, wagging his bottom at me. "Am I an animal? Am I an animal? Can you see an animal?" When I had asked Kony about the people who were still with him in the bush, he had argued that the LRA was also a protective force. "We capture nobody," he answered. "They come to us for protection. Museveni has done very bad things, they want protection. We don't capture, we don't kill, we don't rape. That's not our work. They say we are animals. Can an animal take up a gun?"⁴²⁸

During the Juba Talks, the LRA spent considerable time contesting the idea that they were not human—at times in jest, at others in a more serious tone, seeking confirmation that the LRA's public image was ridiculous and far-fetched. It seemed to me that there were a few motivations behind this. Since mainstream interpretation tends to discount the LRA's rationality in executing violence, ridiculing the mainstream was a good way to reclaim such rationality. In addition, emphasising the humanity of the LRA recalibrated their violence from being animalistic to militarily astute. Moving the notion of the LRA from senseless to strategic was an endeavour to give them a more credible political position in the talks, an extension of the narrative they had set out to establish in the opening ceremony speech. They were well aware that their war had been depoliticised and that they had been dehumanised—and in both processes they themselves had played a substantial part. Reclaiming both politics and humanity was an important strategy, as was stressing the legitimacy of being a rebel against a hostile government.

Colonel Lubwoa Bwone explained to me how he came to be an LRA rebel. He presented it as a strategic decision to devote his life to armed struggle. He said that he remembered the exact moment: "I walked over to the LRA on September 28, 1986, at 4 pm from Lacor. I said goodbye to my family, to

428 Fieldnotes, Ri-Kwangba: 12/6/2006.

my mother, to join the rebels.”⁴²⁹ When he walked into his future as a rebel, he had just finished school level Senior 4. The situation in 1986 was bad and his family expected him to help the community in the struggle. He saw no other choice but to go, wanting to fulfil his family’s hope that he could do his share to make things better, expressed through the name they had given him: “My family had called me Lubwoa, ‘the social one’.” He wanted to make his contribution to his community, to live up to his name. He seemed to have a strong sense of identity, stressing several times the significance of his friendly name. When he said goodbye to his mother, he “could not imagine” that it would be 20 years until he would see her again. The rebellion was not supposed to be his lifelong occupation; he wanted to finish this business quickly and help re-establish some sort of northern-led control over the government. But despite having been in the bush all this time, he felt that he was still the same person as he had been in the autumn of 1986: “I did not stop being the ‘social one’. But I was now also a rebel.” For him, the Juba Talks had already been worthwhile because they had made it possible for his mother to visit him and see him again.⁴³⁰

At first, when Bwone had heard that Machar was bringing LRA family members to Ri-Kwangba in late July 2006, he had not wanted his mother to join the visitors’ delegation. He knew that at that point in the Juba Talks he would not be able to leave the bush and would have to say goodbye to her again. Even though he was very happy to see his mother once she had arrived, when she left to return to Uganda, it felt to him like 1986 all over again. Again he did not know when or if he would see her again, unsure if the peace talks would make it possible for him to return to northern Uganda. He did not want to be enticed, to be given false hope through his mother’s visit. After all, he had always thought that the war would make it possible for him to return to a better home, once the NRM was defeated and the situation improved. Now, sitting in Ri-Kwangba and waiting for the developments in the Juba Talks, he was no longer sure that either war or peace would bring about that improvement.

He said that he still wanted to finish the “business of this war”, but only if the terms were right. Being a rebel for life had not been Bwone’s plan, but nonetheless in the summer of 2006 rebelling remained part of the plan because he still saw reason to do so. He explained that the situation that had pushed him to make the conscious choice to become a rebel on September 28, 1986, at 4pm remained unchanged. Another senior LRA commander who was sitting with us agreed that the armed fight of the LRA was still not over because the situation was still bad. He said they needed to

⁴²⁹ The rebel force at the time would not have been called LRA—but Bwone chose to describe the rebels with today’s name.

⁴³⁰ Lubwoa Bwone’s mother, Mary Atenyo, was part of the delegation brought to Ri-Kwangba in July 2006.

make sure the situation would be good, either through war or through peace talks. Later, I asked him how he felt about what the LRA had achieved so far in the war and what he himself had achieved. He answered by describing two kinds of achievement: "I feel wasted," he said about his life. "But only wasted for myself. I am not wasted for the fight."⁴³¹

Bwone and Alit often said that I should join their fight. One day they started discussing what LRA rank I deserved. At first they thought I should start as a private, as everyone does, but then agreed that I could be an honourable captain. They explained that I had earned that rank because I was tough enough to keep visiting them in the bush. Assigning a military rank to me was the highest reward they had to offer—even though they had giggling fits discussing the idea. Being tough was good, they said, and the only way to show one's strength was through military rank. Before each visit to the bush I spoke to Otti on the phone to arrange a meeting with him. Each time he said that it would be his duty to meet with me. After all, he said, I, a woman, had taken on the hardship of coming to visit him in the bush. It would be impolite to not see me.

After Otti granted me an audience on the day when I was told I could be an LRA captain, Bwone and Alit started discussing if I had anything to offer that would allow me to work up to a rank above captain. What did I have to offer beyond being able to spend time in the bush? Not much, I conceded. I did jokingly mention my green belt in judo, even though I have not donned a judogi since I was 16. Immediately I thought that competing in martial art skills was not a very good idea. The last situation I wanted to get into was one where LRA commanders would ask me to demonstrate judo throws, chokes and holds. The thought of judo clearly intrigued Bwone. He said that judo was new to him; usually the LRA fighters practised karate kicks or kung fu jumps. They knew these from watching DVDs; they liked Bruce Lee. Bwone now wanted to know more about judo. I explained that while it was a martial art, it was not really a contact sport and was a lot gentler than karate. It was a way to use your opponent's strength to your advantage. "Maybe it is a softer way for when the LRA is in peace," he said.

Bwone had devoted his life and existence to the LRA cause. He said that this choice had constrained his opportunities, but that he had still maintained other goals in life in case the armed rebellion worked out. He harboured the idea that he could still make up for lost time and start something new. Maybe, he said, he could even go back to finish Senior 5 and 6, just "like

431 Fieldnotes, Juba: 30/6/2006.

[former LRA spokesperson] Sam Kolo did after he left the LRA".⁴³² He told me that he wanted to be my bag carrier and travel the world with me, lifting up my heavy bag to show me that he was capable of the job. Most of his other ambitions were drawn from listening to the radio almost every day: "I want to see glaciers and the Danube River," he said. "I want to learn more about globalisation and global warming and judo." When he mentioned judo, he winked at me.

Lieutenant Colonel Alit pitched in. He was keener on returning to his old life, rather than expanding his horizons after leaving the bush. He wanted to return to his job as clarinet player in a military brass band, so he asked me if I could bring a clarinet for him next time.⁴³³ On various occasions, Alit stressed to me that he was the only one in the LRA who knew how to play an instrument. A third commander chimed in when we were talking about ambitions. He said: "Me, I had a good upbringing. My English is better than that of the others. I keep it up."⁴³⁴ He explained that when he was child, he had only one goal: "I wanted to be like a walking dictionary, back in school, learn all the words from A to Z. But then the war came and I stopped."⁴³⁵ He asked to me bring him a dictionary on my next visit, which I ended up doing. I gave the dictionary to a young soldier to pass it on. I do not know if the commander ever received it.

Bwone is part of the senior generation of commanders; he has seen waves of war and peace efforts come and go. He talked about his conscious choice to become a rebel in a similar fashion to Otti or Alit. They all alluded to having been put under pressure because NRA forces had threatened their families. Kony's explanation of why he was a rebel was different: he stressed that "the Acholi elders" had sent him to fight Museveni—without specifying that it was a small group of Acholi elders, rather than all of them—and that he was fulfilling a task that had been assigned to him. Most senior commanders with whom I spoke seemed comfortable with their conscious choice to carry out the mandated fight for the Acholi. Several commanders hinted that Museveni had determined their lives because he had created a situation in which resistance at all cost was crucial. Therefore they had sacrificed what their lives might have been to resist him, not knowing that it would turn out to be a lifelong sacrifice. They were also slightly bemused by my obvious interest in their motivations, at times

432 Former LRA spokesperson Sam Kolo went back to school after he defected from the LRA. He graduated from Gulu University with a business degree in January 2012.

433 Author interview with Col. Lubwoa Bwone and Lt.Col. Santo Alit (LRA). Ri-Kwangba: 22/9/2006.

434 Fieldnotes. Juba: 6/6/2006.

435 Fieldnotes, Juba/ Magwi: 2/10/2006.

saying, with a laugh, that I was posing a lot of questions that asked “why” they were doing something. It was just how things were, and often they seemed resigned to that fact.

Speaking to the younger soldiers, I came across this explanation regularly: things are the way they are because they just are. I talked to a group of younger LRA fighters about the kind of life they had. Captain Conggwok showed me his black arm bracelet. I asked him what it meant. “If I take this off, I die,” he said in broken English. “Joseph put this on me eight years ago. This is our life. This is our culture in the bush.” I grabbed his hand and pointed at his red nail polish, asking him why he was wearing it. He laughed. “This is life,” he said.⁴³⁶ I was not sure whether this was his answer because he spoke limited English or because some things do not need explanations. Not all of the younger soldiers spoke English, but those who did spoke it surprisingly well. I tried to engage with one boy. His name was Norbert; he had a sweet face and a beaming smile. His deep blue Hawaiian shirt added to the general impression of cheerfulness he radiated. He laughed at my attempts to speak Acholi. When I asked him how he liked doing this work, his eyes darted around. He continued carrying around the cooking pots he had been fetching, still smiling, but not answering.

Another young man was more receptive to talking to me. We struck up a conversation. He was 15 years old; he thought he had been in the bush for 10 years. Being in the bush made no sense to him, he did not know what it was supposed to achieve. He maybe knew at some point because when I asked him what his job was he answered: “I forgot. It is too big a question. I am only 15.” He showed me a notebook he was carrying in his pocket and compared it with my notebook. He explained that he kept a notebook with him at all times because he was still hoping to one day go to school and he wanted to do as much as possible to be prepared. Unlike many of the others I spoke to, the status of being in the LRA was less definite for him.

I encountered a difference in understandings of their situation between the older generation, the middle and the young soldiers. The older generation—such as Bwone—seemed convinced that what they were doing was good and necessary for the community. Judging from their plans to go back to their old lives or start something new, they seemed to think that maybe they would come out of it unfazed. The younger generation, like Norbert, could not express the greater purpose of their existence. Some expressed hope that they would leave their current life behind. Yet most were too shy, too scared or too busy asking me to take their photo to explain in detail to me what their thoughts were. The middle generation mostly described the

⁴³⁶ Fieldnotes, Ri-Kwangba: 11/6/2006.

LRA fight as a more personal issue. They talked about being proud of being an LRA member, but also about their hopes that a better future in Uganda might still be possible for them.

The two spheres of the LRA and an imagined better world in Uganda were distinct, but tightly connected: The latter could not be reached without the former. This generation wanted to find the way to avoid being in the LRA forever as much as living under the current conditions in Uganda.⁴³⁷

"I fight for the Acholi," one man I considered to be from the middle generation explained, "but I also fight for a better life. I fight because of how I have been treated and my personal loss." His father, he said, had been killed by Idi Amin, but he was not sure when exactly this had happened or whether it was even true. All he knew for sure was that his father had disappeared during the time of Amin's regime. His brother—of this he was certain—was shot by the NRA in 1989 for having been a member of the Uganda National Liberation Front (UNLA) on the side of Milton Obote and Tito Okello.⁴³⁸ The young man remembered how people were later chased from their villages by government soldiers, shot and burnt. He made a gesture to illustrate how the soldiers took razor blades to

437 Leonardi describes a very similar tension experienced by youth in southern Sudan. She calls it an "*in-between role*" (p.394) and argues that youth are torn between the two spheres of the home and the military/government 'hakuma' and resisting "full incorporation into either sphere" (p.395), including through capture by the military. See C.Leonardi, "'Liberation' or Capture: Youth in Between 'hakuma', and 'Home' During Civil War and its Aftermath in southern Sudan", *African Affairs* 106, 424, 2007.

The interpretation of individual LRA being caught in the space between LRA and life in Uganda that I offer here departs from distinctions made by Allen and Mergelsberg. Mergelsberg suggests that transitions from life at home (*kit kwo ma gang*) and life in the bush (*kit kwo ma ilum*) are "the most painful times". B.Mergelsberg, "Between two worlds: former LRA soldiers in northern Uganda", in *The Lord's Resistance Army: Myth and Reality*, ed. Tim Allen and Koen Vlassenroot. London/ New York: Zed Books, 2010, p.167. While it certainly seemed the case that the transition was considered difficult, the way the two spheres were described to me emphasised that they were connected, rather than separate. Allen makes a similar distinction between an inside and an outside world, with separate rules applying for each. Allen discusses the two terms *gang* and *olum* as the distinction between different spheres with different rules, with "'the bush' (*olum*) as a place of unpredictable and amoral phenomena". T.Allen, *Trial justice: The International Criminal Court and the Lord's Resistance Army. African Arguments*, London: Zed Books, 2006, p.44. Also see T.Allen, "Violence and Moral Knowledge: Observing Social Trauma in Sudan and Uganda", *Cambridge Anthropology*, 13,2, 1988; T.Allen, "Ethnicity and Tribalism on the Sudan-Uganda border," in *Ethnicity and conflict in the Horn of Africa*, ed. K.Fukui and J.Markakis, Oxford: James Currey, 1994. Girling describes the meanings of the word *gang* (the home or the village, p.7) and *olum* (which he translates as 'grass', p.23) .K. Girling, *The Acholi of Uganda*. London: HMSO, 1960.

438 The various member groups of the UNLA initially included Obote's, Okello's and Museveni's followers, who defeated the UNLA in 1986. See also F. van Acker, "Uganda and the Lord's Resistance Army: The New Order No One Ordered", *African Affairs* 103, 412, 2004.

cut the anuses of those who resisted.⁴³⁹ "I feel that my revenge is both for those who suffered, but it is also for me because I was not allowed to have a good life." Another commander talked about the sacrifice: "I did this [being in the LRA] for my people, but for myself, it is very difficult," said one middle-rank commander. "Sometimes, when I look back, I hate my life, how things have gone. I was always listening to command. Maybe it is too late for me now to have choices. I had a plan when I was in Senior 4. I wanted to study divinity. I was reading my favourite book. *Things Fall Apart*. But everything is washed away from my brain."⁴⁴⁰

One of the delegates was reflecting on his own role in the peace process after returning from a visit to Ri-Kwangba, where he had met with Kony. He explained that he had a good experience meeting Kony: "I am proud of what I have done, for my people. I have fulfilled my mission. Even the chairman, he is proud. He looked at me and then looked away and he was proud." I asked him what was more important to him—to be proud of himself or that the chairman was proud of him? He answered: "Myself, of course."⁴⁴¹

This exchange echoed what I had encountered before: while LRA members stressed that they had been fighting as a group and group identity was clearly crucial, individuals also said that the war was about themselves as individuals and what they had lost. At times, the importance of standing up for yourself was explained through the figure of Kony, who was also seen as an individual who in standing up for himself had stood up for the group. One day in Juba, while waiting for a meeting with Machar, one delegate turned his phone towards me and asked me to read a text message. He said that the chairman had sent this to him and the rest of the delegation to

439 Amnesty international's Uganda Country Report of 1999 lists numerous methods of abuse by Ugandan government soldiers in rural areas, including disappearing people, rapes, beatings and extrajudicial executions. See amnesty international, "Uganda Country Report", 1999.

A report by Human Rights Focus lists a range of abuses. Human Rights Focus, "'Between Two Fires' The Plight of IDPs in Northern Uganda: The human rights situation in the 'protected camps' in Gulu District, Northern Uganda," Kampala: 2002.

The practice of tek gungu (bent over) is well documented as a systematic way of raping both men and women. In a 2012 report on the UPDF in Uganda's north-eastern region Karamojong, amnesty international writes about abuses: "UPDF soldiers have allegedly used torture and other ill-treatment especially while undertaking searches. There have been reports of UPDF soldiers removing suspects' teeth, burning suspects using hot metals and hitting the muscles and veins of men around the anus and the testis." amnesty international. "Uganda: Human rights violations in Karamoja region guarantees impunity". Kampala: 2010. In 2003 it was reported that a man had been awarded damages after being tortured by the UPDF in 1998. Although the exact methods of torture were not spelt out, doctors confirmed that he was no longer able to control his rectal function as a result of torture. Sheila C. Kulubya, "Torture victim to get Shs 60m", *The Daily Monitor*, 26/2/2003. The LRA/M in their first position paper of the Juba Talks reiterated that "NRM soldiers went to the extent of cutting men's anuses with razor blades and pouring paraffin therein to enlarge them to fit their sex organs." LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006.

440 Fieldnotes, Juba: 28/9/2006. *Things Fall Apart* is Chinua Achebe's 1958 novel.

441 Fieldnotes, Juba: 27/9/2006.

support their efforts in organising the peace talks. The text message read: "HEAVEN watches over its TREASURES and you'r one of its FINEST and most PRECIOUS. Live your life knowing GOD will never take His eyes off you! Am prayin 4 u all!"⁴⁴² When I asked the delegate what this actually meant, he explained that "the chairman is telling us who we are."⁴⁴³ While it seemed rather unlikely that the message was indeed from Kony, presenting it to me in this way nonetheless showed how I was supposed to perceive the connection between Kony and the LRA fighters. It seemed to be a double defence of their identity against their reduction the LRA in both the war and mainstream analysis to "animals". An implication of this for the Juba Talks was that any change in circumstances would also lead to the loss of the one possession that LRA members had retained: their identity.

In late 2009, I asked a former delegate what he would say the purpose of the peace talks was. He explained that in order for peace talks to be effective, they had to simplify and make goals very easy and achievable. This was difficult, he said, because with every issue tackled, it had become clear in Juba that "things break apart." I asked him what he meant. "Sometimes I want other things for myself than I want for the LRA," he explained. He wanted the LRA as a militant organisation to cease to exist, but for it to continue as an opposition movement ready to take up arms against Museveni if need be. He himself never wanted to take up arms again, but he felt that he might have to if the LRA came out of the peace talks too weak.⁴⁴⁴ When asked what he would do should talks fail, one of the LRM delegates who had been resident in Uganda answered: "What happens if talks fail? It will be very difficult for me. I may need to go somewhere else. If it goes wrong and there is no option, I might have to take the hellish choice and go into the bush to fight."⁴⁴⁵

Contained within a strong communal identity are personal identities that are shifting and multifaceted. Over the course of a few years, I observed how biographies were reinvented, and how within the system LRA, individuals changed their affiliations or even their names. In Uganda, it has been quite common for LRA fighters to present themselves as LRA abductees, or for those who have never been with the LRA claimed to have been abducted, depending on which category seems to bring more benefit

442 Fieldnotes, Juba: 6/6/2006, sender's caps—I have my doubts whether this message was truly sent from Kony's phone, but it is what I was told.

443 Fieldnotes, Juba: 6/6/2006.

444 L Fieldnotes, Nairobi: 11/11/2009.

445 Fieldnotes, Juba: 11/10/2006.

in any given situation.⁴⁴⁶ In different situations I heard five different autobiographies of one of the LRA members, told to either me or others. He was born in the bush, or he was abducted when he was very young because his uncle was in the LRA, or he was abducted as an adult, or he never fought in the LRA but had been one of the outside contact persons, or he had always been a government infiltrator. I am unsure whether the photograph he gave me of himself as a young boy in the bush, holding a gun, credibly rules out any of these.⁴⁴⁷

The middle generation—medium-rank commanders who had been with the LRA most of their young adulthood—talked about their life in the LRA as the somewhat inevitable card they had been dealt: “You understand that that is what you have to do, what you believe is right,” one young commander explained. “Maybe a soldier is not blamed for the wrong decision of the command, like in Iraq, but as a soldier, you do believe it is right and then you do it.”⁴⁴⁸ Another middle-rank commander linked fighting for the Acholi cause to his own growing up to be a man, as a task comparable to providing for a family and having a son: “It is hard to be a man. You have many things to concentrate on. You have to look after your wife and children. You have to have a son and one thing to do also is to fight for your right.”⁴⁴⁹ Another expressed that shaking off the LRA identity was complicated: “I don’t know what I can do in the future. If I can go back to Uganda, I don’t want to be in the UPDF. I don’t want to be known only as former LRA. I don’t know what I can be”.⁴⁵⁰

One commander explained to me that the chairman of course knew that his fighters were using violence to fight for the community. However, he said, the use of violence did not make the chairman happy; instead he was full of regrets that this was the path individual lives had had to take. I failed to

446 T.Allen and M.Schomerus, *A Hard Homecoming: Lessons learned from the reception centre process on effective interventions for former 'abductees' in northern Uganda*. Washington DC/ Kampala: USAID/ UNICEF, 2006. An obvious manifestation of conflicting identities is the fine line between perpetrator and victim, as discussed by C.Dolan, *Social Torture: The Case of Northern Uganda, 1986 - 2006*. Oxford/ New York: Berghahn Books, 2009; or by Baines for the case of Dominic Ongwen. E.Baines, "Complex political perpetrators : reflections on Dominic Ongwen." *Journal of Modern African Studies* 47, 2, 2009.

447 In theatre, fluid identity is best expressed in the anti-illusionism movement. In Pirandello's classic play *Six Characters in Search of an Author*, the line between actor and character is blurred to suggest that reality and its clear distinction from fiction are merely a perception. Luigi Pirandello, "Six characters in search of an author," in *Six Characters in Search of an Author" and Other Plays ("Henry IV" and "So It Is, If You Think So")*, London: Penguin, 1995 (1921). The point that the play makes is that fictional characters are more “real” as they remain unchanged, as opposed to real people who change as time progresses, and that outside forces influence a person and make them behave as if in a play by changing their character. I observed this very firm “real” character particularly when people talked about the LRA identity.

448 Fieldnotes, Juba: 30/9/2006.

449 Fieldnotes, Juba: 7/12/2006.

450 Fieldnotes, Ri-Kwangba: 19/9/2006.

grasp what the young man was trying to say. He elaborated that when he was abducted, the chairman found out that he was the brother of a woman who was married to a person very close to the chairman. A few months after his abduction, the chairman personally came over to him and apologised for the abduction. I wanted to know if the chairman offered to let him go. No, the man replied, on the contrary. Kony said that it was good that he had come as he could now prove his worth, and that was just how it was.⁴⁵¹ Another expressed both pride and weariness at being with the LRA, which was something, he said to me, that I would not be able to understand because I could always get on a plane back to Europe. "I am destined to do this," he said when I asked why he was fighting. "The difference between your life and my life is that you have the ability to choose. I don't."⁴⁵²

Prize Identity

While he was in a prominent position in the delegation, one delegate often stressed how long he had been an LRA supporter and how close he was to the leadership, particularly to Otti.⁴⁵³ Some of his colleagues never found this particularly convincing. Over the course of the next two years several delegates explained to me that this particular man was a con artist, that he was a government agent, that his contact with the leadership was very weak. The man in question, however, was obviously proud of being part of the Juba Talks—as were many other delegates. This was not surprising.

Within the confined space of Juba, delegates had become celebrities, along with the LRA leadership. In Juba Market, at the time a small downtown market, various photo CDs were on sale, displayed prominently next to the David Beckham posters and pirate copies of the Nollywood hits *The Abuja Connection* and *Rising Moon*. The CD sleeves showed crude photocopied pictures: Ojul shaking Kony's hand, Machar shaking Otti's hand, Kony shaking Machar's hand. Twenty photographs of great LRA encounters, to be viewed at home.⁴⁵⁴ While for example Ojul's standing as a bona fide spokesperson was not entirely solid within his own group or with members of the international community working on the peace talks; to the outside

⁴⁵¹ Fieldnotes, Juba: 18/12/2006.

⁴⁵² Fieldnotes, Juba/ Magwi: 2/10/2006.

⁴⁵³ Fieldnotes, Ri-Kwangba: 13/7/2006.

⁴⁵⁴ Fieldnotes, Juba: 20/2/2007.

world he—along with the LRA leadership—was a celebrity. His image had become marketable stock.

“You should be called a hero,” Bwone said to me. “Nobody has managed to do what you did. If you write a book, there will be lots of fame for you.” It was an awkward exchange for me. Bwone was clearly teasing me, following on from a previous conversation in which he had pointed out that I was doing quite well establishing myself as an expert on the LRA. The conversation turned to a topic that I was uncomfortable discussing with the LRA: how I had managed to conduct the only interview with Kony, only to have it published in a distorted manner without receiving credit for it.⁴⁵⁵ In 2006, after a year of preparation, I had managed to organise a sit-down television interview with Kony in the bush. I had brought along a BBC reporter to give the story the greatest possible play. After the interview, the BBC reporter distorted the factual story of the LRA war for the BBC and published my interview under his own name in *The Times* of London and *Harper’s*. Having been rather bruised by the experience, I cringed at Bwone’s suggestion that I was a hero and shook my head. “You are a hero,” he reiterated. “We know the interview with the chairman was a big prize. You got the prize.” Alit explained to me the story of Jacob and Esau, and said that he felt that the price of the interview had been taken from me by someone who wanted to take credit for what I had achieved, just as Jacob in the biblical story took the blessings meant for Esau.⁴⁵⁶ The prize had now been taken, he said; it was now up to LRA to show that there was more to them.

Others wanted the prize as well, and the LRA/M knew that. “It is the longest-running war in Africa, everyone wants the fame,” a delegate explained to me, commenting on how St Egidio had portrayed the signing of the CoH on their website. Just like Pax Christi, St Egidio had played a much smaller role in the peace talks than they had hoped, thanks to Machar’s role as the mediator. “St Egidio went back to Rome. They did a press conference to say that through their effort, the cessation paper was signed,” the delegate said. As a result, he said, Machar did not want St Egidio back, because they did not acknowledge the effort put in by everyone else. Machar was, as the delegate reported it, “pissed off, sincerely”.⁴⁵⁷

⁴⁵⁵ For a detailed account see M.Schomerus, “Chasing the Kony Story,” in *The Lord’s Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London: Zed Books, 2010.

⁴⁵⁶ Author interview with Col. Lubwoa Bwone and Lt.Col. Santo Alit (LRA). Ri-Kwangba: 22/9/2006.

⁴⁵⁷ Fieldnotes, Juba: 12/9/2006.

Meetings with the LRA leadership had the air of celebrity encounters. On his first trip to Ri-Kwangba, Ugandan MP and later presidential hopeful Norbert Mao hugged Kony. Mao later somewhat sheepishly commented that this did not mean that he supported Kony. A reporter for Kenya's *Weekly Observer* described the scene of the arrival of a group of Ugandan MPs in Ri-Kwangba:

Otti then announces that there would be a handshake with the general. The visitors scramble to greet the man whose 20-year rebellion has caused mayhem in northern Uganda. "General, I am making history now. General, I am the first West-Niler to shake your hand General. General, I am now a hero," goes an excited Arua Municipality MP, Akbar Hussein Godi. Another praise singer: "General, I am also a hero. General, they say a lot of bad things about you but I have seen you with my hands General. General, what they say about you is not true...", that is Kumi LC-V chairman, Ismael Orot who, by the way, is an NRM member. An embarrassed Santa Okot, former Pader Woman MP, is forced to plead with Kony that the women should have their turn because they can't match men in fighting for his handshake.⁴⁵⁸

I experienced similar scenes. During an impromptu press conference by Otti in the bush, a handful of reporters showered the second-in-command with questions. "Do you abduct children? Do you have children in the bush? Why do you attack civilians?" the reporters shouted. Otti's answers were taciturn. At the end of the press briefing, the reporters put away their notebooks and tape recorders and asked to have their photo taken with Otti. All gathered for a group shot around the second-in-command. The reporter from Uganda's government newspaper, who had asked why Otti attacked civilians, wanted an individual photograph of himself and Otti. The photos were taken as the journalists were shaking hands with Otti or patting his shoulder, smiling into the camera.⁴⁵⁹ Otti, while seeming a bit confused about the combination of hostility with reverence, clearly did not mind the attention or the celebrity status. In a few conversations, he talked about how the world was now understanding the LRA, judging somewhat prematurely that the delegation had negotiated a more favourable attitude towards the LRA—an impression that often fuelled their more rigid negotiating positions. They felt encouraged by what was perceived to be outside support. It was similar to how, as it was phrased in a position paper, continued support through the West "has emboldened Museveni to continue committing the genocide". This was despite "selfish pursuit of political, economic and military interest by nation states enthusiastically embraced to the detriment of ensuring addressing issues that ensure the

458 S.I. Nganda and B.H. Oluka, "Behind scenes: Mecca in DRC jungle", *The Weekly Observer*, 10/8/2006.

459 Fieldnotes, Ri-Kwangba: 19/9/2006..

realisation of Human Rights, democracy and rule of law in parts of the world where they are in danger".⁴⁶⁰

When I asked Otti what he was hoping to gain from the peace talks, he said that in wanting to receive recognition for their work, the "LRA is no different than the NGOs, the UN, and yourself." All of you, he said, talking about the long list of international representatives, organisations and media, have pursued the LRA story for professional recognition. UN Undersecretary of Humanitarian Affairs Egeland had visited the LRA the day before. In Otti's judgment, he had visited for the same reason that the LRA wanted peace talks: to get professional recognition. Even Egeland, Otti said, wants to be recognised and wants to be able to tell the story of meeting the LRA high command.⁴⁶¹ In his autobiography, Egeland describes his encounter with Otti:

"Welcome!" says Vincent Otti, Kony's deputy, striding toward us. A tall, elderly man in camouflage uniform with elaborate Soviet-made red epaulettes, he has taken the title of lieutenant general. He is waiting to greet us at the assembly point in Ri-Kwamba together with a dozen silent LRA officials... It is an unprecedented meeting. No ranking UN official has ever met the LRA leadership in the twenty years they have been in hiding.⁴⁶²

I asked Otti what else he thought of the meeting with Egeland, of the large press corps following him and the frantic activity as reporters called in their quotes to their newsroom, shouting into satellite phones: "We are all here for two reasons: for money or because we want to be a hero. I would like to have money, too," he answered.⁴⁶³

Rules

Within the scholarship on the LRA, the emphasis on rules is very strong, to the extent that rules are at times presented as the defining factor of

460 LRA/M delegation in Juba /O.Olweny, "First position paper of the LRA Peace Delegation during negotiations", Juba: 16/7/2006. Cockett describes a similar mechanism of perverse incentives in the Darfur conflict. Being touted as the good guys in the war, the Sudan Liberation Army and the Justice and Equality Movement received exposure to US support that allowed them to feel strengthened in their far-reaching demands for a settlement and their expectation of outside help in pushing those demands through. Richard Cockett, "Sudan: Darfur and the failure of an African state", New Haven and London: Yale University Press, 2010.

461 Author interview with Vincent Otti, Ri-Kwangba: 14/11/2006.

462 J.Egeland, *A Billion Lives: An Eyewitness Report from the Frontlines of Humanity*. New York: Simon and Schuster, 2008.

463 Author interview with Vincent Otti, Ri-Kwangba: 14/11/2006.

identity.⁴⁶⁴ Yet it was obvious that rules within the LRA were also negotiable and adjustable. It seemed to be less the case that rules shaped the LRA identity than that the LRA identity shaped the notion of having strict rules. Most rules that were explained to me were grounded in the LRA's existence as bush fighters. They also, it seemed to me, served to narrow the category of unacceptable human behaviour to the smallest possible denominator. Thus establishing strict rules also granted a certain freedom and allowed actions that were very similar to what the rules forbade, but not exactly the same. That was why, they explained, even when violent, the LRA stuck to certain rules.⁴⁶⁵ Emphasising that these rules of conduct existed seemed important to LRA commanders. However, when nobody else was listening, they also spoke about knowing the rules and breaking them.

Sudanese civilians in Owiny-Kibul and Obbo in Eastern Equatoria told me that whenever the LRA came to the market in either town, they only ever drank soft drinks in public, even though they sometimes asked for alcohol to take into the bush. The LRA were adamant that they did not consume any alcohol or drugs, so buying alcohol was either a bending of the rules or part of some trade that went on in the bush. One delegate explained to me that alcohol and womanising were forbidden because both distract the fighters from their mission. Smoking was prohibited because the smell of a cigarette could easily betray the secret location of a hideout.⁴⁶⁶ Despite the supposedly strict rules on cigarettes and alcohol, I saw LRA members smoking when outside the bush. One carried a camouflaged bottle of alcohol, taking regular swigs. I saw him being taken aside by his colleagues to be reprimanded. Afterwards I enquired about this scene. "Did [the LRA member] tell you that he drinks?" I asked another LRA. "We are not supposed to drink," was the response. "They [the high command] do not need to know. When we get there I have to tell him stop this."⁴⁶⁷

Spiritual observance and worship was stressed as an important element of group interaction. Yet once the LRA moved out of the exact territory and

464 The LRA as a normative *communitas*, in Turner's phrase, is well documented: the group follows a tight set of rules, even though these are changeable depending on circumstance. Annan et al. have written about the strict set of rules governing LRA behaviour, regarding for example the prohibition of sexual violence against civilians, which served "an instrumental purpose, augmenting the LRA's command and control of diffuse mobile units, and helping to curb the spread of HIV/AIDS". Jeannie Annan et al., "Women and Girls at War: 'Wives', Mothers, and Fighters in the Lord's Resistance Army", New Haven/ New York: 2008, p.21. The extent to which the LRA committed sexual violence against civilians is unclear: Doom and Vlassenroot stated that the LRA raped both men and women in public. R.Doom and K.Vlassenroot, "Kony's Message: A New Koine? The Lord's Resistance Army in Uganda", *African Affairs* 98, 390, 1999.

465 This data was gathered between 2006 and 2008. Some of these rules seem to have changed since.

466 Fieldnotes, Juba: 9/7/2006.

467 Fieldnotes, Juba: 6/6/2006.

structure for which these rules had been made, they seemed to be less important. Passing a mosque, I asked an LRA member whether he prayed. He looked at me with surprise, as if the answer was obvious. "It is a must for us. When we are [outside the bush] we pray three times a day. Sometimes we pray whole days in the bush. We are LRA."⁴⁶⁸ In reality, praying seemed to be an afterthought on many occasions. Twice when I sat down in Ri-Kwangba to eat the honey with mandazis I had been offered, Lieutenant Colonel Alit apologised after the meal that he had forgotten to say grace.

Out of earshot of superiors, individual commanders saw no reason to pretend that the LRA was a non-violent force, but reiterated that there were certain limits to LRA violence. Raping women, it was explained to me, was for example not allowed because it exposed the LRA to disease. "Abductions have happened," said one man in the Ri-Kwangba assembly area. "I accept that. Killings have happened. I accept that. But not rape. If you rape in the LRA, you bring a big problem on yourself. The LRA does not rape. Ask the chairman. He will laugh."⁴⁶⁹

The LRA's claims on rape are problematic. While for a while the ban on rape of civilians seemed to discourage LRA soldiers, nobody denied that women were forcibly taken and given to LRA husbands, yet this was never linked to the notion of rape. P'Bitek writes that in Acholi culture, desire is expressed very directly and often before the man and woman get to know each other in any other way. Crucially, the woman has to decline the advance, which tends to be treated as meaningless. Porter argues that social relations in Acholi culture determine how crimes are perceived. In the case of rape, if victim and perpetrator have a close social relationship, victims tend to demand lesser punishment to maintain social harmony. It is possible that a similar mechanism also works the other way round: because LRA individuals feel they are doing something good for the community, forced sexual encounters are not perceived as rape.⁴⁷⁰

I confronted the young man with this obvious contradiction: that there had been abductions, but the LRA maintained that everyone was with them voluntarily. He explained that of course there were abductions; he himself had been abducted. However, the abductions worked differently than how

⁴⁶⁸ Fieldnotes, Nairobi: 28/5/2006.

⁴⁶⁹ Fieldnotes, Juba: 18/12/2006. In the violence that followed the Juba Talks, the LRA were implicated for mass rape. Human Rights Watch, "The Christmas Massacres: LRA attacks on Civilian in Northern Congo". New York: February 2009.

⁴⁷⁰ See H.E. Porter, "Justice and rape on the periphery: the supremacy of social harmony in the space between local solutions and formal judicial systems in northern Uganda", *Journal of Eastern African Studies* 6, 1, 2012; O.p'Bitek. "Acholi Love." In *The Anniversary Issue: Selections from Transition, 1961-1976*. Bloomington: Indiana University Press. 1964 (1997).

they were generally portrayed. Yes, the LRA targeted able young women, but not, as he saw it, to abuse them: "We ask them [the soldiers in the field] to bring girls, not old women. So they bring girls, but people do take care of them."⁴⁷¹ To him, abduction and forced marriage were a fact of life rather than an atrocity. He said that all of the United States was built using abducted people from Africa, so it was normal to strengthen your own power by taking in other people. Moreover, he said that the LRA as a community had a lot to offer to anyone who joined them, including to women, because there was good friendship in the LRA camp.

Another time, I was being served food in the LRA camp. A short-haired young woman in a blue T-shirt and ankle-length skirt placed a metal plate in front of me. Alfred "Record" Otim was standing by, as always filming my visit to the camp. He shouted out in English, to me, to look at the camera. The woman barely looked up, not making eye contact with either Otim or me. I asked Otim if both of us, the woman and I, should look at the camera and if we should ask the soldiers standing guard to get into the picture. I addressed the woman with an Acholi greeting and smiled. Otim was not pleased. "Don't mind, don't mind," he said. The woman reacted with a quick, uncertain smile and retreated backwards, half-bent. Otim waved her away and said that I was the guest of honour. He mumbled that the others, the woman serving food and the foot soldiers were... I did not catch the word and asked him to repeat it. They were, he said, "normal". But they do all the work, I said, laughing, trying to make light of the awkward situation. They cook and clean and they watch over you. When I turned to ask one of the young soldiers standing by to ask him for his name, Otim interrupted: "I am also working," he said, waving his camera. His, he said, was an important job. Commenting on my effort to get a soldier's name, he just said again "don't mind, don't mind."⁴⁷²

Kony was adamant that everyone who was with him in the bush had come there for protection, voluntarily. Leaving aside whether this was credible, it was clear that most abductees ended up as nameless, "normal" elements in a hierarchical society. Without being held in high esteem, they supported the society with their everyday work and were vital to its functioning. Having many "normal" ones also elevated the identities of those above them. How the normal ones were perceived internally points to the LRA/M's contradictory understanding of itself. After the failed signing, one delegate explained to me that the biggest shortcoming of the FPA was that it did not clearly state what would happen to the foot soldiers and did not provide at all for foot soldiers from countries other than Uganda. It is important to

471 Fieldnotes, Juba: 18/12/2006.

472 Fieldnotes, Owiny-Kibul and Palotaka: 26/11/2006.

take care of them, he said, because "most of these people are not there voluntarily." He said because they were not volunteers and were vulnerable within the LRA and within their communities, they needed to be afforded double protection.

Otti did not tire of pointing out my achievement in travelling to the bush as a woman. He said usually women are not be strong enough for such a hard journey, that I was more like a man.⁴⁷³ I said I had seen LRA women carrying great loads over long distances in the burning sun. Surely they were tougher than I. He shook his head in disapproval. Having spotted a female captain among the group of soldiers, I asked another commander what it was like to have women as soldiers. "Women are the worst fighters," he answered, and because of the conversation I had just had with Otti, I misunderstood. Having had my own achievements as a tough woman touted solely by virtue of having been driven along a bumpy road, I thought he was telling me that women were not good at fighting. "Why are they the worst fighters?" I asked. "You should be telling me, by the way," he responded, his pointed finger implying that I was the expert on my own gender. I shrugged to encourage him to keep speaking. When he continued it became clear that he meant the opposite of what I had thought. "Because they make up their mind to do something, they want to do it and then they are fierce in pursuing. Women are commanders, we have many women as high as major."⁴⁷⁴ What happens if a woman is a major, does she get married in the bush? "No," he answered. "Women with rank do not have children. Because women do not let having children be a coincidence. But if a woman commander wants a child they can have, they can make that decision."⁴⁷⁵

A few years later, I spoke to a man from the Dinka Ngok people from Abyei, who had been a SAF soldier in the Equatorias. He had been paired with the

473 This rather light-hearted remark might hide another explanation why the LRA was open to engagement with me. Along the Sudan-Uganda border, women are often seen as bearers of outside knowledge. This particular quality means that they become like men as they get older. T.Allen, "Ethnicity and Tribalism on the Sudan-Uganda border," in *Ethnicity and conflict in the Horn of Africa*, ed. K.Fukui and J.Markakis, Oxford: James Currey, 1994, p.132. My initial contact with the LRA largely came about because I was seen as the bearer of outside knowledge about the workings of the ICC. Often, LRA members found it remarkable that in my mid-30s, I had no children. In their eyes, I was probably indeed much more like a man.

474 In an article about women in the LRA that draws largely on existing stereotypes of the LRA while simultaneously aiming to refute them, Graham emphasises that Kony's spirit Silli Silindi is female and leads the female part of the LRA, the "Mary Company". She argues that women are seen only as less valuable fighters than men, but does not present any original evidence to prove the finding. S.Graham, "Mother and Slaughter: A comparative analysis of the female terrorist in the LRA and FARC", in *African Politics: Beyond the Third wave of Democratisation*, ed. Joeli Pretorius. Cape Town: Juta and Co, 2008.

475 That the power of decision-making is not denied to women is unsurprising in the context of northern Uganda. After all, Alice Lakwena had been the most powerful rebel leader prior to Kony himself. T.Allen, "Understanding Alice: Uganda's Holy Spirit Movement in Context", *Africa* 61, 3, 1991; H.Behrend, *Alice Lakwena and the Holy Spirits*. Oxford: James Currey, 1999.

LRA for many months, and he remembered how he used to fight side by side with the LRA and that their soldiers were “better than Arab soldiers”. This was because “all soldiers in the LRA were good fighters, even the women, the women were very good fighters.” He observed that only officers were allowed to bring their wives near battle sites, but “those wives were also fighting.”⁴⁷⁶

One LRA fighter explained that often after a battle the women would be unfazed, while he would cry with anger about his experiences: “I get very angry, and then I fight. Last time I got into a fight, I walked away, that was four months ago. Before that I got into big fight eight months ago.” I asked him what kind of fights, what were these fights about. He did not want to say; all he said was, “then I go and cry and I get better.” When I said that crying was usually for women, he laughed, shook his head and explained that he could also get very angry and uncontrollably violent: “Me, I am very bad also, but I restrain myself.”⁴⁷⁷

More senior commanders could express preferences when new women were abducted. The more senior the rank, the more likely it was that the commander would get to choose the woman of his liking. Younger soldiers had to hand over their shirts and the new women were required to wash them. The young man would then find his wife based on who had washed his shirt. Once the woman was handed over to the “husband” there were certain expectations of how he would treat her. These expectations did, in the eyes of the LRA, protect the woman from rape. A commander told me that a husband could not beat his wife—if he did, he would be punished with death. The reasoning behind this rule, I was told, was that for the LRA to survive, it was very important to “take care of each other”.

Otti and Kony insisted that the LRA was not abducting and that everyone who was with them had come for protection. In June 2006 Mary Sungu, then commissioner of Ibba County in Western Equatoria, confronted Otti in a meeting with Machar and demanded that he release women and girls abducted from her county in early 2006. Otti denied that the girls were with the LRA. Later on, in a side conversation with one of his delegates, he made the point that “the girls are there” and had been with the LRA ever since their abduction. Machar suggested that the LRA should stop abducting because then the girls might want to voluntarily marry LRA soldiers. Everybody laughed—except the commissioner, who was the only

476 Author (with translator) interview with former SAF soldier, Port Sudan: 11/1/2011.

477 Fieldnotes. Juba: 6/6/2006. Finnstrom recounts the story of two young Acholi men who said that men are more resilient than women and that women's weakness shows, for example, in their public display of grief at funerals. Restraint was considered a virtue that marked manhood. S. Finnstrom, “Gendered War and Rumours of Saddam Hussein in Uganda”, *Anthropology and Humanism* 34, 1, 2009, p.64.

female official in the meeting. For me, observing from the sidelines, the episode confirmed the parallel realities of the LRA, in which conflicting facts could live side-by-side. The realisation that abduction was wrong sat comfortably with the notion that abduction was necessary; being a tough fighter could be reconciled with crying to get better; taking possession of women, including sexual possession, did not seem at odds with rejecting accusations of being rapists.

Achievements

During the Juba Talks, the LRA/M initially focused on publicly reshaping the narrative of the war, away from a focus on violence and spirituality towards a politicised view of the conflict. When asked whether spirits had told him to fight this war, Kony answered:

No, no, no, no. It is not like that. God did not tell me to fight this war, no... Many people say like that. But God did not tell me to fight the people of Uganda or to fight the government of Museveni. Only the government of Uganda want to fight us because they said that we are we are we are we are using spirits, or spirit is with us so he want to kill all of us. But God did not told me to fight Uganda people. He told me to teach the Uganda people how to be a democratic system, how to be in a good leader. How to work together. How to be in God's law. But not to kill the people of Uganda.⁴⁷⁸

Dismissing any spiritual element was part of this recasting of the narrative, and it remains difficult to assess what role spirituality played at which moment and for whom in the LRA. In mid-2006, Kony and his delegates played down the importance of spirituality to focus on their military and political strength. Whether this translated into how junior LRA fighters related to spiritual powers is another question. A young Sudanese woman abducted from Parajok in January 2007, for example, told me that the young LRA soldiers who had taken her had asked her a range of questions straight after her abduction. These give an insight into what junior LRA soldiers still in the field at the time thought important: "Is your mother rich? Is your father rich? Do they have poison to kill people? Are they

478 Author interview with Joseph Kony, Sudan/ DRC border: 12/6/2006. Agbonifo writes that when disputing religion as a cause of war, it is "the very process of unmasking the failings of the political order [that] provides divine sanction, and support for efforts by rebellious protagonists to undo repressive systems." He argues that religion is generally used to sanction violent acts, rather than causing them. Debating how underprivileged groups view violence "as the only means of forcing through their objective", he states that "the appeal to religion is merely to demonstrate that the gods are not against the adoption of violent tools to undo perceived injustice. Religion comes after the will to political action; not before." J. Agbonifo, "Beyond Greed and Grievance: Negotiating Political Settlement and Peace in Africa", *Peace, Conflict and Development* April, Issue Four (2004), p.1 and 3.

witchcrafters?" She had answered that no, they were not rich and had no poison.⁴⁷⁹

In comparing the LRA to Alice Lakwena's Holy Spirit Mobile Forces, one LRA member said: "What Alice was doing was considered witchcraft. Alice did not fight a strategic war, you see, because she would leave UPDF weapons behind after a battle. Kony was never about witchcraft. This was always a strategic war."⁴⁸⁰ One commander explained to me that thanks to the LRA, the Acholi had regained some of the power that Museveni had wanted to take from them. The LRA was a way to show the world that they were "smart people", rather than just soldiers. "I became a major because of my brain. I am a good fighter also. But with a good brain you can be an academic officer or a field officer,"⁴⁸¹ he said. The reading material in the LRA camp emphasised the importance of learned military strategy; whether this was to make a publicly visible point or because the material on display was really what the LRA were reading is difficult to say. On my first visit there, I saw three young LRA soldiers with books. One was carrying a copy of Von Clausewitz' iconic celebration of European warfare, *On War*, another an edition from the *Idiot's Guide* series—*The Complete Idiot's Guide to US Special Operations Forces*—and the third was poring over a Tom Clancy volume titled *Special Forces* with one of the delegates, who seemed to have brought the book to the bush as a present.⁴⁸²

The move away from the image of stealthy spiritual forces towards a recasting of the LRA as military celebrities had an unexpected side effect for them. In late 2008, I was having dinner with a former delegate when his phone rang, flashing up the number of Kony's satellite phone. He pushed the phone aside. He explained to me that since his dismissal from the delegation, he no longer took Kony's calls. I was surprised. Two years before, the same man had sounded entirely devoted to Kony—and very respectful of Kony's mind-reading powers. In May 2006 he threatened me and told me that the chairman knew my motives. "Kony will know if you come with bad things in your heart," he had told me, leaning in and waving a finger in my face. The chairman had for now decided that I did

479 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009. For a detailed historical discussion on the significance of poisoning in Sudan's Equatoria regions, see C.Leonardi, "The Poison in the Ink Bottle: Poison Cases and the Moral Economy of Knowledge in 1930s Equatoria, Sudan", *Journal of Eastern African Studies*, 1,1, 2007.

480 Fieldnotes, Juba: 6/9/2006.

481 Fieldnotes, Juba: 28/9/2006.

482 C. von Clausewitz, *Vom Kriege*. Hamburg: rororo, 1973 (originally published 1873); M.Cerasini, *The Complete Idiot's Guide to US Special Operations Forces*. New York: Penguin, 2002; T.Clancy, *Special Forces: A Guided Tour of US Army Special Forces*. Berkeley: Berkeley Publishing Corporation, 2001. It is possible that the display of these books was a planned attempt to shift the narrative on the LRA.

not come with bad intentions, so I would be allowed to travel to the bush. Yet if I changed my intentions, I was told, I would be punished.⁴⁸³ It was not clear who would punish me—a spiritual force, Kony himself, or the people sitting across from me at that moment. Over the next few months, I was repeatedly accused of having bad intentions, ranging from charges that I would arrest Kony for the ICC to the claim that my chameleon-shaped silver pendant was a hidden recording device. I was told that the chairman was particularly afraid of my necklace.

In June 2005 one of the future LRA delegates told me at length that Kony controlled thunder and lightning and had access to his mind. “Number one always knows where I am and what I am planning,” he explained. “His power over me means I will never be able to betray him.” We were sitting in a private home in Gulu. Outside, rain poured down, lightning came and went, and thunder crashed. After one particularly loud thunderclap, the young man pointed to the sky and said that Kony knew he was speaking about him. I was reminded of this conversation when three years later, the same man defected from the LRA to openly work for the GoU, something he had reportedly been doing covertly all along. During OLT, his face was put on leaflets dropped over Garamba Park, telling LRA defectors they should seek shelter in the churches or with the Congolese army and that they would get amnesty in Uganda and be safe. He then proceeded to deliver falsified intelligence reports to donors and trying to trick the government out of large sums of money; he spent some time in jail over his trickery.⁴⁸⁴ For his time with the LRA, the young man received amnesty twice. His fear of Kony and the notion that Kony could always read his mind was thus not particularly convincing.

Middle- and senior-rank commanders spoke of Kony’s spiritual power when they wanted to make a strong statement. The same LRA whom I had seen in a television interview talking about Kony’s invincibility laughed when he told me a few weeks later that of course he did not really believe that the chairman could not be wounded by a bullet. Another LRA member said that in his view Kony might not be invincible, but the fact that he had survived for so long was proof that the cause was right: “I believe in the cause and I think there is a real reason why the chairman has been unharmed for so many years.”⁴⁸⁵ For him, this was proof of the leader’s legitimacy, rather than of his supernatural powers. When Otti spoke about power in the LRA,

483 Fieldnotes, Nairobi: 25/5/2006.

484 He posed as Bwone when delivering intelligence to US sources in Kampala about Kony’s lack of interest in signing the peace agreement. For a summary of what the supposed Bwone said see US Embassy Kampala. “08KAMPALA410 (classified secret): Ugandan officials not surprised by Kony’s movement into CAR”, 17/3/2008.

485 Fieldnotes, Nabanga: 20/9/2006.

he was always very clear about his own importance. I never heard him speak with anything less than the utmost respect for Kony, but he never seemed scared or devout.⁴⁸⁶ He never mentioned Kony's spiritual powers to me.

In stark contrast, international observers, journalists and young abductees in the LRA spoke about Kony's special powers as if they were the driving force behind events. Finnstroem has written about this "colonial imagination" that feeds outsider's notions of the LRA.⁴⁸⁷ "Vincent Otti thinks Kony is the messiah," said an international observer to me, for example. US sources reported, seemingly without questioning, that "Colonel Bwone," acting as an informer in March 2008, had told them "that Kony had moved at near lightning speed, travelling 270 kilometers from near Duru, DRC, to his current location in a 48-hour period".⁴⁸⁸ There was no comment that the steady pace of 5.6 kilometres per hour through dense bush, without a moment of rest or sleep, was somewhat incredible. In reality, the story had been peddled by a former LRA/M delegate who had been posing as Bwone on the phone and who had often impressed international observers with his seeming conviction of Kony's superpowers.

At the dinner in late 2008, the former delegate turned off his phone after not taking Kony's call. I asked him whether he was not afraid of Kony's wrath at being treated disrespectfully. Were others in the LRA/M circle also no longer afraid? He said acting as he did—expressing his unwillingness to remain Kony's interlocutor—and being afraid of the chairman were two different things. "People have to be afraid of the chairman, naturally," he said. However, for him, that supposed ingrained natural fear no longer translated into obeying Kony's orders.⁴⁸⁹ A few months before, I had met with another former delegate in Nairobi to talk about why Kony had not emerged from the bush to sign the FPA. He said there had been a very simple reason for this: Kony did not show up at the signing because he was more powerful when he could not be seen. When nobody knew the LRA and what Kony was like, people were more afraid. Being seen to sign a document surrounded by former enemies would make Kony look weak. He speculated that for Kony it was important to re-establish power by becoming mysterious and hence invincible again. Being otherworldly, he said, makes for someone who is very scary: "Kony was stronger when he

486 In the end it seems that his authority led to his downfall, as it challenged Kony and led to Otti's assassination.

487 S.Finnstroem, "An African hell of colonial imagination? The Lord's Resistance Army in Uganda, another story", In *The Lord's Resistance Army: Myth and Reality*, edited by T.Allen and K. Vlassenroot. London: Zed Books, 2010.

488 US Embassy Kampala. "08KAMPALA410 (classified secret): Ugandan officials not surprised by Kony's movement into CAR", 17/3/2008.

489 Interview with former member of LRA/M delegate. Nairobi: 10/11/2008.

was not exposed to the world.”⁴⁹⁰ As a result of being so accessible during the Juba Talks, the “LRA is much weaker now than it was in 2006.”⁴⁹¹

Conclusion

In Juba, among observers or facilitators at the Juba Talks, establishing how the LRA ticked was one of the prime pursuits. Establishing patterns in their behaviour that could help explain how they would react to future events was seen as one way of making sure the Juba Talks would become a success. Yet each actor searching for patterns in LRA behaviour also brought their own prejudices and expectations to this guessing game. Thus any mention of Kony’s spirituality and the power he held over his fighters and delegates was lapped up with a mixture of disbelief and fascination. Yet an insight that could have come out of the Juba Talks was that individuals within the LRA moved through their lives with contradictions, calculations and strategies that were adjusted to their changing surroundings as is often the case in any other human existence. The ways individuals portrayed themselves made it clear that inconsistency was essential to how ever-changing situations were navigated, including the development of a certain fluidity when dealing with supposedly firm rules. A similar pattern occurred in early 2007: after the LRA/M had made the very firm statement to not return to Juba to negotiate, the first few months were spent on interpreting that claim in a way that allowed for a continuation of the talks.

⁴⁹⁰ Fieldnotes, Cologne: 24/9/2008.

⁴⁹¹ Fieldnotes, Cologne: 24/9/2008.

5. 2007: “We don’t know if we can trust”

Introduction

Towards the end of 2006, Juba had been changing rapidly. Cars were starting to clog the streets; a few hitherto unseen motorbike taxis were now hanging out on one particular corner waiting for passengers. Cafe de Paris, Juba’s first pizza parlour, opened in August 2006, tucked away in a corner of a half-finished building. The waiters navigated pizza or avocado vinaigrette past steel poles sticking out of unfinished concrete walls, and must have been amazed by the flocks of international customers who came to eat European food. A restaurant tucked away in a side street started to offer karaoke nights. Sometimes the karaoke machine ran on mains electricity, which from October 2006 came on occasionally. As the first potholes were filled with mud and sand, the Juba branch of Kenya Commercial Bank opened, right next to Cafe de Paris. Tented and prefabricated camps called the Nile Beach Hotel, White Nile Hotel, Nile Resort, Oasis Camp or Sunflower Camp conquered the west side of the river bank, gradually displacing Juba residents’ access to what was their shower room, laundromat, food supply and playground. Despite this curtailed access to the Nile, Juba’s population was growing rapidly.

2007 brought a different character to the Juba Talks. The frayed relationship between the LRA/M and the mediator towards the end of 2006, particularly the lack of activity to deal decisively with UPDF attacks on LRA, meant that the day-to-day negotiations had all but subsided before Christmas, along with the intense media interest. To show his continuing goodwill, Machar had sent a bull to the LRA in the bush near Ri-Kwangba to enable Christmas celebrations. One delegate had spent Christmas with the LRA in the bush; the others had left Sudan to assess options to continue the talks elsewhere.

I returned to Juba in February 2007 and found that the delegates had left luggage stashed away in wardrobes or under the beds in their rooms, which were being held by the hotel. While this seemed to hint at an expected return, some of those in the SPLA who had been working on the Juba Talks said they did not think that the negotiations could not be resurrected. Upon hearing that I was back in Juba, people from international agencies engaged in the Juba Talks who had left town because there were no developments, asked to me act as their “eyes and ears” to find out if the

Talks would resume. Neither SPLA nor international agencies had had credible contact with the LRA/M over the Christmas period. 2007 started off with uncertainty about the approach that was on offer, but without a credible alternative. This chapter provides an overview of how events in that year unfolded and what impact they had.

What will happen to the Juba Talks?

On January 9, 2007, the second anniversary of the signing of the CPA, Bashir and Kiir announced in separate speeches that the LRA was no longer welcome in Sudan.⁴⁹² This statement reinforced some delegates' impression that they would not be safe in Juba and that GoSS as a facilitator could not be trusted. Others were less concerned about safety, but were enraged by what they considered a disrespectful comment considering the LRA was still engaged in peace talks. Ojul announced to reporters in Nairobi: "in view of the statements by the two leaders and security considerations, the LRA delegation for the peace talks are not going back to Juba."⁴⁹³

A few days after Ojul had addressed reporters in Nairobi, news came that Alice Auma Lakwena, the former leader of the Holy Spirit Mobile Forces, had died in Kenya. Her family demanded a state burial for her, which the government rejected. Yet Museveni gave responsibility for arranging her burial in Uganda to the Ministries of Defence and Foreign Affairs.⁴⁹⁴ Delegates commented that Alice Lakwena seemed to get more GoU honours in her death than Kony did in negotiating peace. A newspaper columnist wrote, "Some northerners may look at the government's action of taking care of the dead, having neglected the living, as an act of hypocrisy."⁴⁹⁵ When asked what he thought about Lakwena's death, Otti laughed and then expressed a similar sentiment: "Museveni likes Alice better when she is dead... She will get a big funeral."⁴⁹⁶ Mao (as Gulu's District Chairman) and Ochora (as the RDC) flew to Nairobi to assure a safe return of her body, using the opportunity to meet with LRA/M delegates who were working from Nairobi on finding another venue. Lakwena's burial in near Gulu was attended by scores of wailing people.

On February 5, 2007, the LRA/M delegation released a statement expressing distrust in the agenda, distrust in Machar as a mediator, their sense that

⁴⁹² *The Daily Monitor*, "South Sudan's Kiir warns Ugandan LRA of military action", 24/1/2007.

⁴⁹³ BBC News, "Rebels snub Ugandan peace talks", Nairobi/Kampala: 12/1/2007.

⁴⁹⁴ S.O. Egadu and C.Akena, "Museveni Issues Directive Over Lakwena Burial", *The Daily Monitor*, 26/1/2007.

⁴⁹⁵ O.K.Nnyago, "Lakwena's death opens new wounds in the north", *Daily Monitor*, 30/1/2007.

⁴⁹⁶ Fieldnotes (phone conversations), Bremen: 1/2/2007.

Machar had been imposed on them by GOSS, and their concerns for the security of fighters and delegates. On February 6, the US Government announced the creation of a new unified combatant command “to promote US national security objectives in Africa and its surrounding waters”.⁴⁹⁷ The new command was to go by the name of AFRICOM, and was initially to be headquartered in Germany. LRA/M delegates commented that it was disconcerting to have a permanent US command in Africa—a critical view that was widely shared.⁴⁹⁸ They argued that the US would now play a bigger and unwelcome role in Uganda in general and in the Juba Talks specifically. They discussed increasing US presence in Gulu and US oil interests in Uganda.⁴⁹⁹ They remarked on the long-standing partnership between the US military and the UPDF, and suggested that Museveni was keen to offer Uganda as AFRICOM’s headquarters. As part of AFRICOM’s relationship with the UPDF, the Combined Joint Task Force-Horn of Africa now provided counterterrorism training to the UPDF, including training in “how to properly search a building occupied by terrorists”, as a classified US embassy cable put it.⁵⁰⁰

In the LRA bush camp in Garamba, the focus was still reportedly on peace. A Sudanese abductee who had been taken in December 2006 and given to Alfred “Record” Otim as a wife recounted that during her first few months with the LRA, Otim was always saying “we are coming out, we are coming out,” and that generally the LRA were excited about the peace agreement they were expecting.⁵⁰¹ A Sudanese man who had been abducted said that during those early months of 2007, the LRA always listened to the news with everyone gathered around the radio and “whenever there is anything about the LRA on the radio, they start laughing.” When asked to clarify whether they were laughing because what they heard was good or bad, he

497 L.Ploch. Congressional Research Service. “Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa”. Washington, D.C.: 2011.

498 Menkhaus provides a summary of the criticism of AFRICOM, including the lack of consultation beyond the US inner military circle and clumsy communication of AFRICOM’s goals. He also engages with the more substantial issue of whether AFRICOM’s mission itself is questionable. K.Menkhaus, “False Start in AFRICOM”, *Security Policy* 30, 1, 2009. Marchal argues that AFRICOM “will eventually militarize foreign policy, making it look increasingly imperial, and create its own opposition in Africa.” R.Marchal, “Warlordism and terrorism: how to obscure an already confusing crisis? The case of Somalia”, *International Affairs* 83, 6, 2007.

499 Jendayi Frazer—at the time of AFRICOM’s establishment, Assistant Secretary of State for African Affairs—spelt out US interests in Africa in a 2009 article. Frazer wrote: “U.S. policy in Africa is not about love. It’s about advancing America’s core interests: promoting economic growth and development, combating terrorism, and fostering well-governed, stable countries”. J. E. Frazer, “Four Ways to Help Africa: The U.S. African Command should move from Germany to Liberia”, *The Wall Street Journal*, 25/8/2009.

500 US Embassy Kampala. “07KAMPALA1172: Uganda: Roundup on Staffdel Smith and Kuiken visit”, 17/7/2007.

501 Author (with translator) interview with Zande LRA-abductee, ‘wife’ of Alfred “Record” Otim. Yambio: 23/2/2009.

said he did not know.⁵⁰² In his first months with the LRA in early 2007 they had very little to eat: “Food in Garamba was not enough, we had to go and dig in the garden with child soldiers and in the evening, we still got very little food.” During that time, he was not aware that new guns had been delivered to the LRA camp.⁵⁰³ It is worth noting that much of the information of LRA activities during that time and after came from abductee testimony—both in my own fieldwork and in many of the reports written on the situation. Abductee testimony comes with its own challenges, as memories might be unclear or testimony might be changed, depending on who is asking questions.

Meanwhile, the challenge of assembling the LRA in Owiny-Kibul and UPDF deployment, which had stalled the Juba Talks throughout 2006, remained unresolved. Officially, LRA fighters left in Eastern Equatoria were not allowed to cross the Nile. From their point of view, remaining east of the Nile was impossible because the UPDF had comprehensively deployed around the proposed assembly area and beyond. As the LRA and UPDF moved around in Eastern Equatoria, violence against civilians and clashes between LRA and UPDF continued. These were monitored to the best of its ability by a still understaffed and under-resourced CHMT. The CHMT established, however, that a range of actors were carrying out attacks, specifying that perpetrators were the LRA, the UPDF (often under the guise of the 105th battalion), and individual criminals and armed groups. Of other armed groups, remnants of the Equatorian Defence Forces (EDF) were most often mentioned. The EDF had been a sizeable Khartoum-aligned militia during the war. UN security staff considered Eastern Equatoria one of the most dangerous states in Southern Sudan at that time, describing it as a “network of insecurity”.⁵⁰⁴

How complex this network of insecurity was transpired over the coming months. Quite disconnected from the LRA and the UPDF, economic changes in the Juba Market were yet again creating insecurity for Eastern Equatoria’s citizens. Those who had previously held power in Juba were trying to stabilise their control over the market in a rapidly changing environment. While the CHMT was busy trying to pinpoint the perpetrators of specific attacks, dead bodies of Somalis were appearing in Juba, usually in strategic places like the road to the SAF barracks. It turned out that

502 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

503 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

504 Personal email to author from International aid worker in Juba, 4/4/2007.

Clement Wani Konga, who had been aligned with SAF during the war as the head of the Mundari militia and then became governor of Central Equatoria after the CPA, had been involved in hiring 12 Somalis to act as a link between northern traders in Juba and remnants of the EDF in Eastern Equatoria. They paid the EDF to act as mercenaries, ambushing vehicles on the road and again interrupting supplies from Uganda. When other Juba traders realised that the road ambushes were financed by Khartoum, the bodies of the Somalis involved started to appear in Juba.⁵⁰⁵

Despite the continued engagement of the Acholi community, the early months of 2007 were marked by the delegation's reluctance to return to Juba. Otti continuously reiterated the LRA's commitment to peace; confusion about the assembly and ongoing attacks continued. In the background, Acholi leaders and Chissano were working on finding a way to resume talks. On March 2, Chissano met Kony in DRC, with the UN rather than GoSS providing logistics. He was on a tour of the capitals of the region to drum up continued enthusiasm for the next round of talks. US documents say that Kampala was still reluctant to resume, although Machar had said to US representatives that talks would start again on March 12.⁵⁰⁶ Both Chissano and Machar were pushing for further international engagement, including AU observers for the CHMT and observers from Tanzania, Mozambique, South Africa and Kenya. Machar emphasised in talks with US representatives that 14 countries were now contributing to the UN-administered Juba Initiative Fund (JIF), with three European countries and the GoU putting money towards humanitarian assistance to the assembly areas.⁵⁰⁷ Yet nothing happened.

From March 1 to 4, 2007, a group of Acholi representatives gathered in Juba for a GoSS-facilitated peace conference. No LRA representative was present. In a final document, those attending recommended that talks resume in Juba, with participants' security assured. The list of recommendations reads like a commentary on the flaws in the Juba Talks. The Acholi representatives recommended that the CoH be upheld. They elaborated that more countries, the UN, the AU, the Intergovernmental Authority on Development (IGAD) and the East African Community should join the mediation team, and that "women and other interest groups" ought to be included. Further, "the Chief Mediator should define the roles and responsibilities of NGOs, groups and individuals invited to facilitate,

⁵⁰⁵ Author interview with International security staff. Juba: 1/2/2008. I have since heard this story told again in a similar way by a former SPLA soldier.

⁵⁰⁶ US Embassy Khartoum. "07KHARTOUM351: UN Envoy meets with LRA chief Kony; peace talks may resume", 3/5/2007.

⁵⁰⁷ US Embassy Khartoum. "07KHARTOUM351: UN Envoy meets with LRA chief Kony; peace talks may resume", 3/5/2007.

observe or participate in the Peace Talks.” The resolution further stated that those “involved in the peace process should be enhanced through training and technical assistance”, and that “the Secretariat be strengthened and staffed with competent, professional and accountable personnel to provide effective and equitable services and equal treatment to the parties”.⁵⁰⁸

Managing the Impasse

From the outside, it seemed as if things had largely stalled—until a press release from IKV Pax Christi on April 11. Towards the end of 2006, IKV Pax Christi had withdrawn entirely from its role in the mediation team. It had been instrumental in bringing about the talks, having understood its “collaboration with the GoSS” as one in which “Pax Christi—in the persons of Dr Onek, Professor Assefa and Dr Simonse—was to be responsible for the mediation of the peace talks while GoSS would be the host,” says an article written by various Pax Christi representatives.⁵⁰⁹ However, as the Juba Talks unfolded in 2006 it had become clear that the role of the mediator was fully occupied by Machar; Professor Assefa had effectively been sidelined.

When the peace process stalled due to the LRA’s lack of trust in the security of their troops, and by extension in the mediator, IKV Pax Christi stepped back onto the scene, albeit covertly in what they called a “back-channel process”.⁵¹⁰ Having met with Museveni, who agreed that such a process would be helpful and mandated his brother Salim Saleh to represent the GoU, Pax Christi organised a meeting from March 31 to April 6 between representatives of the LRA/M and the GoU in Mombasa, Kenya.⁵¹¹ The LRA/M were represented by a selection of their delegates: Ayena, Ojul, Okiro and Achama. Salim Saleh, Minister of State for Microfinance, came as the main negotiator for the GoU. Sam Kagoda, Permanent Secretary for Internal Affairs and a member of the GoU delegation in Juba, accompanied Saleh. Also present for the GoU were Ambassador Joseph Ocwet (who had been instrumental in helping Betty Bigombe during her first attempt at peace), and Captain Ruhinda Maguru, his assistant.

⁵⁰⁸ Acholi Peace Conference, “Resolution from the Acholi Peace Conference”, Juba: 4/3/2007.

⁵⁰⁹ S.Simonse, W. Verkoren, and G.Junne, “NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi”, in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.232.

⁵¹⁰ S.Simonse, W. Verkoren, and G.Junne, “NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi”, in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.233.

⁵¹¹ IKV Pax Christi, “Mombasa consultations between the government of Uganda and the Lord's Resistance army may unblock Juba negotiations”, 11/4/2007.

Pax Christi's motivation for the meeting was to revive the stalled peace talks by providing an alternative communication channel without the interference of the big international players. With Juba having proven an unstable and pressured place thanks to the significant attention the process had received, taking actors to a different location was seen as a good way to break the impasse. Pax Christi describe this initiative not as a move to

replace the Juba process, but to help it along by inserting the outcomes of the back-channel process. The Mombasa-Nairobi talks provided a safe space away from political pressures and public scrutiny. This mattered because the atmosphere in the Juba process had become highly charged and adversarial owing to intense media attention and the larger number of parties involved, each with its own interest.⁵¹²

The inclusion of Saleh, who had been involved both in previous military offensives against the LRA as well as peace negotiations with them, seemed to guarantee a buy-in from Museveni while allowing the LRA/M to engage with an actor they knew. To my mind it was yet another manifestation of how all conflict actors brought baggage with them, but that did not necessarily mean that it could not be used to connect with each other. With Saleh becoming a significant player at this point, it became clear how intricate the broader conflict system was in which the actors from the LRA, LRM and GoU were tightly linked.

As if to prove the point, Otti had sanctioned the meeting with Saleh and reportedly decreed who should attend for the LRA/M—although some delegates said that those attending had chosen that it would only be them and kept the meeting secret from everyone else. It is also not clear whether all parties agreed that the meeting ought to be kept private.

Publishing a press release right after the meeting—although whether all attending parties sanctioned the publicity remains contested—Pax Christi announced:

significant agreements between the delegates were reached on extending the Cessation of Hostilities Agreement as well as on addressing blockages in its implementation; on resolving the outstanding issues of contention in agenda item no. 2 (called "Comprehensive Solutions"); and on specific provisions and mechanisms for agenda item no. 3, reconciliation and accountability in the war torn communities of northern and eastern Uganda. The Parties agreed that the only major issues left for the negotiations would be agenda item no. 4, Demobilization, Disarmament and Reintegration and agenda item no. 5, Formal Cease Fire.

⁵¹² S.Simonse, W. Verkoren, and G.Junne, "NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.233.

Crucially, the press release stated that the meeting had resolved “the East Bank Assembly Point for the LRA combatants” (i.e. Owiny-Kibul), a

major obstacle in the implementation of the Cessation of Hostilities Agreement... and a real danger to the peace process... The location, according to LRA was unsafe because of the presence of UPDF in the vicinity and because of land mines. LRA combatants on the East Bank have repeatedly been accused of attacks on civilians that had in fact been carried out by members of Sudanese armed groups still active on the East Bank. The agreement negotiated by General Saleh takes away a stumbling block for progress in the negotiations by allowing LRA fighters that were supposed to assemble in Owiny-ki-Bul to move to the camp in Ri-Kwangba and join the rest of the LRA forces that are supposed to assemble there. This agreement meets the express request of the LRA leadership.⁵¹³

Pax Christi further outlined that significant process had been made on Agenda 2, the comprehensive political solutions to the war, by agreeing on

measures to reinforce constitutional provisions ensuring equal opportunity and affirmative action for northern and eastern Ugandans; mechanisms, complementary to the Peace Recovery and Development Programme that counteract siphoning of availed funds to governmental and non-governmental coordination structures and empower the war-affected citizens to play an active role in their own rehabilitation and development.⁵¹⁴

On Agenda 3,

the two parties agreed that traditional institutions such as Mato Oput, Culo Kwor, Kayo Cuk, etc. should play a prominent role in the reconciliation of war-affected individuals and communities. In addition to these traditional mechanisms and underscoring the unacceptability of impunity for crimes against humanity, alternative justice systems will be put in place that will address accountability and enable victims to seek justice for grievances. To address grievances and historical conflicts at the national level the parties committed themselves to establish special forums. The Government of Uganda has agreed to ask Parliament to enact legislation that recognises traditional and alternative justice mechanisms as key elements in dealing with accountability for the offences committed during the war. Once the justice systems are effectively in place the Government of Uganda will approach the International Criminal Court regarding the indictments against the four leaders of the LRA.⁵¹⁵

⁵¹³ KV Pax Christi, "Mombasa consultations between the government of Uganda and the Lord's Resistance army may unblock Juba negotiations", 11/4/2007.

⁵¹⁴ KV Pax Christi, "Mombasa consultations between the government of Uganda and the Lord's Resistance army may unblock Juba negotiations", 11/4/2007.

⁵¹⁵ KV Pax Christi, "Mombasa consultations between the government of Uganda and the Lord's Resistance army may unblock Juba negotiations", 11/4/2007.

A few days after the meeting in Mombasa concluded, the delegation, Special Envoy Chissano and the LRA high command met in Nabanga from April 13-14 to make the most of the new momentum. With both parties signing the "Ri-Kwangba Communique", the LRA leadership agreed to restart the talks on April 26, 2007 and the GoU agreed to extend the CoH until the end of June.⁵¹⁶ With an addendum signed in Ri-Kwangba, the renewed CoH abandoned the idea of two assembly points and instead allowed for an assembly in Ri-Kwangba only, giving the LRA forces six weeks to arrive there.⁵¹⁷

With the restart of the talks, a different delegation returned to Juba: Some old members were disgruntled that they had been excluded from the Mombasa meeting, or unhappy that their protest against the conditions they had experienced in Juba had remained ineffective. Others were keen to continue the talks. Some did not return at all, having been told that they were no longer part of the delegation, or withdrawing from a process they did not see as credible.

To Pax Christi's great astonishment, however, the continuing Juba Talks did not build on what had been agreed on in Mombasa.⁵¹⁸ This was not necessarily surprising, considering that so far in the Juba Talks, agreements on paper had remained rather disconnected from how the actors behaved in the process and what they aimed to achieve. Much like previous signed agreements, the Mombasa agreement had regulated the process, rather than decisively moving agreements on issues forward.

Instead of building on a solid signed agreement, the process became considerably more tense, including between Pax Christi and UN representatives, who were angry about the separate initiative. Established LRA/M delegates felt excluded and eyed new arrivals with suspicion. James Obita had joined the talks in Juba properly for the first time, Santa Okot—formerly an MP for the northern Ugandan district Pader and described by the *Daily Monitor* as "a former NRM die-hard in the Acholi sub region"⁵¹⁹—was now an LRA/M delegate, and David Nykorech Matsanga emerged as an LRA/M representative.

516 Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Ri-Kwangba Communique", Ri-Kwangba: 14/4/2007.

517 Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Cessation of Hostilities Agreement Addendum 3", Ri-Kwangba: 14/4/2007.

518 S.Simonse, W. Verkoren, and G.Junne, "NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.236.

519 C.Mwanguhya Mpagi, "Uganda: Changing Faces of Santa Okot", *The Daily Monitor*, 2/5/2007.

The official permission to abandon the endeavour to assemble in Owiny-Kibul and allow fighters to cross the Nile to join the rest of the group in Ri-Kwangba was broadly seen as the best way to tackle the stalemate that had been created through the issues regarding the assembly. The LRA was now crossing the Nile with official permission. To cross the river the LRA used empty jerry cans, to which they tied poles to pull themselves across the water. Sudanese abductees, such as a young woman from Parajok who had been abducted in January 2007 on her way back from Maridi and whom I interviewed in Yambio in early 2009, were told that the LRA was now leaving Owiny-Kibul to go directly to Garamba Park.⁵²⁰

The Talks Continue

In Juba, the work continued. Agenda Item 2 on Comprehensive Political Solutions was signed on May 2, 2007, soon after the meeting in Nabanga.⁵²¹ However, it took until June 1, 2007, for the Juba Talks to officially restart amidst remaining confusion over trust, location, mediation and assembly. The reopening ceremony was held in Juba Raha Hotel, and was altogether more humble than the first opening just under a year earlier. Chissano listened with a stony expression as a row of speakers, including the GoU, listed the many achievements of the Juba Talks of the past few months and the LRA/M read out a long list of unaccomplished items and grievances. Representatives of the AU, who had been brought in to strengthen the process, were in the audience. From the point of view of the LRA/M delegates and some of the mediation team, the AU representatives were necessary to ensure Machar's impartiality as a mediator. The Juba Talks had become a bona fide regional process, which on the one hand allowed for their continuation, but on the other made it more difficult to navigate the different interests. After the ceremony, a delegation of Ugandan women demonstrated in the Juba Raha grounds, holding up placards that thanked the mediator and demanded peace. The day after, the delegates attended a workshop held by the International Centre on Transitional Justice on attitudes to justice and accountability in preparation for negotiations on Agenda 3.

⁵²⁰ Author (with translator) interview with Sudanese LRA abductee from Parajok. Yambio: 23/2/2009.

⁵²¹ Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Agreement on Comprehensive Solutions", Juba: 2/5/2007.

The month of June 2007 brought significant progress on Agenda 3, with parties agreeing that both formal national justice as well as informal local justice would be used to handle crimes committed during the war. A parallel development, however, caused a stir in the delegation: on June 10, 2007, representatives of GoSS, the GoU and the DRC government met in Juba to work on the military “Plan B”—a military collaboration between the three countries against the LRA.⁵²² Agenda Item 3 was signed on June 29.⁵²³ Part of the agreement was that both delegations would consult with people in Uganda on their expectations of a process of justice and accountability and on the agreed comprehensive political solutions. These consultations were also to include meetings with legal experts in Kampala to set up new justice mechanisms—namely a new Special Division of the Ugandan High Court—that would comply with Juba agreements while being acceptable to Uganda and the ICC. However, since no agreement could be reached on conducting the consultations jointly, the two delegations departed separately. For some of the LRA/M delegates, the consultations provided their first opportunity to return to Uganda in years—or in some cases, in decades.

Back in Nabanga, Otti shared his thoughts about the process so far. Agreeing to a reconciliation process with the local community that would sort out access to gardens and beehives, he said:

I think I will be here for another year. We need to be peaceful, also peaceful with my neighbours. They need to understand about LRA and I need to understand about them, so we can all have a good life. Sometimes it is hard for us because we don't know if we can trust. But to get to peace also means to learn to trust. To get to peace also means to understand when we need to stop war.⁵²⁴

A few days later, the LRA agreed with local residents on modalities to share the honey harvest from the Nabanga beehives.⁵²⁵ Back in Juba, other issues that required new management strategies were settled. After initial mismanagement problems emerged in the handling of the Juba Initiative Fund (JIF) fund—which was now also supported by the governments of Ireland, the Netherlands, Canada and the UK—accounting firm KPMG was hired in mid-2007 to manage the funds.⁵²⁶ It had become clear that the financial management of the Juba Talks had left large accountability gaps.

⁵²² Fieldnotes, Juba: 10/6/2007.

⁵²³ Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, “Agreement on Accountability and Reconciliation”, Juba: 29/6/2007.

⁵²⁴ Author interview with Vincent Otti, Ri-Kwangba: 13/7/2007.

⁵²⁵ Fieldnotes, Ri-Kwangba: 15/7/2007.

⁵²⁶ US Embassy Kampala “07KAMPALA1419: Senator Feingold discusses northern Ugandan issues ”, September 2007.

Up until mid-2007, the US government had largely stayed in the background, although the Juba Talks had received much attention from US advocacy groups—namely Invisible Children, Resolve and the Enough! Project—lobbying for a stronger US role. Despite acknowledging the US's crucial behind-the-scenes role in the Juba Talks, the GoU had advised the US against sending a Special Envoy to the talks. The GoU argued it “would disrupt the peace process and invite unwanted propaganda and accusations from the Khartoum government” and prompt “Khartoum to step up its assistance to the Lord’s Resistance Army (LRA), which could scuttle progress made to date”, according to a confidential US embassy cable. By contrast, Gulu RDC Ochora reportedly told the US that since neither Machar nor Chissano had sufficient control over the LRA, “a U.S. envoy to Juba would boost the confidence of the northern Uganda population and provide an authoritative voice to keep both parties committed to the talks.”⁵²⁷

Senator Russ Feingold of Wisconsin had written to President Bush on June 14, expressing his desire for a US Special Envoy to northern Uganda. Senator Feingold had been working closely with both Resolve and Invisible Children who had through him lobbied for a US presence at the negotiation table in Juba. On July 26, 2007, the State Department responded to Feingold’s request:

Though President Chissano and other Ugandan leaders and northern Ugandans in regional government and civil society have quietly discouraged the United States from playing a more visible role as the current mediation proceeds, we believe the U.S. must continue to be active in seeking solutions to the situation in Uganda. Therefore, the Department is appointing a Senior Advisor on Conflict in Africa, who will, as an immediate priority, primarily focus on the conflict in northern Uganda. We plan to place Timothy Shortley, currently with the NSC’s [National Security Council] Africa Office, into that position.⁵²⁸

Thus in July 2007, Tim Shortley, former national security operative and now Special Conflict Advisor on the Great Lakes Region to the US Undersecretary of State on African Affairs, arrived in Juba. One of his first actions was to ask the head of the CHMT, General Deng, to arrange a meeting with DRC President Kabila. The delegates largely presumed that this was to seek further support for military action after “Plan B” discussions at the June meeting. Under the close watch of delegates, Shortley then travelled to Uganda to instruct a number of chiefs to come to Ri-Kwangba. A confidential US embassy cable reported that during Shortley’s visit to Uganda he

⁵²⁷ US Embassy Kampala “07KAMPALA1419: Senator Feingold discusses northern Ugandan issues”, September 2007.

⁵²⁸ United States Department of State. J.T. Bergner (Assistant Secretary Legislative Affairs, “Letter to Senator Feingold of Wisconsin”, Washington, D.C.: 26/7/2007.

encountered a consistent request for US support in keeping both the Lord's Resistance Army (LRA) and the Government of Uganda (GOU) to the agenda and moving forward, as well as a close eye on Khartoum. There is fear that the longer the Juba talks go on the greater the risk of support of the LR by Khartoum. Further, there was wide concern that the northern Ugandan diaspora representing the LRA at the Juba talks is not representative of the Acholi people (nor other northern ethnic groups), and that they are pursuing their own political agenda potentially jeopardizing the peace process.⁵²⁹

Delegates were suspicious of Shortley's motives. When they heard that he had arranged with Ugandan leaders to travel to Ri-Kwangba, they intervened to insist that such a trip by leaders from northern Uganda would need to be "run by Vincent first". When Otti was told that the US were arranging a visit of traditional leaders, he reportedly laughed and, as one delegate explained, "finally said let them come". Delegates assumed that Otti had asked Kony to join the meeting, but "Kony was confused," said delegates, because the meeting had no clear agenda and the scheduling before the consultation left him "confused what the meeting was all about".⁵³⁰

On his way to the meeting with the traditional leaders, Kony is said to have realised that LRA troops "had been moved without his agreement", explained one former delegate, "and during the meeting there were skirmishes outside, of people with guns who wanted to come in." He said it was presumably Otti's allies wanting to participate in the meeting. Kony reportedly distrusted the situation because Otti had brought a large number of people to the meeting.⁵³¹ One of the leaders from Uganda who attended was the Paramount Chief of the Madi, Ronald Iya, who describes staying in Garamba for eight days, with Kony arriving on day four. Kony stressed that war would continue if talks failed. Iya wrote: "It was hard to take some of the things he said seriously. What I saw from my time with the LRA commanders was that the late Vincent Otti was the force behind the peace talks."⁵³² LRA/M delegates said that after the meeting Kony is said to have gone back to his base "with distrust because he was not sure where and why the meeting was held".⁵³³

⁵²⁹ US Embassy Kampala. "07KAMPALA1360: Africa bureau senior advisor on conflict resolution travels to northern Uganda ", 27/8/2007.

⁵³⁰ Fieldnotes, Nairobi: 11/9/2009.

⁵³¹ Fieldnotes, Nairobi: 11/9/2009.

⁵³² R.Iya, "Encountering Kony: A Madi perspective", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.179.

⁵³³ Fieldnotes, Nairobi: 11/11/2009.

Leadership Struggle

The GoU started its community consultations in Uganda on accountability and reconciliation with a three-day meeting in Gulu from August 20 to 22. Attending the meeting were community leaders, IDP delegates, spokespeople for youth and women, and representatives of LRA victims. Broadly speaking, the consulted community seemed to be in favour of a combined legal system that would allow so-called traditional systems and formal legal procedures to augment each other. In addition to support for justice, including against the LRA leadership, that would consider victim's views, a US observer reported that there was "a strong desire for a truth telling process that includes UPDF".⁵³⁴ Both the northern Ugandan leaders and the delegates stressed how much northern Uganda had changed thanks to the Juba Talks. UNHCR was broadcasting radio messages about education, health and security in an effort to encourage IDPs to leave the camps and return to their homes. With security stable and peace seemingly around the corner, life was notably transformed—an impression that was in stark contrast with Museveni's message to the US. On August 28, Museveni told US Senator Feingold that he had warned President Kabila that if the peace talks should fail, he ought to allow Ugandan military operations on Congolese territory, or else team up with another military partner—he suggested France—to avoid the DRC becoming "a terrorist holiday centre".⁵³⁵

The LRA/M's consultations were delayed until October. Not everyone viewed the separate consultations positively: with two delegations gathering input from affected populations, it was seen as likely, as one of the original facilitators of the talks said, that "the results of both consultations may require a fresh round of negotiations to reconcile the divergent results."⁵³⁶ Yet in reality, the message that seemed to come out of both sets of consultations seemed pretty clear: the LRA should sign a deal and could then come home. In Acholiland, more so than in other districts visited, the mood generally seemed to be against the ICC, but there seemed to be broad agreement that legal procedures could and ought to happen in Uganda. A US summary of the findings of the GoU consultations states that support for a "a combination of traditional systems and the formal legal system to achieve accountability and reconciliation" was obvious as "neither will be satisfactory separately. This, it was suggested included

534 US Embassy Kampala, "07KAMPALA1351 (for official use only): Northern Uganda notes: (Aug 11 - Aug 24, 2007)", 24/8/2007.

535 US Embassy Kampala, "03 KAMPALA 001426 (Confidential): Senator Feingold raises regional and domestic issues with Ugandan President", 9/11/2007.

536 Personal email to author from S.Simonse, IKV Pax Christi. 10/10/2007.

support to amend national laws in a way that would allow the ICC to back off.⁵³⁷

Reports from other consultations and surveys conducted at around the same time show broadly similar sentiments. A joint survey by Berkeley and Tulane Universities and the International Center for Transitional justice found that 90 per cent of respondents believed peace could be achieved “through dialogue with the LRA”, 86 per cent said peace could come through “pardoning the LRA for their crimes”. Seventy per cent said that those who had committed crimes needed to be held accountable, with 50 wanting to hold the LRA leadership to account and 48 per cent wanting to see “all of the LRA” prosecuted. Fifty-five per cent wanted to see the UPDF on trial, with 70 per cent stating that the UPDF had committed human rights abuses. Twenty-nine per cent identified the ICC as the most appropriate justice mechanism; 28 per cent mentioned the Ugandan courts. 20 per cent saw the Amnesty Commission as providing the most appropriate mechanisms.⁵³⁸

However, other reports on separate sets of consultations suggest that public opinion was more divided on what role exactly the ICC might play. Arguing that the ICC had investigated in a one-sided manner, a report on consultations held by a range of women’s groups nonetheless supported the ICC because it provided “better provisions for the rights of the accused and role of Defence Counsel than currently available under domestic law in Uganda”.⁵³⁹

Tensions between the two sets of consultations thus did not turn out to be a major issue, but other problems emerged. Although the consultations allowed some LRA/M delegates to visit family they had not seen in years, delegates eyed each other suspiciously while in Uganda. It later emerged that Ojul and Achama had accepted a personal invitation by Museveni to State House without telling the other delegates; it was unclear what they had discussed with Museveni. Delegates further observed a steady presence at the various consultations of US advisor Shortley, who seemed to particularly court one of the younger delegates who supposedly drew a map for him of what exactly Ri-Kwangba looked like. One delegate later

537 US Embassy Kampala, “07KAMPALA1351 (for official use only): Northern Uganda notes: (Aug 11 - Aug 24, 2007)”, 24/8/2007.

538 Pham, P, P.Vinck, E.Stover, A.Moss, M.Wierda and R.Baily. “When the war ends: A populations-based survey on attitudes about peace, justice, and social reconstruction in northern Uganda”. Berkeley/ New York: Human Rights Center (University of California, Berkeley), Payson Center for International Development (Tulane University), International Center for Transitional Justice, December 2007, pps.4-5.

539 Greater North Women’s Voices for Peace Network/ Ugandan Women’s Coalition for Peace/ Women’s Initiatives for Gender Justice. “Position Paper: View of women from North and North Eastern Uganda on the Peace Talks, Mechanisms for Accountability and Reconciliation”, August 2007.

commented that these developments “caused a great rift of trust in the delegation”.⁵⁴⁰

On September 5, Assistant Secretary of State Frazer introduced Shortley to President Museveni. In the confidential meeting, Museveni was generally dismissive of the peace process, calling it a “circus”, according to a confidential US memo, and stating that the LRA was being “pampered”, that Kony was a “trickster”, and that the talks were a way for the LRA to reorganise. He stated that for Kony the ICC was only problematic if “he did not want peace”. He disputed that the process was strengthened by the presence of Uganda MPs. According to the confidential US embassy memo, Museveni

downplayed the role of local politicians in the process. He described his own Government’s parallel track as part of the foolery and lamented that fools have a lot of audiences... Museveni said that he himself participated in the “foolery” and has taken Vincent Otti’s telephone calls and sent the LRA cows for Christmas.

He also stressed that he had taken care of Kony’s parents and, should a deal be signed, Kony “could live anywhere in Uganda where he had not committed atrocities”. Frazer expressed her support for Museveni’s efforts to “to secure Kabila’s cooperation” to prepare a military response to the LRA.⁵⁴¹ On September 8, 2007, Presidents Kabila and Museveni met in Arusha, Tanzania. They signed an agreement of cooperation, which included a clause on joint efforts to remove the LRA from eastern DRC. The agreement stipulated that the LRA had to leave Garamba by the end of December 2007 or else they would face joint military action. The LRA responded with a warning of renewed attacks.⁵⁴²

In a write-up on the peace talks by some former delegates, the authors are very direct in accusing the GoU and the US government of using the consultation period

to try and compromise some members of the LRA/M peace team. Of particular concern were secret meetings that Martin Ojul, and Lieutenant Colonel Ray Achama [then still a member of the CHMT] held with President Museveni, with Internal Affairs minister Ruhakana Rugunda (leader of the government delegation), and with Mr. Timothy Shortley in Kampala between the 10th and the 16th November 2007 when the two made an unexplained break from consultation in northern Uganda.

⁵⁴⁰ Fieldnotes, Nairobi: 11/11/2009.

⁵⁴¹ US Embassy Kampala. “07KAMPALA1449 (Classified Secret): Uganda: A/S Frazier discusses LRA, Congo, and Somalia with President Museveni”, 14/9/2007.

⁵⁴² “LRA warns of fresh attacks in the North”, *The New Vision*, 12/9/2007.

Yet again, members of the 5-man LRA/M delegation that held a secret meeting in Mombasa with General Salim Saleh in March/April 2007, this time secretly met in Kampala with the General during the consultation exercise.⁵⁴³

On October 1, 2007, the US officially launched AFRICOM as a subcommand of the US European Command.⁵⁴⁴ This followed Frazer's Kampala visit. While Frazer had expressed continued support for the Juba Talks, she had also reiterated that the process needed to now show swift success, suggesting to the LRA/M's dismay that a timeline ought to be agreed, since otherwise the US would publicly support regional military action to "mop up the LRA". In preparation, US officials were already lobbying for UN support for a military strike involving regional forces.⁵⁴⁵

While the local consultations on justice and accountability were going on, the LRA in Garamba was increasingly difficult to reach on the phone. Otti's silence was particularly unusual, considering he had been a vocal communicator for the LRA during the entire Juba process and had been a regular caller to northern Ugandan radio station Mega FM to have his voice heard. The last time Otti answered a phone call from me was in late September 2007. In late October, the delegation spread the news that Otti was ill and not able to talk on the phone. With weeks passing by and no word from Otti, suspicions about his well-being grew. On October 2, the man considered the third highest-ranking commander in the LRA, Patrick Opio Makasi, surrendered to MONUC forces. He was handed over first to Congolese and then to Ugandan authorities. He reportedly informed the authorities that, as it was phrased in a private meeting by US officials, "Kony had plans to break his troops into four task forces to abduct up to 500 Congolese girls from the Garamba area, begin new attacks in West Nile, Uganda, send an advance team to CAR to take up a new base of operation and to pick-up arms buried in a cache in southern Sudan."⁵⁴⁶ Makasi was granted amnesty on November 1.

That same day, the LRA/M delegation arrived in Kampala to meet with Museveni two days later. The meeting went ahead without any major protocol or handshaking incidents, yet the outcome was predictable.

543 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009.

544 L.Ploch. Congressional Research Service. "Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa". Washington, D.C.: 2011.

545 Resolve. "Give Peace A Real Chance: Rethinking U.S. Policy Toward Northern Uganda". Washington, D.C.: 2007. It is not clear whether this was support for a Security Council resolution or peacekeeping.

546 US Embassy Kinshasa. "07KINSHASA1361 (Classified Confidential) : President Kabila's December 11 Meeting with Ambassador and AF Senior Advisor Shortley", 12/12/2007.

Museveni stressed that the LRA needed to sign a deal and would be welcome to return to Uganda. The delegates asked for the GoU's support to have the ICC warrants lifted. Both parties signed an agreement to again extend the CoH, this time to the end of January 2008. In a donor briefing in Kampala on December 4, Ojul said that the LRA would travel to Juba the following week to meet with Machar. He also reiterated the LRA/M's official message on Otti: that he was under house arrest—it was implied that there had been some wrongdoing by Otti. However, in conversations with US embassy staff in Kampala, Achama said, "Ojul knows Otti is dead, but Ojul cannot contradict Kony, whom he fears intensely."⁵⁴⁷ On November 17, Uganda's notorious tabloid newspaper *Red Pepper* pitched in with its own version of what had happened to Otti: "Kony eats Otti's penis" was the attention-grabbing headline⁵⁴⁸—a headline that seemed important enough to be communicated back by US embassy staff in Kampala to their Washington, DC, superiors in a confidential cable:

In Garamba, rituals were undertaken with Otti's body parts... with the intent of containing Otti's ghost. Kony, as executioner, has reason to fear retribution by Otti's reincarnated spirit...

The "Red Pepper" specializes in sensationalist stories, and often (usually) pushes the boundaries of accepted journalistic practice. However, the paper does have sources in the Ugandan security/military establishment. Kony's history of using ritual and claims of contact with spirit mediums also lends some credence to the story.⁵⁴⁹

The delegates remained adamant that Otti was alive but under arrest. When northern leaders requested that Otti call Mega FM as a sign of life—otherwise they would not travel to Ri-Kwangba to conclude consultations—Kony reportedly called Gulu District Chairman Mao to state again that Otti was under arrest, but not dead.⁵⁵⁰

From November 23 to 25, Kampala hosted the summit for Commonwealth Heads Government and Ministers (CHOGM). It was preceded by much speculation in the press that Museveni wanted the LRA issue off the table by the time the dignitaries arrived. In the end, the focus lay elsewhere.

In the evening of December 8, 2007, my phone rang. It was one of the former LRA/M delegates. I had last seen him in the LRA camp in Ri-Kwangba in September 2006. He was calling from a Ugandan number and was

⁵⁴⁷ US Embassy Kampala, "07KAMPALA1894 (Confidential): LRA Peace Process Update", 17/12/2007.

⁵⁴⁸ *Red Pepper*, "Kony eats Otti's penis", 17/11/2007.

⁵⁴⁹ US Embassy Kampala, "07KAMPALA1853 (classified): Northern Uganda notes (November 3 - 30)", 7/12/2007.

⁵⁵⁰ US Embassy Kampala, "07KAMPALA1853 (classified): Northern Uganda notes (November 3 - 30)", 7/12/2007.

shouting: “Vincent is dead, Vincent is dead.” Having calmed down a bit, he explained that after Kony had killed Otti, he and others had escaped from the bush through the DRC and that they were about to bring hundreds of other fighters out of the bush who had been part of Otti’s group. He told me that I needed to come and meet him in Kinshasa, bring a camera and film how a group of LRA would leave the bush, “hundreds of them”. Then the connection was cut off. I called back; the phone just kept ringing.⁵⁵¹ I later learned that he, along with others, had reached MONUC peacekeepers on November 18 and had confirmed that Otti, along with some of his associates, had been killed.⁵⁵²

Otti’s death remained an increasingly credible rumour until early January 2008, when first Kony and then Machar confirmed Otti’s death, as well as the deaths of his close allies Ben Achellam and Alfred “Record” Otim. They had been shot dead on Kony’s orders in early October 2007, probably on October 2. The story of what had happened transpired with many facets and variations. Kony had started to distrust Otti and had believed that he had been planning his assassination. Kony had suspected—probably correctly—that Otti was prepared to sign a deal even if Kony refused. Otti had reportedly lost trust in Kony to follow through with the peacetalks. Maybe he received enticing offers from various sources—options given to me were Museveni or Machar (by a close ally of Machar)—along the lines that if he helped to get Kony out of the bush or to kill him, Otti’s return to civilian life would be smoothly facilitated. Hence Kony lost faith in the commitment to the group of his number two.

“Vincent was always the one communicating, so that led to distrust,” one delegate explained. His version was that Otti had been working for the GoU and they had promised to pay him if he eliminated Kony.⁵⁵³ A high-ranking SPLA intelligence officer gave the explanation that Machar—under internal political pressure to bring the talks to a close—had offered Otti money and a safe haven in return for eliminating Kony and securing a peace deal.⁵⁵⁴ One delegate explained that Kony had learned that funds had been distributed among delegates for the consultations, but none of these found their way back to him or were spent on the consultations. He was said to have concluded that Otti and the delegation were working behind his back. The memory of the surprise visit by the Ugandan traditional leaders, of which he had been informed so late, as well as of the Mombasa meeting, of

551 Fieldnotes (phone conversations), Cologne: 8/12/2007.

552 US Embassy Kampala, “07KAMPALA1853 (classified): Northern Uganda notes (November 3 - 30)”, 7/12/2007.

553 Fieldnotes, Juba: 2/2/2008.

554 Author interview with SPLA intelligence officer. Juba: 1/3/2009.

which he seems to have had less knowledge than was presumed, seemed to him to confirm that he was being undermined.⁵⁵⁵

The Mombasa meeting was regularly mentioned as having caused a rift in the leadership. Another delegate explained that Otti alone had sanctioned the meeting, without consulting Kony; it had been rumoured that the LRA/M delegates in attendance had received 60,000 Ugandan shillings from Salim Saleh to hand to Otti in exchange for bringing down Kony.⁵⁵⁶ Most people agreed that the Mombasa meeting had created great confusion and distrust. UN staff working on the Juba Talks were furious that Pax Christi had taken their initiative too far without consulting the official facilitators. IKV Pax Christi's argument that the Mombasa meeting broke the impasse and produced a set of superior agreements to those eventually signed is also valid.⁵⁵⁷ From Pax Christi's perspective, the trust established between delegations thanks to the Mombasa meeting was evident, and the possibility that it had created internal distrust rather vague. However, when Machar met again with Simonse on an unrelated matter in June 2008, the Vice-President greeted Simonse—to the latter's great surprise—as the man responsible for Otti's murder because of the Mombasa meeting.⁵⁵⁸

Many different stories circulated about how exactly Otti was killed. One delegate said that he knew Otti had pleaded for his life. One story, relayed much later from within the LRA to U.N. security, was that Kony had harboured suspicions against Otti and had Otti's hut—his tukul—searched when he was out. When Otti returned sooner than anticipated, there was a quick shootout. "There was no pleading, no begging for his life, and no grilling of genitals," said UN security, referring to the headline in the *Red Pepper*. "The Ugandan press has done everything possible to throw a spanner in the peace process."⁵⁵⁹ The LRA's third-in-command, Makasi, told the Ugandan press after his escape that Kony had asked Otti for a meeting and had him arrested. Makasi said that he himself had been tipped off that he would also be arrested, and had managed to flee with a group of people.

A woman from Maridi who was Record Otim's wife recounted how Kony had come or sent someone to the place where she was staying with Otim and "asked for his top commanders Otti, Otim, Achellam and one more to

555 Fieldnotes, Nairobi: 11/11/2009.

556 Fieldnotes, Nairobi: 14/3/2008.

557 S.Simonse, W. Verkoren, and G.Junne, "NGO Involvement in the Juba peace talks: the role and dilemmas of IKV Pax Christi", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.235.

558 Fieldnotes, Juba: 5/6/2008.

559 Author interview with UN security officer. Juba: 1/2/2008.

come for meeting". Otim left her behind when he went for the meeting because she was pregnant. When Otti, travelling from his base in Garamba One, arrived at Kony's place (which was called Garamba Two), Kony was not there. Otti reportedly asked the bodyguards, "Where is the big man?" He was then arrested and all four "were taken to the bush and shot to death, their guards also...Otti's guards were also killed." Record Otim's wife only came to know that her husband had been killed because people had heard gunshots and told her about it. Kony then asked to divide the "property of the people shot amongst others, including the wives", so she was given to a new husband.⁵⁶⁰ When asked for the reason why her husband was killed, she said she did not know the reason exactly. She said what she knew was that Otim was always saying "there would be peace, but Kony did not want peace, that they would get peace and Otti wanted out and Kony was not ready to come out," but her husband did not give her a reason why.⁵⁶¹

Those who had been in Otti's camp had reportedly been either shot dead or had been disarmed and were in a gloomy mood. On December 11, 2007, President Kabila reiterated in a private meeting at his home with Tim Shortley that DRC would "stick to his agreement with President Museveni and... keep the pressure on the LRA to leave Garamba or finalize a peace agreement".⁵⁶²

Otti's death rattled the delegation, the mediation team, and the journalists. Speaking to various members of the delegation, I learned that it had not only challenged its internal coherence, but had also tainted communication between the delegates and Kony. One delegate told me: "Adek is really disturbed by Vincent's death because he is frank with Kony. He tells him the truth. He was the one who called Kony and said to him your own delegation is afraid to visit you."⁵⁶³ One delegate—speaking after he had just been dismissed from the delegation—said "Kony did not tell us the truth about Vincent. First, he said Vincent was sick, then that he was under house arrest. He made me lie to the press in Nairobi, saying that Otti was

⁵⁶⁰ Author (with translator) interview with Zande LRA-abductee, 'wife' of Alfred "Record" Otim. Yambio: 23/2/2009.

⁵⁶¹ Author (with translator) interview with Zande LRA-abductee, 'wife' of Alfred "Record" Otim. Yambio: 23/2/2009.

⁵⁶² US Embassy Kinshasa. "07KINSHASA1361 (Classified Confidential) : President Kabila's December 11 Meeting with Ambassador and AF Senior Advisor Shortley", 12/12/2007.

⁵⁶³ Fieldnotes, Juba: 2/2/2008. Adek was also quoted in a confidential US embassy memo. According to the memo "Adek confirmed that Kony was set on making money to 'run his organization and run/relocate if necessary.' Adek said that Kony was not interested in meeting or talking with anyone anymore and wanted to find a safe place to go. Adek said that LRA members in Garamba were terrorized and demoralized". US Embassy Kampala, 08KAMPALA203 (confidential): "Northern Uganda: Juba Peace Talks Resume, LRA Sorts Out Internal Issues", 1/2/2012.

okay. This makes it hard for me to make the case for the LRA.”⁵⁶⁴ For another delegate the process had lost its momentum with Otti’s death, with the focus solely on getting signatures under agreements and with both the delegation and the LRA leadership split: “If we think about getting an agreement, but we don’t think about the future after the agreement, I no longer know if it will ever end.”⁵⁶⁵

Conclusion

Where 2006 had been the year in which previously established conflict structures between the LRA/M and the GoU were emphasised in how the events unfolded, 2007 developed on a different trajectory. The challenging internal dynamics of the LRA/M came into sharp focus. The underlying logic of these is discussed in a later chapter. In addition, the many layers of the LRA/M’s experience of negotiating peace became much clearer. This included internal distrust and sabotage, but also increased engagement with an ever-growing collection of outside actors which also pulled the LRA/M in different directions. One way of maintaining coherence was to exert control at the very heart of the LRA. Additionally, the events in 2007 magnified the parallel processes the LRA/M was experiencing in the dynamics of the process and the signed agreements that emerged. The leadership struggle at a time when progress on paper was as successful as never before is a manifestation both of reclaiming control and the many layers of experience in the process.

With Chissano in place as the UN Special Envoy, the international architecture of the talks had been strengthened, highlighting that despite the ICC warrants, the broader international community was committed to somehow finding a solution in Juba. For the LRA/M, this meant that the opportunity to forge outside connections also grew, and with that one of the LRA/M’s most powerful tools of keeping outsiders engaged by giving them access and then withdrawing it again.

564 US Embassy Kampala, 08KAMPALA203 (confidential): “Northern Uganda: Juba Peace Talks Resume, LRA Sorts Out Internal Issues”, 1/2/2012.

565 US Embassy Kampala, 08KAMPALA203 (confidential): “Northern Uganda: Juba Peace Talks Resume, LRA Sorts Out Internal Issues”, 1/2/2012.

6. “Reach Out a Hand and Pull it Back”: Engaging Outsiders

A month before the Juba Talks started in July, on the evening of June 7, 2006, the LRA/M delegation went to the Vice-President’s office. The delegates had waited for a week for their first encounter with Machar before they could travel to the bush for the meeting with Kony in which he was to mandate them as his representatives. Machar had been delayed in Khartoum, first by political business and then by a sandstorm. Shaking Machar’s hand, delegates bowed their heads and clicked their heels in acknowledgement of his political and military authority. Once seated around a large table, host and visitors exchanged pleasantries. Machar said interest in the talks was heating up: he had received an interview request from Radio France International just that morning. He was jovial, confident and very much in control. The delegates, having become used to trying to draw as little attention to themselves as possible, seemed deferential.

Yet the modalities of organising and paying for the peace talks weighed heavily on their minds. Designated spokesperson Olweny said, “the financial requirement of peace is substantial. We need to leave the door open for sponsors, but the issue requires extensive discussion. We want the process to succeed. This appears to be the best chance for peace in the region.” Ojul, the designated delegation leader, concluded more bluntly: “We want donors to come into the peace process.”⁵⁶⁶

Machar agreed that the LRA could not itself facilitate the talks: “If you try to raise funds yourself you will fail,” he said. “We will also have trouble trying to raise funds, but we can facilitate. The donors need to form their own forum to manage funds. You shouldn’t do this yourself.”⁵⁶⁷ He reassured the delegation that he was in a position to gather financial and ideological support, pointing out that members of St Egidio had been waiting with the delegation in Juba to travel to Ri-Kwangba: “The Italians are members of the EU. The Swiss and the Americans have been asked to support this peace process. I have asked them to strike the LRA off the terrorists list.”⁵⁶⁸ Everyone seemed pleased, grateful, and in awe of Machar. Moreover, everyone seemed in agreement that a priority was to establish

⁵⁶⁶ Fieldnotes. Juba: 7/6/2006.

⁵⁶⁷ Fieldnotes. Juba: 7/6/ 2006. With the Juba Initiative Fund (JIF), donors later did form their own forum from which to disperse funds under the auspices of the UN and GoSS, later administered and audited by KPMG.

⁵⁶⁸ Fieldnotes. Juba: 7/6/2006.

solid international contacts to cast the net of the Juba Talks more widely. “You have to reach out,” Machar told the LRA/M repeatedly. “We are here for peace,” Olweny responded.

During the drive back, the delegation was mainly quiet, except for one short conversation. Three delegates were discussing how much international support Machar might be able to solicit. One delegate responded that reaching out was “all well and good”, but there was one thing that would cause a problem and that the mediator had yet to understand: “We are very opinionated people also.”⁵⁶⁹

Introduction

“Keep the international community on your side but do not let it overpower the peacemaking momentum,” suggests Wallensteen as one ground rule for peace negotiations.⁵⁷⁰ The advice sums up what the LRA/M was trying to do: engage external or international actors, but remain in control, reflected in the notion of being “very opinionated also”. This chapter offers an analysis on the LRA/M’s procedural challenge to engage with external actors while maintaining ownership of the process. It is often assumed that international participation benefits a peace process, particularly if one of the actors is the state. This had certainly been Uganda’s experience. In assessing the role of the international community in resolving the West Nile War, Lomo and Hovil argue that international participation was “vital to the success of the peace negotiations. Their participation lent legitimacy to the process, validated the views and the concerns of the Ugandan participants, and facilitated communications and relationships through the infusion of resources not otherwise available”. They, however, also write that

the potential negative impact of these interventions cannot be over emphasised, and needs to be carefully calculated. While the presence of international bodies does lend credibility and visibility to the peace process, the weight that the donor community carries can either sustain the process or risk derailing it by pushing for completion at the expense of the integrity of the process.⁵⁷¹

This chapter looks in more detail at how the integrity of the process played out through the involvement of international actors. The chapter’s main

⁵⁶⁹ Fieldnotes, Juba: 11/10/2006.

⁵⁷⁰ P.Wallensteen and M.Eriksson, *Negotiating Peace: Lessons from Three Comprehensive Peace Agreements*. Uppsala/ New York: Uppsala University/ Mediation Support Unit UN, 2009, p.38.

⁵⁷¹ Z.Lomo and L.Hovil, *Negotiating peace: Resolution of Conflicts in Uganda's West Nile Region*. Refugee Law Project Working Paper No. 12. Kampala: June 2004, p.33-34.

point is that it is not a challenge *per se* if international actors get involved, but rather that the international community as a set of actors works in very different ways from the conflict actors involved. To describe how the LRA/M and the international external actors functioned, I will refer to language used by members of the LRA/M: they talked frequently about their efforts to “connect” and about “surges” towards breakthroughs. The LRA/M progressed by alternating its levels of engagement, and kept control by maintaining a fluid, often vague process. Progress and change came, as they described it, through reaching out in certain moments; control was maintained by pulling back in others. I call this mechanism “connect/disconnect”, and visualise it as an alternating current. When I asked a delegate why the LRA/M seemed to alternate its levels of engagement, he explained: “Someone in the bush does not operate like someone in an office.”⁵⁷²

Alternating current flows in two different directions, but remains powerful precisely because the directional shift allows it to function without overloading the circuit. The image of an alternating current helps us to understand why LRA/M members stressed that they were always engaged with the process, even when external actors felt that the LRA/M had withdrawn. This notion also influences how the LRA/M connects to outsiders. My own experience with the LRA/M has been that periods of intense contact were followed by accusations of betrayal, yet these were always made while hinting at the possibility of absolving me. Contact was then reinstated with an emphasis that this was also done through forgiveness. The effect on me was that even in periods in which I was branded a traitor, I never stopped pursuing the connection.

In contrast to these waves of engagement, the external international actors—who, for the sake of brevity, are drawn here with an extremely broad brush—needed continuously developing momentum and consensus to remain committed to the peace talks. Drawing on the LRA/M description, I call this mechanism a “galvanic surge”. The image of direct current best captures what a galvanic surge is: concentrated energy flows in one direction, but has less power to sustain long distances or subtle adjustments.

The latter part of the chapter outlines how these two modes clashed. Running in parallel, the two approaches created a syncopated rhythm. Profound misinterpretation occurred in moments when external momentum hit a period of lesser LRA/M engagement; at other times, strong LRA/M engagement did not coincide with external momentum. In

572 Fieldnotes, Juba/ Magwi: 2/10/2006.

pinpointing how the two operational modes mismatched, the chapter shows why outside support and reassurances for the process were withdrawn just when the LRA/M had entered a time of adjustment. When the LRA/M pulled back from the process—often in order to consolidate its own position—the external galvanic surge created consensus about the LRA/M’s lack of commitment to a peaceful solution. Connect/disconnect and galvanic surges highlighted the constraints on both parties’ ability to pursue peace flexibly, with an open mind and a willingness to concede on certain points, and in a manner that sent a clear message. Both actors missed out because of their different ways of functioning: in retaining too much control, the LRA/M failed to use the opportunity to broaden its political support base and capitalise on the Juba agreements, such as the concessions made by the GoU regarding root causes of the conflict. External international actors displayed a lack of vision by insisting on a particular approach to peacemaking in a constrained environment, thus failing to bring about lasting change or learn significant broader lessons for future conflict resolution. The chapter concludes that because the LRA/M and international actors conducted themselves in entrenched, yet mismatched ways, both sides struggled to utilise the Juba Talks to move towards resolution of the conflict.

The LRA/M’s Connect/Disconnect

A few days before my first trip to the bush, two LRA/M delegates pulled me aside. One said: “When you get to the bush, you will be very free.” The other added:

Don’t be scared when you get to the bush. We have been in the community for a while. I might be different when I get to the bush. I will not talk openly to you like now. But don’t be scared by people in the bush. It is a bit different there, but they will not be scared by you. They have seen many whites.⁵⁷³

Having “seen many whites” is the most obvious manifestation of making an external connection. This obvious moment of connect, however, was only the peak of an almost permanent process of connect/disconnect engagement. The common perception of the LRA is that the world’s most elusive rebel group has been inaccessible for large stretches of the conflict, emerging only for attacks or a few scattered peace negotiations. The LRA/M’s perception of their own role was different: in their view they had never *not* been engaged in peace negotiations, at least since the start of the conflict in 1986 until the military strike against them that ended the Juba

⁵⁷³ Fieldnotes, Juba: 6/6/2006.

Talks in 2008.⁵⁷⁴ What from the outside seemed like inaccessibility was on the inside a continuous process of different kinds of engagement.

Roughly speaking, the LRA oscillates between two kinds of action. The first—disconnect—means exerting military strength, recouping, evaluating the situation, fighting for survival, and closings ranks to outsiders. The second—connect—is the time when preparations for transformation are made, and relationships are forged, maintained or exploited across divides within the LRA and with the outside world. Significant shifts often happen during this time. The two stages are not clearly divided: disconnect for the LRA/M is as much a stage of engagement as connect. Support comes through connecting and control through disconnecting, yet both stages are versions of engagement. The LRA/M's relationship with civilians in Uganda and Sudan operated with this alternating current of bringing benefits and exerting brutal pressure, and used both to remain a powerful and permanent presence.

The alternating current also ensured that the ties were never cut. The LRA/M's version of the story of how the Juba Talks happened highlights this.⁵⁷⁵ Various LRM delegates offered stories about their own continuous contribution and long-standing and often frustrating connection to the LRA as a main motivation, for example in past efforts such as Kacoke Madit. Delegates explained to me that the Juba Talks had been three years in the making, having been started to make connections as an additional engagement while another untrustworthy process, from which they were slowly disconnecting, was ongoing. "We were appointed in 2003 because there was no trust in Kolo," explained one of the original delegates to me. Because at the time, "everything with Kolo [his close interaction with government negotiator Betty Bigombe and his defection at the end of the previous peace process] happened exactly as predicted by Kony."⁵⁷⁶

574 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009. The fallout of the Juba Talks is the most connection-free period, a manifestation of the greatness of the failure of the talks.

575 Stories abound about how and why the Juba Talks came about. Some analysts see the ICC warrants as the crucial catalyst. Opponents of the ICC warrants argued that they made ending violence look like an unattractive option, as Dowden holds: "Western policy, led by Britain, is to capture Kony and his fellow cult leaders and take them to the international court, while Museveni's aim is a military victory. Kony has no incentive to talk". R.Dowden, "Inspiration behind the 'terror gang'", *The Observer*, 2/4/2006. ICC supporters argue that it was because of the warrants that the talks came about. The ICC intervention, it was hoped by its supporters, might change dynamics in a way that would spell the beginning of the end for the LRA; although how precisely this would happen was never clear. Within the LRA/M, most shrug off the idea that the warrants triggered anything; they are seen as dictating the *content* of the Juba Talks rather than *causing* them. The question of cause and effect is impossible to answer, but also becomes less relevant when looking at the LRA's patterns of connect/disconnect.

576 Fieldnotes, 24/11/2007.

Preparing the next peace talks “was just an order from the chairman”.⁵⁷⁷ Thus some of the future LRA delegates met up in Nairobi from November 2004 to January 2005 to strengthen support within the LRA/M diaspora. In the autumn of 2005, Otti announced on the radio that the LRA wanted peace negotiations, precisely at the time when opponents of the ICC warrants argued that the option to negotiate had been closed off. In December 2005, LRA/M representatives met with Pax Christi in Nairobi for the first time; the broader contact with Machar was thus on its way.

My own experience of connecting with the LRA/M mirrors the same pattern, and also how connect/disconnect keeps levels of engagement. At first I was warmly welcomed and invited to enter the world of the LRA. A brief while later, I was threatened and accused of being an infiltrator, leaving me to prove that I came with no bad intentions. After I had been allowed into the inner sanctum of the LRA by talking to Kony and staying in the camp overnight, I was rejected again. This was based on the very real accusation that I had supported misleading stories in major media that had come out of the interview. This accusation of betrayal was in one case underscored by grabbing my throat and choking me. Eager to remain engaged, I spent considerable time and assurance to prove that the accusation was unfounded. I was again forgiven and allowed back for meetings, only to be cut off again a few months later. This time, the reason for the cut-off was not clear. It took a few weeks for me to establish that this recent episode of disconnect was based on a case of mistaken identity and the fact that I share a similar first name with a scholar who works for the International Centre for Transitional Justice, Marieke Wierda. The LRA/M had thought I had failed to disclose my professional affiliation and cut me off.

While the analysis that the ICC warrants made talks more complicated is correct, it overlooks the inner logic of the LRA/M’s alternating current. A prime motivator for the LRA/M to enter talks was to battle the absence of their side of the story and to use engagement in peace talks as a political tool to achieve that. Connecting to those who were necessary to change the public narrative—including, in the early ambitious days, the ICC itself—was a strong incentive, as was being able to talk publicly. My own experience with the LRA’s attempts to garner publicity for their perspective is interesting in this respect. One of the major motivators for the LRA to allow me to visit Kony was that I said that I would record him and it would go out internationally on radio and TV. Hoffman, in writing about Sierra Leone, has argued that the choice of medium is significant: “The narrative bloc of the violent event is shaped by the technologies and media through which it is transmitted.” What this means is that making oneself heard through

⁵⁷⁷ Fieldnotes, Juba: 28/9/2006.

official media channels brings legitimacy. He describes how in Sierra Leone, “having one’s story (re)told on the broadcast [BBC’s *Focus on Africa*] constituted a form of legitimacy and verification.”⁵⁷⁸ Due to the distorted presentation of the Kony interview—as anticipated by the LRA/M, and also by others involved in the conflict—the LRA failed to experience a verification of their side of the story. Instead, the way they interview was published for them underscored the point that their side of the story was never listened to.

Colonel Bwone took a similar view on the importance of words when I asked him what the LRA expected to get out of the talks: “We will capture power with words, not with the gun,” was his response.⁵⁷⁹ Thus connecting to a broader network of people to make their version of the conflict more widely known was a crucial incentive; the risks associated with it did not really change with the ICC warrants. In the end, it was precisely this broadening network and the series of connections that made the Juba Talks possible. From the LRA/M’s perspective, the Nairobi meeting with Pax Christi was akin to bringing in the international “umpire” that would allow a fair process and the establishment of vital outside connections.

Residents of Western Equatoria experienced how this moment of connecting to the outside world changed the LRA’s behaviour. Stationed near Ri-Kwangba from early 2006 onwards, the LRA cautiously guarded themselves from outside intruders, including the resident Azande population. The locals were told by LRA soldiers passing through the village that they were not allowed to tend to their gardens near the LRA camp. The LRA thus kept the residents under control by dictating the terms of engagement: while the LRA were to be listened to, they were not reachable. At the same time but in an entirely different location—Nairobi—the LRA connected to initiate the Juba Talks, which changed the situation in Western Equatoria too. The experience of Reverend Moses from Ibba illustrates this. The LRA had been in his region since late 2005. The local residents had recognised them “because of long hair. They are not shaved like our soldier. They speak a funny language, a mixture of Arabic and Swahili, less Juba Arabic.”⁵⁸⁰ The long-haired armed men had been looting and abducting; some children were abducted in November 2005. And although they had not returned at the time I spoke to Reverend Moses in June 2006, he explained that the LRA’s behaviour had changed: “They now

578 D.Hoffman, “West-African Warscapes: Violent Events as Narrative Blocs: The Disarmament at Bo, Sierra Leone ”. *Anthropological Quarterly* 79, 2, 2005, p.346.

579 Author interview with Col. Lubwoa Bwone and Lt.Col. Santo Alit (LRA). Ri-Kwangba: 22/9/2006.

580 Fieldnotes, Ibba: 10/6/2006.

come to the market and buy potato plants; they get friendly with the locals.”⁵⁸¹ He knew exactly when things changed: February 2006, at the time when LRA/M representatives were meeting with Machar in Juba. While the LRA had never not been engaged with the population, the engagement changed from one of violent power assertion—disconnect—to a mutually beneficial trade relation—connect.

It was shortly after this moment that the first meeting in the bush between Machar, Pax Christi and the LRA happened—the meeting Onek had described as being so scary, because they were accompanied deep into the bush by heavily armed, serious-looking LRA. When I asked several senior commanders why what was supposed to be a friendly meeting had had to be staged in such a frightening manner, they responded with a giggle. Lieutenant Colonel Alit in particular found the question funny: how else could the LRA possibly present itself to outsiders? Had they been too friendly, too ready to connect, the SPLA would just have killed them, he argued. Instead, in their encounter with outsiders, they had to simultaneously “reach out a hand and pull it back. In a war, you cannot just shake it.”⁵⁸²

Making Broader Connections for Peace

If control was such a prominent issue for the LRA/M, what was their motivation to connect in the first place? Engaging in the peace talks came at great cost for them. In April 2008, former spokesperson Olweny said that making Kony a public figure and allowing him to be interviewed was a mistake: “He was stronger when he was not exposed to the world.”⁵⁸³ The LRA/M was feeding off the image of the unknown spirit-driven superhuman commander. So was the outside world, signalling back to the LRA/M that this image remained one of its strongest assets. Abandoning the unknown by connecting to the non-LRA world stripped the LRA of its power to incite fear, at least for a while. Because of this cost, it is intriguing that the Juba Talks, with wide international participation, became possible.

The LRA/M largely expected externals to assume an umpire role to solve the problematic dynamics at the negotiation table; individuals within the LRA/

⁵⁸¹ Fieldnotes, Ibba: 10/6/2006.

⁵⁸² Fieldnotes, Ri-Kwangba: 15/7/2007.

⁵⁸³ Fieldnotes, Cologne: 24/9/2008.

M also felt that broader international participation would help to smooth the LRA/M's internal challenges. Further using the facilitation and adhering to rules set by international outsiders about how the talks would be conducted would allow political gain for the LRA/M.⁵⁸⁴ This makes for striking parallel to how the GoU utilised international rules: Clark argues that the GoU used the tool of state referral to the ICC for its own "political and legal gain", citing a Ugandan politician who said "'the ICC has become Museveni's political tool'".⁵⁸⁵ Both parties thus turned to outsiders for additional tools to use against their enemies—and both parties at opportune moments then argued that outsiders were interfering with a local process. Museveni made such statements when he stressed his own Amnesty Law over the ICC's jurisdiction. Whenever the Juba Talks hit crisis points, the LRA/M would withdraw by, as Ojul put it in one of those moments, "going back to the field to consult", which then also meant—as another delegate added—that "no outsiders were allowed."⁵⁸⁶ Such moments of disconnect, needed by the LRA/M to regain internal strength, expressed the tension inherent in this kind of engagement.

Yet once the need for the connection had been identified, the opening brought in as many international actors as possible which then evolved into the Juba Talks. Despite seeing the international community as broadly complicit with Museveni, the LRA/M assumed that external actors would act fairly and to a certain extent with goodwill towards the LRA/M as the initiators of peace talks. The LRA/M surmised that international engagement with the nitty-gritty complexities of the conflict would adjust international pro-government bias and help to create leverage on the GoU. From the LRA/M's point of view, one purpose of connecting was to widen the network, to strengthen what Sarrica calls "social representation".⁵⁸⁷ In the early days of the Juba Talks, strengthening those outside connections and securing resources was one of the major motivations for participation: "Maybe we need to make contact to European politicians," a delegate

584 I define external international actors as everyone whom the LRA/M viewed as holding a possible "umpire" position. This vague definition makes for a somewhat mythologised version of what the "international community" is and can do, but it draws on a notion that I have frequently encountered in both Sudan and Uganda.

585 P.Clark, "Chasing cases: the ICC and the politics of state referral in the Democratic republic of Congo and Uganda", in *The International Criminal Court and Complementarity: From Theory to Practice, Volume II*, C. Stahn and M. El Zeidy, eds.. Cambridge: Cambridge University Press, 2011, pps. 1182 and 1201.

586 Fieldnotes, Juba: 12/9/2006.

587 Sarrica explains how in an unfamiliar situation, group communication gives rise to representations as newly exchanged thoughts develop a new nature, a process that he calls "social representation". M.Sarrica and A.Contarello, "Peace, War and Conflict: Social Representations Shared by Peace Activists and Non-Activists." *Journal of Peace Research* 41, 5, 2004, p.550. Sarrica's outline of the stages of social representation was clearly visible in the Juba Talks.

explained to me. “We need support, we need much stronger support.”⁵⁸⁸ Through stronger social representation, the LRA/M’s reasoned, new energy would allow movement towards finding a way to change the situation of the LRA and of Uganda. One delegate said that initially he had found the Juba process credible “because it was so internationally staffed.” He said that the international staff were the only option for the LRA/M to shift inner-Ugandan dynamics while also tackling the problems that had arisen through the Rome Statute. After all, he said, “the ICC remains as a biased court,” a bias that the LRA/M would only be able to address by engaging with international actors.⁵⁸⁹

An Example of Reaching Out and Pulling Back

The practice of connecting to external actors in order to gather support came with a permanent weighing of power relations for the LRA/M. A look behind the scenes at what was interpreted as the first proof that the LRA/M was not serious in its peace effort will help in understanding the many layers of action and interpretation that converge at all times. During Machar’s meeting with the LRA leadership before the opening ceremony in Juba, everyone on the trip to Ri-Kwangba behaved as if the connection had been made successfully and the Juba Talks were guaranteed. Although the GoU’s participation was still shaky and had not been officially announced, LRA/M delegate Ayena was on the phone inviting people from all over the world to join the delegation as observers. Otto gave interviews to journalists in which he announced that he dreamt of being Uganda’s vice-president. Machar, followed around by an Al-Jazeera camera crew, visited Nabanga’s shell of a school to assure local residents that he knew they were in a volatile situation, being physically wedged between the LRA and the outside world, but that this situation would improve as the Juba Talks progressed.

Machar’s mission on this final meeting was clear: he wanted to persuade Otti to take another step and strengthen the LRA/M delegation in Juba with his own presence. Otti was at first nowhere to be found. On his journey from the LRA camp to make a physical connection, the LRA had encountered two rivers that had merged in the rainy season. Despite, as they said, “walking from six to six”, they needed three more days beyond the scheduled meeting time to get to Ri-Kwangba.⁵⁹⁰ One delegate, while

⁵⁸⁸ Fieldnotes, Juba: 5/6/2006.

⁵⁸⁹ LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

⁵⁹⁰ Fieldnotes, Nabanga/ Ri-Kwangba: 11/7/2006.

waiting in Nabanga's school during a downpour, explained that it was a challenge for Otti to even emerge for this meeting, since the meetings had become so big and the connections expanded so quickly: "Everyone is nervous if they don't know who they are talking to." Various delegates said that taking Otti to Juba was not possible. They were worried about his security and thought that he was safe only in the bush and with the chairman.

The following day, Machar and his entourage waited in the forest for the LRA leaders. No LRA or LRM member was to be seen, and no sound could be heard coming from the bush to announce the advance party that would signal the arrival of a high-ranking commander. In four long hours of waiting, the discussion about the delegation was lively. All the members of the SPLM who were present were engaging in conspiracy theories about why they were being made to wait for so long. Ideas thrown around included that Kony was holding the delegation hostage. Or maybe he had confiscated their phones? At one point, a soldier spotted and killed a black poisonous snake that had crawled under one of the makeshift chairs near Machar, prompting a member of one peacemaking organisation to ask: "Is that a message from our friends?"⁵⁹¹

Onok was outraged at the delegation's behaviour and at the fact that they were letting the Vice-President of southern Sudan wait in a clearing in the bush. "They lack respect, they should apologise to the VP," Onok said. Machar himself seemed unfazed. He was engrossed in his copy of Stephen Hawking's *A Brief History of Time* and only joined in the speculation at one point. "Maybe they did not deliver my letter," Machar said—he had written a letter to Kony assuring him of his safety were he to come to Juba or send one of his senior commanders.⁵⁹² This would be his fourth encounter with the LRA command in order to get the Juba Talks on the ground; he seemed to get used to waiting a lot.

Finally, the first LRA fighters emerged, followed by a rather haggard-looking delegation, and eventually Otti. Machar politely but firmly pointed out that he had been waiting for him for three days. Otti did not flinch: "Last time we waited for you for 11 days," he retorted, adding that Kony was not coming to this meeting. In addition, because of the delay in his arrival, "the delegation needs more time to talk about fundamental issues." Machar insisted—to no avail—that he had to meet Kony to be able to deliver a credible peace process. He wanted action, rather than deliberation: "I need an answer in a letter," he insisted,

⁵⁹¹ Fieldnotes. Ri-Kwangba: 13/7/2006.

⁵⁹² Fieldnotes, Ri-Kwangba: 13/7/2006.

in good handwriting. The Ugandan government delegation is high-ranking; you should upgrade your delegation by sending one of the five leaders [under arrest warrant from the ICC]. Because first Uganda said, we are not talking to the top five commanders. Now they say we want one of the five, although it is not a condition. It shows that they are serious.⁵⁹³

Yet despite this pressure from the GoU, Otti quickly made clear that he would not travel to Juba. "What are you afraid of?" Machar asked. He pressed the point that the LRA needed as much media exposure as possible, to broaden the connection between the LRA and the rest of the world: "The press has to be here. More coverage of this is good and it will be better than last time."⁵⁹⁴ He wanted to firm up the commitment the LRA was making to connect to the outside world, to internationalise his peace talks endeavour.⁵⁹⁵ Otti dodged the question of what he was afraid of: "We want Ochora here and the Acholi elders," he answered instead.⁵⁹⁶ If Machar was disappointed, he did not let it show. He appeared quietly in control, ready to push his agenda step by step.

On the way back to Maridi, the convoy stopped in Ibba to buy water and snacks, and I asked one delegate how things had gone in the bush and why Kony had not appeared. "Things don't go how we want it to go," he said. He offered an explanation why Kony had not appeared at the meeting, even though that had been the agreement. Essentially, the amount of outside connection Kony made was an image question: "The rebel leader cannot always be at every meeting, otherwise he looks too junior. It is very difficult to talk to a real rebel leader." But why, I asked, was it not possible for them to stick to the arrangements? Or indeed why did it seem impossible to send a higher rank to the negotiation table, even Otti himself, under the personal protection that Machar had promised him? The suggestion seemed ridiculous to the delegate. He was worried, he said, about handing anything over to the SPLA, because the LRA would thereby relinquish control of the process and because "the SPLA is so unorganised." He had heard that Onok had requested an apology from the LRA/M delegation and been outraged that they had let the VP wait so long. "He talks to us like children," the delegate said. "Like he is telling a girl: go to school. We have shown that we are serious. Vincent came out of the bush.

⁵⁹³ Fieldnotes, Nabanga/ Ri-Kwangba: 11/7/2006.

⁵⁹⁴ For a detailed account about what had happened "last time" see M.Schomerus, "Chasing the Kony Story," in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London: Zed Books, 2010.

⁵⁹⁵ Fieldnotes, Nabanga/ Ri-Kwangba: 11/7/2006.

⁵⁹⁶ Fieldnotes, Ri-Kwangba: 13/7/2006.

We are here.”⁵⁹⁷ For him, Otti’s appearance in person to relay the news that he would not come to Juba was the strongest possible connection, and proof that the LRA was committed to the talks.

Others interpreted the events differently. On the drive, the delegation listened to the BBC’s *Focus on Africa* programme. The newsreader relayed the information that Kony had let Machar wait in Nabanga for five days and that in the end Kony had still refused to send one of the commanders wanted by the ICC to negotiate in Juba. To the great dismay of some of the delegates, the BBC interpreted this as proof that the LRA had no interest in engaging. The short news headline was: “LRA talks run into first obstacles.”⁵⁹⁸

Internationalisation and Africanisation

Connect/disconnect also helps explain obvious contradictions in the LRA/M’s negotiation position. On the one hand, the LRA/M argued for a liberal peace—a firmly “international” concept—with free and fair elections, accountability, and a functioning justice system. On the other, they at times proposed to negotiate a power-sharing arrangement with Museveni and avoid prosecution for war crimes. Some even wanted Museveni, now an elected president, deposed by the peace agreement. A seeming contradiction emerged. On the one hand, the LRA/M connected to the international actors, who brought their own set of rules. On the other, the LRA/M wanted to simultaneously disconnect, countering the process put in place by the Rome Statute with their own context-specific interpretation.

At the heart of this lies a broader tension in local or regional conflicts with an international reach. LRA/M members said that part of what they needed to do in light of the ICC warrants was to either convince the ICC that its warrants were biased or to get other international actors to agree that this was an “African conflict between Museveni and Kony”.⁵⁹⁹ When it was useful, the LRA cited the ICC as the instrument that had upset the fragile balance of the Africanness of the conflict, arguing that this conflict was to be dealt with in an African way. This argument is an extension of the broader debate about the tension between traditional local justice as opposed to international justice. For Mbembé and Rendall the notion of a return to African traditions and a sharpening of the “Africanist”

⁵⁹⁷ Fieldnotes, Ri-Kwangba: 13/7/2006.

⁵⁹⁸ Fieldnotes, Ri-Kwangba: 13/7/2006.

⁵⁹⁹ Fieldnotes, Nabanga: 20/9/2006.

perspective will allow a more balanced discourse beyond a “the negation of [the traditional] self and this authenticity would thus constitute a mutilation.”⁶⁰⁰ In the localised and Africanised justice debate, this idea usually surfaced in the focus on non-state justice mechanisms seemingly rooted in the customs of the affected communities.⁶⁰¹ Reaching out to an international community that was undecided on how to deal with the LRA was part of the connection that could then be severed by rejecting the new international order to regain control. This was put particularly pointedly in early November 2006, when Egeland was expected in Juba. The LRA/M’s spokesperson welcomed the chance to connect with Egeland to discuss the ICC warrants with him: “Because they are a blockade to the talks, the primary agenda is to request Egeland to use his offices to talk to the UN Security Council and the ICC to drop the warrants in the interests of peace in the region.”⁶⁰²

Hidden behind the description of “the interests of peace in the region” was the plan to bring the GoU to the table (connect) and then expose it internationally to force acknowledgement of its part in the conflict (disconnect). This strategy was particularly obvious in the LRA/M’s emphasis on international media attention, rather than on national Ugandan or Sudanese media. Even though they thought little of international actors or the international press, they calculated that the attention pay-off would be bigger.⁶⁰³ Such coverage was guaranteed by selling the story as an impenetrable African war, and the LRA/M skilfully embellished and instrumentalised the supposedly unique African features of the conflict.

The “Africanisation” had practical implications for the LRA/M. They said, for example, that the shared “Africanness” made overcoming hurdles possible on the personal level, as Olweny explained. At the first face-to-face meeting in Machar’s office after the much fought-over signing of the CoH, the two delegations reconnected, Olweny explained, by “shaking hands emphatically! Emphatically in that African way!”⁶⁰⁴ Africanisation of the conflict also meant that the LRA/M wanted to specifically reach out towards African partners. On September 2, 2006, the delegation wrote a personal

600 A.Mbembé and S.Rendall, “African Modes of Self-Writing”, *Public Culture* 14, 1, 2002, p.254.

601 Allen criticises the notion that such traditional justice exists, arguing that the proposed justice mechanisms—namely the ceremony of *mato oput*—were inappropriate to deal with issues connected to large-scale violence, but were being pushed by international aid agencies. T.Allen, “The International Criminal Court and the invention of traditional justice in Northern Uganda”, *Politique Africaine* 107, 2007.

602 BBC News, “Uganda rebel chief wants UN talks,” 6/11/2006.

603 The behaviour echoes what Mbembé and Rendall call “Africinity”: a “hatred of the world at large (which also marks a profound desire for recognition)”. A.Mbembé and S.Rendall, “African Modes of Self-Writing”, *Public Culture* 14, 1, 2002, p.252.

604 Fieldnotes, Juba: 24/9/2006.

letter to Mangosuthu Buthelezi, head of South Africa's Inkatha Party.⁶⁰⁵ Under the subject line "The Just Struggle of the LRA/M", the letter addressed the LRA/M's concerns about being the disadvantaged party at the negotiation table, stating that international support had contributed to this imbalance. The letter introduced the LRA/M as "an organisation that has been so seriously demonised and vilified for so long, but about which the world has known so little", and asked Buthelezi "to grace the Juba Peace talks with your presence".⁶⁰⁶ Briefly explaining the LRA's position, the letter stated:

suffice it to say that the LRA/M was formed as a response to NRM's deliberate policies of persecution and marginalisation [*sic*] of the people of northern and eastern Uganda, bordering genocide. In due course we should be able to send you our position papers in the Juba talks in order to facilitate your clear understanding of the situation. For nearly two decades the NRM Government has thrived on concealment of one of the worst human catastrophe by a well orchestrated and sophisticated propaganda machinery procured through a UK Public Relations Organisation. By the use of this machinery Museveni has slammed a ghostly smoke screen on the LRA and presented it to the international community as a murderous organisation without any political agenda. In good time, Your Highness, we should be able to explain to you that the LRA/M is not only an organisation with a truly Pan African outlook with a focused national agenda, but it is also the only serious counterbalance to Museveni's militaristic approach to politics in Uganda.⁶⁰⁷

The delegation further asked for Buthelezi's support in reaching the international community, for Buthelezi's presence at the Juba Talks, and for an invitation to South Africa for the LRA/M delegation to be introduced to more people who might be sympathetic.

Mocking the international system's ineffectiveness in the unique LRA context was another way of getting rid of it. As one LRA member put it, laughing emphatically at the hilariousness of what he was talking about: "Sitting in a cell in The Hague with food and television, for an African that is not punishment. It's funny."⁶⁰⁸ Almost three months later, I was reminded of this exchange while walking around Nabanga with another delegate. We observed the outcome of a local trial: a naked man was beaten up and whipped by a man with a gun while a group of elders looked on. The naked man was then locked up in a round cage made from bamboo, his gashing

605 The contact was established through a representative of The Earth Organisation who had come to Juba to plead with the LRA to stop killing the white rhino for food in Garamba Park. The letter makes reference to a phone conversation between Ojul and Buthelezi.

606 LRA/M delegation in Juba (Martin Ojul), "Letter from the LRA/M to Chief Buthelezi, Leader of Inkatha Party", 2/9/2006.

607 I LRA/M delegation in Juba (Martin Ojul), "Letter from the LRA/M to Chief Buthelezi, Leader of Inkatha Party", 2/9/2006.

608 Fieldnotes, Juba: 6/7/2006.

wounds bleeding. Without protection from the sun or rain, he spent at least 24 hours in the cage—he was still there when I walked past at around the same time the next day. While observing the beating, the delegate jokingly commented, “This is not ICC.”⁶⁰⁹ However, he also implied that with “what had happened in the war”, finding some real punishment would be necessary. Inadvertently or consciously, his stress on the need for “proper” punishment meant the LRA’s inclusion in the greater circle of humanity, even if it was to stay firmly within an “African” definition.

This notion of punishment as a way to establish humanity is discussed by Bourke, who writes that even soldiers who continued to kill stressed

that they retained a moral faculty. The insistence that men were causal and moral agents was crucial. Combatants strongly believed that they should feel guilty for killing: it was precisely this emotion that made them “human”, and enabled them to return to civilian society afterwards. Men who did not feel guilt were somehow less than human, or were insane: guiltless killers were immoral.⁶¹⁰

If the demand for punishment is part of being fully accepted as humans—as both victims and perpetrators—the LRA/M’s demands for the respect of their own human rights makes more sense.

Connect/Disconnect Tensions

The LRA/M paid for connecting by submitting themselves to forces outside the LRA/M’s control. In war, the LRA/M controls people’s lives, fears and experiences. In peace, the LRA/M aimed to control the narrative about the conflict with the expectation that opening up would sway opponents and sceptics. They expected that once they reached out, the biased media would be educated about what the LRA/M perceived to be the real story. At various times delegates and LRA members talked about how the chief prosecutor of the ICC, once presented with their side of the story, would be convinced that he was wrong in pursuing the LRA alone.⁶¹¹ They voiced the expectation that if OCHA were satisfied that the peace talks were useful, support from the entire UN system and the international community,

609 Fieldnotes, Nabanga: 20/9/2006.

610 J. Bourke, *An intimate history of killing: Face-to-face killing in twentieth century warfare*. London: Granta Publications, 1999, pps. 238-39. This would follow Jackson’s point that the ICC is congruent with the “English School” in International Relations, which sees international law and human rights as “enshrined in a world society”. P. Jackson, “Negotiating with Ghosts: Religion, Conflict and Peace in Northern Uganda”, *The Round Table* 98, 402, 2009, p.320.

611 The LRA/M’s notion of the ICC as being somewhat of a fair umpire is rather reminiscent of Ho Chi Minh’s letter to US President Harry S. Truman. In 1945, the then-Prime Minister of Vietnam had written to Washington to ask for US support in Vietnam’s freedom fight against the French. The letter was never answered. Minh, Ho-Chi. “Personal letter to Harry Truman, US President”, 16/2/1945.

including the ICC, would follow. In the LRA/M's ideal scenario, making the connection would shift the power of the LRA from the mystical-disconnected to the visible-connected, and would make Kony a "Big Man" with power over the international community on par with Machar, Museveni and Egeland. Visible power and its insignia were incentives to give up the strength that came from being elusive.⁶¹²

The realisation that the way to power was more complicated than they had imagined came soon enough. One delegate said that in order for the LRA to become a widely supported player, they knew the LRA needed to apologise for their atrocities—and indeed Kony had done so in the July 2006 meeting with Acholi community leaders. However, the delegate argued, apologising had taken away power from the LRA that needed to be re-established. "The problem is that now every radio station demands an apology," he said, "but it is for the chairman to decide when to apologise. He cannot be told what to do."⁶¹³ The theme of "not being told what to do" emerged several times, particularly in a heated discussion I had with one delegation member when I questioned their ability to reliably contact the chairman: "It is not easy to deal with a rebel, with someone who has been in the bush for 20 years." I said it was obvious how difficult it was for Machar or the UN to deal with a rebel, but was it equally difficult for a rebel to deal with a rebel? Was it also not easy for him to deal with his boss? "No," he answered. "It is not easy, but we should not be pushed to do anything."⁶¹⁴

Despite Kony's method of maintaining power by being elusive, the LRA/M had not expected the vision of Kony as one of the world's leaders to be scuppered so quickly. With connect not bringing the amount of control the LRA/M had hoped for, incentives to disconnect to regain control grew. The arrival of Ugandan MPs in Juba in September 2006 illustrated this tension well. Wanting to broaden its support base, the LRA/M initially welcomed the arrival of the MPs. Quickly, a mechanism of proxy negotiations ensued, as the MPs tried to reconcile the GoU's and the LRA/M's position papers. At first, the LRA/M delegation viewed the new players as an interruption that created an incentive to strengthen their direct connection. "Procedures have broken down with the MPs shuttling back and forth," explained a delegate. Increasingly, as control was taken away from them—or it could be said, as the connection they had made was ignored—LRA/M delegates

612 Dowden writes: "At the heart of African politics is an attitude to power. Power whether used for good or evil, is widely revered for its own sake. The Big Man is given great respect because he has power". R.Dowden, "Africa: Altered States, Ordinary Miracles", London: Portobello Books, 2008, loc959.

613 Fieldnotes, Owiny-Kibul and Palotaka: 26/11/2006.

614 Fieldnotes, Juba: 12/9/2006.

became furious at this intervention by a force they did not consider part of the mediation team.⁶¹⁵ One delegate said: “We want face-to-face talks with Rugunda, but everyone is learning on the job.”⁶¹⁶

The crisis in the talks played out in Juba Raha Hotel, with journalists and anxious observers watching to catch any movement coming out of the negotiation room. After dinner on the evening of October 5, 2006, the negotiators asked MPs and observers to leave the negotiation room so that the crisis could be contained among the negotiating parties. During a break, the MPs asked Martin Ojul to call Kony, who refused to talk and gave the strict order that nothing was to be signed if the MPs had dealt with it.⁶¹⁷ Another delegate explained that the MPs simply were not sufficiently connected to the LRA experience: “Some of these people need to be sent to the bush for one month to understand suffering there, then they can come back.”⁶¹⁸ In the end, the measurable outcome of the MPs’ engagement was negligible. One member of the delegation called the arrival of the MPs “a big storm in a teacup. They all came, argued and went away again.”⁶¹⁹ For him it was obvious that the only ones who had come with staying power were the LRA/M—even though to most outsiders it did not look that way.

The tension between the LRA/M and the MPs was at first surprising. Since many of the MPs were open about their anti-Museveni stance and their willingness to work closely with the LRA/M delegation, they seemed like obvious allies. Yet from the LRA perspective, the presence of the MPs diffused the LRA’s power as a main player in the conflict, and created a tension with the agenda the LRA/M had set for itself to be a political pan-Africanist negotiation partner with a truth to tell. Since the MPs represented politics in Uganda—no matter what their party affiliation—the LRA hardliners considered cooperation with the MPs to be the same as cooperation with the existing system in Uganda.⁶²⁰ “The broader participation of MPs destabilises the process inside,” one delegate explained to me. “Some MPs are using this to stabilise their constituencies.”⁶²¹

⁶¹⁵ Fieldnotes, Juba: 5/10/2006.

⁶¹⁶ Fieldnotes, Palotaka/ Parajok: 3/10/2006.

⁶¹⁷ Fieldnotes, Juba: 5/10/2006.

⁶¹⁸ Fieldnotes, Palotaka/ Parajok: 3/10/2006.

⁶¹⁹ Fieldnotes, Juba: 11/10/2006.

⁶²⁰ Fieldnotes, Juba: 11/10/2006.

⁶²¹ Fieldnotes, Palotaka/ Parajok: 3/10/2006.

The LRA felt patronised. "The MPs are not advising, but lecturing the LRA," said an observer who had joined the talks as an independent, but was clearly sympathising with LRA grievances.⁶²² Vis-à-vis the LRA, the MPs took the stance that negotiating comprehensive political solutions was not to be part of a peace deal. One LRA/M representative said that the MPs had given the LRA the advice "to simply deal with combatant issues and leave all political issues to the MPs."⁶²³ Reacting to the suggestion that the LRA should focus on combatant issues, one member said, "How? It is like telling us to stop this river from flowing and then we stop it and you say, now, you cannot cross it."⁶²⁴

The analogy of the river stopped but not being allowed to cross shows that in the LRA/M's view, transformation is denied by the very same externalities that facilitated the move towards transformation in the first place. Another stated that this meant that the MPs were in a sense boycotting the peace talks by disconnecting the LRA/M from its political demands, implying that many of the LRA/M demands were already being discussed on the political level. This was disempowering, explained one delegate: "If you say I need two pens and the only answer you get is, the pens are already in place, what do you do?"⁶²⁵

Kony's order to disregard the MPs' contribution caused a new round of rumours. Amongst the people watching from the sidelines, the idea circulated that during the most recent visit to Nabanga, the LRA high command had already abandoned the peace process. This was compounded by the observation that a senior diaspora outside advisor had left that day. Additionally, Machar had reportedly become angry with the LRA/M's demand to take another break for continued consultations in Nabanga and, at the request of the member of the team affiliated with the Uganda People's Congress (UPC), to take a day off to commemorate the anniversary of Obote's death. In the morning, one delegate had said to me that "the VP is overworked," reportedly because he had told the LRA the day before that "nobody wanted to touch the LRA, you are seen as terrorists." "We are still struggling with this perception problem," said the delegate, who explained that the MPs' pitching in not only put too much political pressure on the LRA, but also robbed them of their political viability.⁶²⁶ An incident in which the MP from Pader was overheard telling Kony on the phone that it was a

⁶²² Fieldnotes, Juba: 12/10/2006.

⁶²³ Fieldnotes, Juba: 11/10/2006.

⁶²⁴Fieldnotes, Juba: 11/10/2006.

⁶²⁵ Fieldnotes, Juba: 6/11/2006.

⁶²⁶ Fieldnotes, Juba: 5/10/2006.

possibility that the Ugandan constitution might be changed during the Juba Talks caused distrust among MPs and between the MPs and the LRA/M.⁶²⁷

Despite the LRA/M's clumsiness in garnering broader political support, signs of significant transformation were not absent in Juba, particularly when both actors stepped back from their usual way of operating and a space to discuss Ugandan politics and its conflicts was created. One day, turning the corner of the Juba Raha Hotel, I caught sight of Gulu District Chairman Mao sitting in the shade across the yard, talking to Ugandan MPs. The MPs were livid. They had read in the Ugandan papers that the talks had collapsed because of LRA allegations that the UPDF was ambushing LRA fighters in the proposed assembly areas. That much was true, and it was also true that in return, the GoU had claimed that the LRA had not assembled and had thus violated the CoH. The rest was journalistic interpretation: in a press release the LRA/M had actually stated that they would reconsider their participation in the talks should the UPDF remain in their vicinity. The papers reported this as an LRA threat to abandon the talks in seven days.

"This is too aggressive," said one MP. "The LRA is not politically astute. Instead of calling Museveni's bluff by not threatening to walk out of talks, they fall into the trap of putting blame for possible failure of talks on themselves." This confirmed my observation. The LRA was so concerned about being the inferior negotiation partner and with maintaining control that they easily lost sight of when the bigger political picture might be advantageous for them. I asked what he meant by "calling his bluff". "Museveni wants to make the LRA quit the talks," he explained. Mao pitched in: "That is why every statement of the LRA is exaggerated by the government. It is to make these people sound unreasonable." Mao suggested that the LRA should announce that they would run patrols and ask for a car with a machine gun from the SPLA to do so: "They can call Museveni's bluff if there are now skirmishes between the LRA and the UPDF near the assembly area because it proves that both LRA and UPDF are there." "Now that LRA is no longer in Uganda, it would be a good time for Museveni to have the talks collapse," another MP said. "If talks collapse, UPDF will make sure that the LRA does not get back into Uganda. There are really no pockets left for them." He added that Museveni had even admitted that new troops had been deployed to Sudan. They recognised a familiar pattern: "When UPDF was accused of doing stuff in Rwanda, Museveni deployed troops to patrol borders to prove that UPDF was not there. Imagine!" Generally, another MP said, an opportunity had been missed. It had been two weeks since the signing of the CoH, "these should have been used to get concessions from Museveni on comprehensive

627 Fieldnotes, Juba: 10/10/2006.

solutions. The LRA should have used that time while they are still in Uganda. Also, the UN says Agenda 2 was an impressive document. But nothing is being said about that in the press.”

It was interesting to see a Ugandan politician express the thought that the LRA might act as a political player but was at the same time depoliticising itself through a misplaced focus. This seemed to be a shift in perception, both of the LRA/M, and also of their potential usefulness to push the individual political agendas of MPs.⁶²⁸ It was a glimpse of a transformative process in which it would become more firmly established that both conflict parties were playing a role in the continuation of the conflict. The change was even perceptible during a UK parliamentary discussion in early 2007: “Museveni is a more or less democratically elected leader,” argued a UK parliamentarian. “But it would also be helpful if the Ugandan government could make clear that resolution is at the heart of what they want.”⁶²⁹ To counter allegations that they were biased in their analysis, advocacy groups, such as the International Crisis Group (ICG), started to qualify each record of supposed LRA atrocities. They now mentioned the possibility that others had committed the crimes, for example: “Since April, armed actions attributed (not always accurately) to the LRA resumed in Sudan’s Western Equatoria state and the Bas Uélé district of the Congo (DRC).”⁶³⁰ For the LRA/M, these admissions translated into a changing overall image of the LRA—a premature conclusion.

Misinterpretation of Disconnect

The waves of engagement in the Juba Talks were externally interpreted in a rather black-and-white manner. Moments of seemingly wavering commitment to the talks by the LRA/M were readily taken as signs of insincerity and of a plan to use the Juba Talks for military regrouping. It is worth looking at a few examples that illustrate how the Juba Talks were perceived by the LRA/M and why they reacted in a way that jeopardised the talks.

After they had connected for the Juba Talks, delegates wondered whether they would be treated as equal partners around the table. Frustration visibly grew within the delegation, particularly when they felt their efforts to connect were not being repaid in kind. Krispus Ayena at one point animatedly explained to me that “Kony is very committed, Otti not so

⁶²⁸ Fieldnotes, Juba: 28/9/2006.

⁶²⁹ Author notes from Westminster Adjournment Debate on the Juba Peace Talks, UK Parliament, 23/1/2007.

⁶³⁰ International Crisis Group. Northern Uganda: The road to peace, with or without Kony. In *Africa Report*. Nairobi/ Brussels, 2008, p.i.

much, he is a bit more volatile and the government response so far is less than nothing.”⁶³¹ A few months into the peace talks, one delegate said that the mediation team was doing a bad job of preserving the “dignity of the LRA”, confirming to me that the last few months from the LRA’s point of view had been mainly spent proving their own worthiness. At various points the delegation was in a state of disarray at what they perceived to be disrespectful treatment. When the CHMT was formed, the LRA and UPDF contingents on the team observed each other’s moves closely. In the early days in particular, the LRA members were vocal about being treated unfairly by the UPDF members. When I asked what they thought of their UPDF colleagues, I was told that the UPDF colonel especially was “a bit bossmatic” and was not prepared to connect with his LRA colleagues on the same level.⁶³²

When the LRA/M delegation was moved to the outskirts of town to the Juba Bridge Hotel, delegates were sure that this was a move to get them further away from the proceedings. They took it as a reason to spend numerous days waiting around the Juba Bridge Hotel, not knowing what was supposed to happen, but resigned to the fact that they had no way to find out. “We are disconnected,” was how delegates commonly explained their experience in the peace talks, both around the table and in terms of infrastructure. It took a few months for UNICEF to sponsor a computer and a satellite Internet connection for the LRA/M’s use at their hotel.⁶³³ The lack of communication could be seen as an oversight by the mediation team, but it also highlighted the LRA/M’s behavioural patterns. Rather than seek out the (at the time admittedly few) opportunities to communicate by different means, they used the situation as an incentive to disconnect, emphasising their marginalisation and the insincerity of the peace talks. This experience of the peace talks would later turn out to make new rounds of talks more complicated. This concept has been widely reflected in scholarship: Zartman argues that as conflict continues, grievances become more rather than less complex, posing ever greater challenges to resolution.⁶³⁴ The same can also be said for peace processes: making the connections to the Juba Talks also meant that the process itself added new layers of conflict through the way the LRA/M felt treated. These new layers of conflict in turn needed to be peeled away before old grievances could even be addressed.

631 Fieldnotes, Juba: 11/10/2006.

632 Fieldnotes, Juba/ Magwi: 2/10/2006.

633 Fieldnotes, Juba: 6/9/2006.

634 W.Zartman, “Negotiating Internal, Ethnic and Identity Conflicts in a Globalized World”, *International Negotiation* 11, 2006, p.258.

When Machar suggested that the LRA deploy two members of the delegation to travel to Uganda to see whether moving LRA fighters were being left alone by the UPDF and to be available in case LRA groups needed support or accompaniment, the LRA/M delegates pushed back decisively. One leading delegate was enraged at the VP's suggestion that it should be two members of the delegation. The reason for his outrage was not clear to me. I asked him why he thought it was a bad idea. "We cannot," he replied. "We cannot." I kept asking him why. It transpired eventually that he actually thought it was a very good idea, but he felt it had disregarded the delegation's authority to make their own decisions. "But it has been suggested to us very late, at the 11th hour. We are being cornered, cornered."⁶³⁵

The perceived—and real—power imbalance between all negotiation partners and the mediation team caused major disconnects. In late September 2006, Otti said that he would completely withdraw from communication with the GoU delegation or the mediator, because they treated his delegates unfairly. "Vincent does not talk to anyone any more, not to Rugunda or Machar," one delegate explained. "He told Machar that he was turning into a headache. Machar was shocked and Vincent just told again Machar was giving him a headache."⁶³⁶ Otti confirmed his connect/disconnect relationship with Machar to me: "I like Riek Machar. He is neutral, but sometimes not neutral enough. But now I don't speak to him." However, for Otti this did not by any means signal an end of his engagement with the talks: his disconnecting was just supposed to usher in a new kind of engagement. He saw a solution in African internationalisation: "Maybe we can get more help from South Africa and some more observers."⁶³⁷

At one point in November 2006, the delegation had asked for time off for consultations with the high command in the bush. Because progress in the talks was negligible at the time, Machar was reluctant to let them go. On the morning of November 6, a member of the peace talks secretariat visited the LRA/M in their hotel and threatened that if they were to go to Ri-Kwangba, it would be a repeat of the incident in July 2006 when GoSS had abandoned an obstinate LRA/M delegation and left them behind in the bush. After hearing this threat, a visibly upset delegation gathered under the large mango tree. Ojul had been scheduled to fly out to Nairobi that

⁶³⁵ Fieldnotes, Juba: 12/9/2006.

⁶³⁶ Fieldnotes, Juba: 28/9/2006.

⁶³⁷ Author interview with Vincent Otti. Ri-Kwangba: 22/9/2006.

day—to connect with the German ambassador in Nairobi, he said. Now Ojul reiterated several times that such incidents confirmed the need to move the Juba Talks elsewhere: “They [GoSS] think we have nowhere to go. But there is German support and support from Italy.”⁶³⁸ However, delegates wondered, was the threat of abandonment by GoSS an official message from Machar? Or had just one member of the mediation team shown his temper? The connect/disconnect mechanism as it played out in the LRA/M’s relationship with Machar became very clear. The delegates were furious about being threatened, reacting with the desire to immediately drop their connection to Machar: it was a clear moment of disconnect. However, they countered their anger by connecting: shortly after, delegates went to Machar’s office. The LRA never fully trusted Machar, yet he was also the cornerstone of the peace effort—the only person who could provide genuine help. Internally, the LRA/M is a network of trust and distrust; their outside relationship with Machar was working with the same mechanism.

After the messengers had been dispatched to Machar, a delegate explained to me that he saw one major ongoing problem with the talks: “We never moved beyond this as a favour to the LRA,” he said. “We are always told we should be thankful more than anything else. We are beggars.”⁶³⁹ He recalled an event from mid-September, when his delegation refused to go and visit Ri-Kwangba because none of them had been paid the allowance that had been agreed as part of the Juba Talks. They did not accept assurances that their money would be processed later. The chartered plane, already on its way from Lokichokio, flew back empty, at a cost of \$20,000 to GoSS. He felt that this was a good example when everyone had treated the delegates as beggars, an image that continued to haunt the LRA/M delegation in 2006 and the early months of 2007. Months later, one member said that he felt that through the last few months, not only had some of the LRA/M’s position papers been changed, but “the government is not making any concessions at all, they are treating us like beggars, they are not connecting.”⁶⁴⁰

Galvanic Surges

In June 2010, I received an email from someone who had worked for UNICEF in Uganda just before the warrants for the LRA were issued. He

638 Fieldnotes, Juba: 6/11/2006. The hope that Germany would support the LRA/M in moving the talks elsewhere was very high, and St Egidio’s June 2006 suggestion that talks could be held in Rome was still resonating.

639 Fieldnotes, Juba: 6/11/2006

640 Fieldnotes, Cologne: 1/1/2007.

described working in the aid community in Kampala during the time leading up to the issuing of arrest warrants for the LRA leaders as

the most surreal situation, where practically everyone I knew in Uganda agreed on one analysis (this will make peace impossible and get lots of people killed) and the external analysis (this will force the LRA to the table) were the exact opposite. It was deeply frustrating, and I find it problematic when the international community create these narratives that then get taken up as true and somehow work themselves into good practice.⁶⁴¹

The galvanic surge of shared opinion and developing consensus among external international actors offered a stark contrast to the LRA/M's alternating current of moving towards change and a successful peace negotiation. A few weeks into the peace talks, I overheard Machar speaking on the telephone with the White House. The US had so far shown no particular interest in the talks. Additionally, Machar had received a lot of dissension from international organisations and the press for meeting Kony, handing him money and facilitating the peace talks. Chatting to a White House representative, Machar gave a general overview of the situation in Juba. Defending his decision to entrust \$20,000 in cash to Kony, he said that "we saw the money trickle back into our civilian community." When asked how he would deal with negotiating peace without the main person present, he replied that he was "thinking about other talk models, not face-to-face talks". He explained that he was looking for diplomatic support from Rwanda and that "Norway has offered." Signing off, he emphasised that outside assistance was needed—including from the White House: "There is no good news unless you guys support us."⁶⁴²

In pleading for White House backing and the greater international support that might follow from that, Machar was onto the right mechanism to ensure success. When his contact with the LRA first became known, international reactions were largely subdued. Neither the LRA nor Machar had credibility to push this process through; the debate about how to deal with the ICC warrants in peace negotiations brought no clarity. When they have to overcome obstacles and break new ground, the wider international community, including in this case advocacy groups, the press, the ICC, the UN and various governments, functions best when broad consensus creates momentum and reinforces mutual confidence. Such a galvanic surge of support benefits those who are part of it in many ways. Funding is easier to secure if groups and initiatives can show they are close to success or represent a cause that is widely considered relevant. The policy environment is more easily convinced when multiple actors send the same

⁶⁴¹ Personal email to author former international UNICEF staff in Uganda. 20/6/2010.

⁶⁴² Fieldnotes, Juba: 6/9/2006.

message. Advocacy groups can forge operational alliances based on consensus, which then allows the pitching of a streamlined mass-compatible message. Machar reasoned correctly that if momentum developed that supported the Juba Talks, the galvanic surge of outside opinion would allow some of the more difficult points, for example the ICC warrants, to be swept up in the general enthusiasm for a negotiated peace.

In other moments, Machar, needing the galvanic surge of opinion, acted out different versions of public support or opposition, depending on which would be more helpful to move issues along. One day, Machar and the then MP for Magwi County, Ogwaro, were waiting in Ri-Kwangba. The peace talks were scheduled to begin the next day, and Machar elaborated to Ogwaro that he fully expected some local opposition in Juba: "There will be demonstrations against the peace talks. People will be saying 'we don't want [the LRA] here.'" Ogwaro agreed that members from her constituency who had endured the most of the LRA presence in Sudan would indeed want to protest: "The Acholi will demonstrate," she replied. Thinking of how often the Sudanese Acholi had been accused of being complicit with the LRA and the disharmony it had created in southern Sudan, Machar liked that idea. "That will exonerate you," he said. "Let's stage it!"⁶⁴³

How the galvanic surge developed in the Juba Talks was clearly visible. In the early days, when Machar was asking the White House for support, his own and Pax Christi's initiative was backed only by a Swiss government willing to take a risk and stay under the radar. The galvanic surge of criticism, on the other hand, hit the early days of the talks: human rights groups like Amnesty International and Human Rights Watch questioned the legality of engaging the LRA in talks, other donor governments were unwilling to fund, and the ICC insisted that executing the warrants had priority. As the talks moved along, the galvanic surge moved towards supporting the talks. It took a few weeks for Egeland, possibly motivated by the huge exposure the conflict had gained after his visit to northern Uganda, to involve OCHA as the lead organisation within the UN to help facilitate talks, and yet another few weeks for the prominent UN support to be no longer referred to as "Egeland's 'rogue project'",⁶⁴⁴ as Baare recounts. Egeland explained that his support was based on the need to fill a gap that had arisen because other parts of the UN system were not ready to commit resources in the early days:

What of course was a weakness in the process... was that the political department of the UN and those who know peace mediation, and indeed on a professional basis, were not really

⁶⁴³ Fieldnotes, Ri-Kwangba: 13/7/2006.

⁶⁴⁴ A.Baaré, "Opinion Paper Juba Process: Security arrangements and DDR (Draft Document)", 2008.

involved. Because there were no resources from their side. That is why by default my own organisation OCHA was asked to and encouraged to go into... We are not supposed to deal with peace processes. OCHA was supposed to coordinate the humanitarian responses. But since nobody was able to organise a meaningful international support to the southern Sudanese peace effort, we did it. And I think that was very important because if we hadn't, the whole thing would have been fell apart [*sic*] very early and we could have had a much bigger conflict again upon our hands much earlier.⁶⁴⁵

The scaffolding of the peace talks strengthened week by week. With Switzerland and then OCHA and UNICEF on board, the galvanic surge meant that criticism became more subdued. Instead of stressing the need to execute the warrants, the ICC foregrounded its role as the force that brought about the promising Juba Talks and made Uganda safe again. The swelling of the galvanic surge does not imply that all international actors were heading towards unanimity; however, often the extent to which a range of international actors was gradually working towards signing a peace agreement that would satisfy the ICC to not pursue its warrants is in retrospect often underplayed. A few months into the talks, the UN installed Mozambique's former president Chissano as the Special Envoy of the UN Secretary General. When success seemed probable, the broad consensus changed: even US advocacy groups who had been critical of the talks and in support of military options, such as Invisible Children, appeared in Juba as great advocates of the peace talks. Finally AU observers arrived to strengthen the CHMT. More countries started donating and sending observers, including from the EU, the USA and the AU (from Mozambique, DRC, Tanzania, South Africa and Kenya).

Once momentum was created, the international actors were keen to move things along to show that their engagement was a game-changer. The situation had not become any less complicated with more international engagement, but the galvanic surge created a space in which the external rule book could be bent. As waves of opinion washed over Juba, the galvanic surge interpreted the Rome Statute at various times as the greatest obstacle to or the greatest facilitator of a peaceful solution. Whether international opinion supported the idea that the ICC warrants could be addressed without delivering Kony and his commanders to The Hague depended less on what happened in Juba, and more on how various international actors supported each other in believing that it could be done. Through this mechanism, international opinion often became disconnected from current dynamics in the Juba process, creating skewed incentives along the way.

⁶⁴⁵ Telephone author interview with Jan Egeland, former UN-Undersecretary for Humanitarian Affairs, 15/10/2007.

Skewed Incentives and Cognitive Dissonance

Those participating in the galvanic surge tried to find loopholes in their own rule book. For the international community navigating the new requirements of the Rome Statute, the Africanisation argument was useful: it allowed the glossing over of the lack of clarity on how to deal with the ICC. Depending on the power of the galvanic surge, the ICC was viewed as a powerful instrument, a much-needed last resort to end violence, or as the ultimate obstacle to achieving a negotiated solution with perpetrators wanted by the ICC. Those who saw the ICC as useful cited it as the main LRA motivation for entering talks. The International Crisis Group's bold statement that "the threat of prosecution clearly rattled the LRA military leadership, pushing them to the negotiating table," however, was hard to verify, since nobody had had a conclusive conversation to find out whether the LRA was rattled.⁶⁴⁶ Judging from conversations, it seemed that it was not the threat of prosecution that was occupying the LRA imagination. After all, they had a rather limited understanding of what an ICC warrant meant, as Otti indicated in his first phone call with me. It was rather the humiliation of being singled out as war criminals. This also influenced external actors' behaviour, as it conveyed the idea that even if no peace deal was reached, there was still another obvious way to tackle the problem through criminal prosecution.

With increased momentum, the mismatch of international guidelines and the practice of galvanic surges became increasingly obvious. Having moved the process onto the international stage, "parochialising" it again fulfilled a powerful purpose: it allowed the LRA to argue that the international system was patronising, and the international system to show its cultural awareness, which effectively covered up its own contradictory frameworks. As Baare, the technical advisor on issues of demobilisation, wrote:

As the stature of the Juba process grew, the international community, including the UN, saw in their support to the GoSS and the Juba process a way of possibly managing the tricky political situation presented by the LRA. It allowed them to describe the process as an "African solution for African problems" while still supporting the ICC warrants. In practice, this meant that donors and supporters of the process could engage with the parties while still stating that a final peace agreement should adhere to the Rome Statute (1998), which in principle allows national prosecution instead of prosecution by the ICC, one of the key demands of both the LRA and GoU.⁶⁴⁷

⁶⁴⁶ International Crisis Group. *Northern Uganda: The road to peace, with or without Kony*. In *Africa Report*. Nairobi/ Brussels, 2008, p.15. Sam Kolo reportedly talked about Kony's fear of the ICC, however.

⁶⁴⁷ A.Baaré, "Opinion Paper Juba Process: Security arrangements and DDR (Draft Document)", 2008.

Egeland, reflecting on his own role in the talks, also separated the pursuit of solutions in Juba and possible decisions at the highest UN level:

We were very clear always that the ICC had to be respected as an independent judicial entity that did what they thought was right in serving the law and in serving justice. My mandate was to try to prevent suffering, continued and future suffering... When I went to see Kony it was very clear that, number one, I could not and would not discuss the ICC. And number two I would do my utmost to make sure that they understood that a return to terror would be horrible, not only for the civilian people, but also for themselves. And we tried to make the alternative to continued war and terror as attractive as possible.⁶⁴⁸

The nature of the galvanic surge is that it attracts bandwaggoning. During moments when the broader conditions for peace seemed right—i.e. when it seemed more likely that a deal would be signed—support for the process increased tremendously, corners could be cut and the LRA was further encouraged to connect. Support was withdrawn when the process seemed at its weakest, contributing to a downward spiral. A former international aid worker who had been based in Kampala at the time of the last Bigombe process explained, “Within international agencies, when one thing becomes the narrative, it just becomes a gigantic echo. It just echoes back and forth.”⁶⁴⁹ A striking example of how the galvanic surge develops momentum was given to me after the US LRA Bill had been signed. Invisible Children, as one of the main lobbying organisations in support of the Bill, told me that they had been holding back on spending their funds in Uganda in anticipation of the signing of the LRA Bill. The reasoning for keeping cash was so “that we are able to spend a lot of money once the act leads to action.”⁶⁵⁰ In my mind, this was a good example of how galvanic surges work. With money released as soon as the LRA Bill was signed, the Bill would instantly look like a success. In reality, it was just a repetition of a damaging self-referential pattern that creates action only through action.

For the Juba Talks, engaging only when success was guaranteed meant that in the early days of the talks, Juba-based NGOs answered with dead silence around the table when they were asked during Egeland’s visit to step forth with supportive programmes at a point when the talks were extremely uncertain. Proposals started to come in when success seemed more likely and, as Eaton calls it in describing peace work in Kenya, the “business of

⁶⁴⁸ Phone author interview with Jan Egeland, former UN-Undersecretary for Humanitarian Affairs, 27/8/2009.

⁶⁴⁹ Fieldnotes, New York: 24/9/2010.

⁶⁵⁰ Fieldnotes US Department of Defense expert meeting “Eliminating the threat to civilian and regional stability posed by the Lord’s Resistance Army”. Washington, D.C.: 30/9/10.

peace” started rolling.⁶⁵¹ In September 2006, when the process was not without hitches, but certainly promising, the US Senate passed a bill to support the peace process.⁶⁵² Aware that outside support would strengthen his own role and in turn solicit more support, Machar was delighted when I told him about the Senate resolution: “Get it to me so that I can brag!” he exclaimed. He was so excited about the support that when he saw me chatting to Ayena shortly afterwards, he interrupted to ask: “Are you exposing my secret?”⁶⁵³ He also gave a succinct description of how the galvanic surge was utilised by those joining it: “Museveni will only come [to Juba] when there is one little thing left so that he can quickly solve it and then be the hero.”⁶⁵⁴

The LRA/M experienced this wave-like engagement as a double standard or abuse of powerful office. It alienated them from opportunistic external actors.⁶⁵⁵ In a meeting with UN officials, Kony addressed the crowd and explained where he saw those double standards:

When Egeland went to northern Uganda, he had personal interviews with people in camps. People were very clear: “we were brought here by government.” Now people are dying by thousands in Kitgum and Pader. Now world is doing nothing about it. Is this fairness of the world? I want the world to understand [this double standard] if there is to be a final resolution of conflict in this world.⁶⁵⁶

He expressed his bewilderment with the UN system: “What I want us to understand clearly is business of UN. What is UN? Me, you, and everybody. You go to Uganda, people working for the UN, Sudan same. UN is the people. Should not be used out of context like dragon.”⁶⁵⁷ What he meant by the dragon analogy became clearer a little later: it was the image used to explain that the UN chose to intervene only when it felt strong enough

651 Eaton specifically describes the decades of inefficient peace work along the Uganda-Kenya border in which “Peace meetings are often only held so NGOs can display an engagement with the conflict, despite the dangers created by such events,” but pointing out that the cycle of inefficient peace work is unlikely to be broken because “peace work is big business”. D.Eaton, “The Business of Peace: Raiding and peace along the Kenya-Uganda Border (Part II).” *African Affairs* 107, 427, 2008. P.243. In the case of Save the Children Uganda, the position on whether or not to support the peace process see-sawed during the entire process.

652 The Senate of the United States, “Resolution 573 SRS ATS”, 109th Congress, 2nd session, 2006.

653 Author interview with Riek Machar, Vice-President of the Government of Southern Sudan. Juba: 26/9/2006.

654 Author interview with Riek Machar, Vice-President of the Government of Southern Sudan. Juba: 26/9/2006.

655 Buruma and Margalit make a similar point in their explanation of antagonism towards the US: “Some people are antagonistic to the United States simply because it is so powerful. Others resent the U.S. government for helping them, or feeding them, or protecting them, in the way one resents an overbearing father. And some hate America for turning away when help is expected”. I.Buruma and A.Margalit, “Occidentalism: A Short History of Anti-westernism”, New York: 2005, loc118-20.

656 Fieldnotes, Ri-Kwangba: 12/12/2006.

657 Fieldnotes, Ri-Kwangba: 12/12/2006.

to succeed without a doubt, invincible like a dragon. Specifically, Kony's reasoning went, the UN made sure of this by only tackling tasks that were guaranteed success; it would not intervene when its opponents still seemed strong enough to stand a chance of keeping the upper hand:

You know arms are traded across the border of Sudan and Uganda. What does that mean? In short while, war is going to break between Sudan and Uganda. What is UN doing about that? They are allowing to happen, provided you are the strong man.⁶⁵⁸

There were obvious reasons for the galvanic surge, and the LRA/M were well aware that they were offering strong benefits to those outsiders to whom they had connected—including myself. They repeatedly referred to the business opportunities for peacemakers. St Egidio, who were very prominently engaged in the early days of the talks but whose commitment waned as the peace talks faltered, stated in a paper written by a member that a prerequisite for those wanting to facilitate peace was to have “no ulterior motives besides peacemaking. Not having a hidden agenda or personal interests is perceived by the parties in conflict as a guarantee of serious mediation marked by a spirit of justice.”⁶⁵⁹ Yet the LRA/M recognised that gaining recognition by being a peacemaker is itself an ulterior motive. If that recognition seems within reach, more people and organisations emerge to share it. Incentives to join peace talks, particularly with a galvanic surge, become skewed as a singular notion of success arises. Bandwaggoning pushes the galvanic surge even faster.

Examples of how the skewed incentives played out abound: trying to catch the galvanic surge, those interested in making peace had for years enacted cognitive dissonance by pursuing methods of peacemaking that had failed in the past. Continuing with the same patterns was based, against better judgment, on the belief that somehow it would work this time. Van Evera has examined organisational processes of self-evaluation, and his assessment could help explain why neither the LRA/M nor external actors were able to significantly change their behaviour to move towards a peaceful solution. He has identified the inability of state institutions to evaluate their own beliefs and propaganda,

to test ideas against logic and evidence, weeding out those that fail. As a result, national learning is slow and forgetting is quick. The external environment is perceived only dimly, through a fog of myths and misperceptions.

Any significant shift in perception would of course also threaten the standing of the incumbent leadership, including possibly the leadership of a

⁶⁵⁸ Fieldnotes, Ri-Kwangba: 12/12/2006.

⁶⁵⁹ M.Giro, “The Community of Saint Egidio and its Peace-Making Activities”, *The International Spectator* XXXIII, 3, July - September 1998.

critical opponent. "As a result," van Evera concludes, "the 'free marketplace of ideas' often creates a confusion-sowing competition among charlatans that generates more darkness than light."⁶⁶⁰

An international aid worker gave me an example of how the cognitive dissonance between belief in solutions and their reality played out. Having worked closely with donors in Uganda, he commented on the relentless competition in the international diplomatic and aid community to emerge as the successful facilitator of an LRA peace agreement. In Kampala in 2004, donors had agreed that they would all pull the same strings to facilitate peace talks. Nobody would make separate attempts, to avoid a situation in which various peace talks facilitators were in competition with each other and could thus be manipulated by the LRA. Specifically, it was decided that nobody would pay any LRA contacts to make a connection to Kony. While individual donors such as the Netherlands did coordinate with NGOs to stop attempts at peace, donor competition remained fierce. Shortly after the agreement had been made within the donor and agency crowd, explained the aid worker,

everybody started giving money and satellite phones. The image of being the one person who walks into the bush, takes Joseph Kony by the hand and says to him, you, Joseph, and I, we will walk slowly to Gulu, step by step, and we will make peace—to be the one person that brings Kony out of the bush—that image makes people stupid.⁶⁶¹

Or, as one delegate put it to me after a day when the various interests of other players in the Juba Talks had been foregrounded in discussions of the roles of the two conflict parties: "The question of who kills first is not only between LRA and the government. It is also the problem solving that becomes like a competition."⁶⁶² His point was that with the jostling for success among external actors, the LRA/M delegation (which at that particular point had been struggling with its internal dynamics) was also able to play the external actors off against each other. The focus, he said, was no longer on solving the issues, but on who would be able to take the most credit—in other words, who would be able to say that they were the person leading Kony out of the bush, holding his hand. That is why after initial hesitation the LRA's connect phase was greeted with great enthusiasm.

660 S. Van Evera, "Why States Believe Foolish Ideas: Non-Self Evaluation by States and Societies." *Security Studies Program* (2002).

661 Fieldnotes, New York: 24/9/2010. The LRA knew how to sell the most powerful good they had to offer: the promise of peace. In Gulu, most aid workers become aware after a while that everyone runs scams by promising access to Kony. The GoU is not immune to this: a famous story involved a porter at Lacor hospital who conned Salim Saleh out of 50,000 Ugandan shillings by promising to take him to Kony.

662 Author interview with LRA/M delegate. Juba: 15/10/2006.

By September 2007, the impact of the galvanic surge was impressive. In a confidential meeting with US Senator Feingold in Kampala, members of the diplomatic community emphasised their engagement in the peace process. The Dutch hoped for a US role in influencing Museveni directly while being able to provide intelligence. Norway acknowledged that while the country supported the ICC, internal debate on justice and peace was a lot more nuanced, leading to the withdrawal of Norway's support for the EU's terrorist list to allow more flexibility in the Juba Talks. The UK supported the US by keeping the LRA on their terrorist list to maintain the pressure to sign a peace deal. Several donor nations had contributed the Juba Initiative Fund (JIF) to pay for the GoSS peace secretariat and for LRA/M delegation expenses, including per diems.⁶⁶³ Yet at the same time, away from Juba, other galvanic surges were at play which would become important again. US diplomatic personnel on the ground acknowledged in a confidential briefing that there was a discrepancy between the real impact of the Juba Talks and the advocacy-driven narrative prevalent in Washington.

Having witnessed IDP returns and a secure northern Uganda, US embassy staff filed a report stating: "It is clear to post that the briefings provided by advocacy NGOs to the Hill are not giving sufficient weight to positive developments in the north at the Juba talks."⁶⁶⁴ The previous year, on November 9, 2006, the six Gulu Night Centres had been asked to close since so few children were using them for night commutes. Probation and Welfare Officer Joseph Kilama had said that all centres with fewer than 100 children were expected to close before November 15.⁶⁶⁵ For international groups whose galvanic surge of support rested on a different vision of the situation in northern Uganda, time seemed to have stood still. US confidential cables describe how on August 10, 2007, Invisible Children's CEO Ben Keesey had updated the US ambassador to Uganda on his organisation's activities, such as "visiting U.S. college campuses... to update audiences on the current night commuter statistics."⁶⁶⁶

One of the main people on the LRA side in the early stages of the Juba Talks came to epitomise how external actors seek out the information that fits their galvanic surge at that moment. A few months after his defection from the LRA in late 2007, this former delegate was arrested after a satellite phone call was traced as having been placed by him from a hill in Kampala. The phone call had been made to intelligence agencies to deliver inside LRA

⁶⁶³ US Embassy Kampala "07KAMPALA1419: Senator Feingold discusses northern Ugandan issues ", September 2007.

⁶⁶⁴ US Embassy Kampala. "07KAMPALA1172: Uganda: Roundup on Staffdel Smith and Kuiken visit", 17/7/2007.

⁶⁶⁵ J.Eriku, "Gulu orders night centres to close", *The Daily Monitor* 9/11/2006.

⁶⁶⁶ US Embassy Kampala, "07KAMPALA1351 (for official use only): Northern Uganda notes: (Aug 11 - Aug 24, 2007)", 24/8/2007.

information in the final stages of the Juba Talks. The caller had identified himself as “Colonel Lubwoa Bwone”, and had been chillingly open about Kony’s real motivations in the peace talks. Both the US and the GoU considered “Bwone”, the man on the phone, “a very reliable source”. US sources documented the information coming from the supposed “Bwone”, who said he was 20 miles inside CAR and 30 miles from Kony. He confirmed on March 16 that UPDF and ICC reports of Kony’s relocation to CAR were true, that he himself had travelled with Kony, and that he was now with Odhiambo and General Abudema, “who were laying landmines to prevent an attack on Kony”.

“Bwone” was telling the US precisely what they had suspected as the Juba Talks had failed to deliver a swift peace agreement: that Kony was working closely with Khartoum to spread a regional war. Khartoum, “Bwone” said, was also supporting the Acholi diaspora. “Bwone explained that this was being achieved because Kony had linked up “in CAR with Chadian rebel leader Mahamat Nouri, who allegedly had 2,000 people with him,” as the embassy cable stated. It further said that Kony would also take LRA fighters to “Bahr-el-gazel[sic]. Rankand-file [sic] LRA call it Darfur. Several sources, including “Bwone”, said that Khartoum was moving the LRA to Darfur to work with the janjaweed. “Bwone” stated that Khartoum’s intention was not to allow the “SPLA fellows to have their elections in Juba”, the US transcript reads. He confirmed that Kony had heavy weapons, including “four unused large weapons that can shoot down aircraft, weapons that had been abandoned in southern Sudan, and ammunition delivered by the Arabs”.⁶⁶⁷ Having detailed Kony’s thinking—and incidentally given the US exactly the kind of information that confirmed their worst fears—the man on the phone who claimed to be “Bwone” had said he wanted to defect, but needed money to do so. It was the request for money that initiated the tracing of the call and led to the discovery that the former LRA man had planted exactly the kind of information international intelligence had hoped for in his call from Kampala, which they had unquestioningly relayed to their headquarters.

In an earlier chapter I have written about information and discourse on the LRA. The incident of the fake insider information given by “Bwone” to the US embassy in Kampala shows how discourse creates galvanic surges and vice versa. The fake phone caller had identified which information would most resonate with the embassy because it confirmed beliefs already held and increased the chances that the US would pay money to help the informer escape. Because the information seemed to fit, all disbelief could

667 US Embassy Kampala. “08KAMPALA410 (classified secret): Ugandan officials not surprised by Kony’s movement into CAR,” 17/3/2008.

be suspended, creating instead the next wave of opinion that was to inform the next steps.

Acting in Dissonance: Connect/Disconnect and Galvanic Surges

The galvanic surge of enthusiasm sent confusing signals to the LRA. One example of mixed messages was the LRA/M's interaction with the press. With the LRA an accessible force and a delegation in Juba ready for interviews, the early days of the talks attracted intense press interest. For many journalists, the experience of covering the LRA meant creating a personal connection so as to be allowed to travel to the bush—and then to report as if they had come to the bush on their own intrepid account. This contradictory set-up often translated into rather bizarre scenes, as the lines between being a reporter and carrying of the trophy of making it to the LRA camp became blurred, sending confusing signals to the LRA about their position. Vincent Otti, on the one hand, clearly enjoyed the attention. He appeared from the bush for an impromptu press conference with impeccably ironed clothes, his previously grey hair died jet black. Yet on the other hand he also often seemed puzzled during his public encounters, because journalists would attack him for keeping children captive as soldiers, as did for example a journalist from the *New Vision* in the press conference on September 19, 2006. The same journalist then asked Otti if he could have his picture taken shaking Otti's hand and patting him on the shoulder.⁶⁶⁸

Moments like this strengthened the LRA/M's view of themselves as strong and viable negotiation partners. They also became manifestations of how the LRA maintained people's interest in them. By promising different levels of access, then withdrawing it and reinstating it, they let outsiders to believe that they were important and on the cusp of a breakthrough towards gaining a particular insight. During my own fieldwork, I went through many incarnations of becoming connected and disconnected.

As enthusiasm for a peace deal further gained momentum, the business of engaging in peace talks became increasingly attractive for the LRA/M. Promises of visits to Rome by St Egidio and of air tickets to the US by Shortley strengthened the LRA/M in their understanding that they had retained control of the situation and could increase their demands. Talk of ICC warrants being suspended or overruled by Uganda's government and

⁶⁶⁸ Fieldnotes, Ri-Kwangba: 19/9/2006.

meetings with ambassadors had the same effect.⁶⁶⁹ In those moments, the LRA/M was a visible and viable force. Yet what became increasingly clear was that by connecting, the LRA/M had also initiated their own loss of control over the conflict, causing a retreat into the one mechanism that the LRA knew to regain that control: disconnecting.

The failure to sign the Final Peace Agreement (FPA) is the most prominent example of disconnect to regain control and to reclaim LRA ownership of the process. Interpreting disconnect as withdrawal and a failure of the process, the externals stopped support for the Juba Talks. Lack of support made it more difficult for the LRA/M to reconnect, as it ended the LRA/M's belief in the external umpire position and moved the process onto the military plane. The expectation that the externals would be just had created the moment of connect for the LRA/M. As the galvanic surge reached consensus that the LRA/M was not serious and that military pressure was needed, no incentive was left to prevent the LRA from disconnecting. However, the moment of disconnect was precisely when moments of transformation occurred, however slowly—for example, when the LRA/M was slowly facing up to its own complicated internal dynamics and how these obstructed the path to peace. Profoundly misinterpreting it as withdrawal meant that support for the process faltered when time was needed for the conflict to be transformed.

For external actors, interpreting moments of disconnect as “alternating current” rather than withdrawal was challenging to impossible. The misinterpretation of disconnect created a galvanic surge for ending support. Signalling the end of support in the eyes of the LRA/M meant that external actors were losing their umpire position. One international advisor to the secretariat blamed misunderstood linearity for the slow negotiations: he explained to me that one problem was that the LRA/M was negotiating in a linear way. They were moving back and forth, rather than approaching issues simultaneously on two levels: one the official level for the leaders, and a back-channel process to carve out deals with the GoU. His point was that the LRA/M was simply not tactical, displaying either full commitment

669 How this impression might have been created becomes clear when reading the description of the “Rome Platform” by St Egidio in relation to the Mozambican civil war. “The Rome Platform of January 1995, organised by the Community of St. Egidio, represents the first and only political attempt to end this bloody war. The aim was to get all parties to sit down and recognise each other as part of the same nation. In the Rome Platform, the FIS condemned violence and started its return to a terrain of political confrontation. The ‘peace offer’ called on the military to accept the presence of political alternatives, of a new pole with which to negotiate. The democratic and lay opposition forces that signed the Platform were to act as buffers between the two contenders. The formula used in Rome was to bring the FIS back into the political framework, moderating it and forcing it to take on commitments toward the public”. M.Giro, “The Community of Saint Egidio and its Peace-Making Activities”, *The International Spectator* XXXIII, 3, July - September 1998. This was the kind of process the LRA had expected.

or none at all, and this was confusing. It was a different way to describe the alternating current.

Machar gave a telling portrayal of how connect/disconnect and galvanic surge failed to align. In the early days of the talks he said that the GoU did not offer any concessions, allowing the LRA/M to be heard much more clearly if they chose to be heard. I spoke to Machar a few days after the upsetting incident in late July 2006 when LRA/M delegates had been left behind in Ri-Kwangba and Kony in reaction had ordered the military representatives to stay in the bush. Machar was annoyed that the lack of military men at the negotiating table was sending the signal that the LRA wanted to quit the talks, but more so that they were losing their voice by sending this signal. “They behave as if they want to quit,” he said. “Cars have been waiting for fighters in Nabanga for the last four days. Sometimes they are just delaying things. The government is arrogant. The LRA can keep the moral high ground if they continue to be engaged.”⁶⁷⁰

The lack of continuous tactics to keep the moral high ground became obvious in the Museveni handshake debacle. When Museveni came to Juba to visit both delegations, the deputy delegation leader Apire refused to shake his hand unless he apologise for atrocities committed against the Acholi. Rather than an opportunity to gain the publicity upper hand by extending the hand of peace—to fully connect—it had become a moment in which the LRA/M had made clear that they had yet to clarify what their aim was in the Juba Talks—that they were prepared at any point to disconnect.⁶⁷¹ The message this sent to the external actors about the LRA/M’s commitment was devastating, as it was interpreted simply as lack of interest in peace.

The ending of Chissano’s mandate as the UN Special Envoy to LRA-Affected Areas in 2009 was interpreted in very similar ways by both the LRA/M and the advocacy group Resolve: both saw it as a UN signal that there was no longer any interest in pursuing a negotiated peace. In his final briefing to the UNSC, Chissano made a very different point: he called for a principled approach by the UN to support the peace process. His perspective was clearly informed by a more flexible understanding of the process, and by the realisation that in this case the UN was choosing to stick to its own rules in some moments but not in others. For better or for worse, as one aid worker for a UN agency pointed out, in moments where the success of

⁶⁷⁰ Fieldnotes, Juba: 6/9/2006.

⁶⁷¹ Fieldnotes, Juba: 6/11/2006.

bending the rules seems unlikely, “in HQ, approaches tend to become very principled.”⁶⁷²

Conclusion

For the LRA/M, connecting and disconnecting is a way to keep actors engaged, but also to consolidate internal thinking. Keeping people at arm’s length is a way to exert control. A similar mechanism of tightening and loosening connections works internally and holds together the “system LRA”. This is further discussed in a subsequent chapter. What was striking to observe regarding these LRA/M characteristics was how little outside actors used them strategically. An understanding of the alternating current driving the connect/disconnect would have been beneficial to keep the process going with a unified commitment by external actors. Instead, each moment of disconnect was viewed as being of grave consequence and led to a faltering commitment to the talks as energy flowed backwards. An uninterrupted commitment to talks and cessation of violence is preferable, but also unrealistic as belligerents edge towards each other. The interpretation of disconnect as a final stance on a peaceful solution, however, is also detached from reality. International commitment based on uninterrupted forward movement of the current assumes that the process simplifies choices, and that if it fails to do so it has failed as a process. The alternating current is certainly a reflection on the challenges of the process, but its existence cannot be used to judge the quality or sincerity of it.

In mismatching an alternating-current mode of engagement with direct-current mode, the Juba Talks produced contradictions that neither actor was able to overcome. Crucially, this meant that opportunities for genuine change were missed. The LRA/M failed to strengthen their connections as they were too concerned with maintaining control, and they failed to gather support by being perceived as unreliable. They experienced the international actors as too focused on achieving a goal rather than on engaging in the long haul of addressing political solutions. In turn, external actors failed to pursue challenging issues and maintain the stamina to overcome complex set-ups in moments of crucial change. In the end, both actors retreated into the familiar patterns that had sustained the conflict before and since the Juba Talks—and each side walked away from the Juba

672 Fieldnotes, New York: 24/9/2010.

process with confirmation that their initial assessment of the other had been right in the first place.

Admittedly, operationally it presented a great risk to manage the LRA/M's connect/disconnect mode without prejudging it. Likewise, creating subtlety within an international response that was reliant on broad support within all its institutions remains one of the great challenges in international processes. However, the Juba Talks highlighted an unresolved tension within the international community: rules are not clearly defined, and tend to be abandoned or reinstated depending on which way the wave of support goes. This highlights the international inability to engage with complex issues in a nuanced way. Instead of adjusting their approach when they lacked clarity, external actors in Juba chose to reduce their assessment of the process to righteous judgments of the LRA/M's motivations. This assessment strengthened support for leverage through military pressure and ultimately a military strike, causing those motivations to falter. The fallout of this chain of reasoning was a prolonged conflict, thousands of lives lost and many more displaced or subjected to horrible living conditions, much more money spent on continuing the war than was spent on trying to make peace, and a diminished possibility for a nuanced peace process in the future.

The implications of this conclusion take us toward a broader assessment of current approaches to peacemaking. The clash of operating modes led to both the LRA/M and external actors feeling confirmed—often in a righteous way—in their thinking. A transformative process needs a very different mindset and a willingness to engage on all levels with the complexities of how rebel groups seek peace and how the international system best and most credibly navigates its own set of rules. External actors had made their peacemaking framework much more complicated through the introduction of the Rome Statute, and were struggling to navigate it. Thus neither the LRA nor the external actors were able to credibly establish a working mechanism that would steady the LRA/M's modus of connect/disconnect, deliver credible concessions from both belligerents, and be implementable regardless of divided international opinion.

7. 2008: “Maybe We Came Too Close to the Enemy”

Introduction

When I returned to southern Sudan in mid-January 2008 for a four-week stay, I found a vast range of moods in the LRA/M delegation. Some expressed frustration over the uncertainty of the peace process; others were intimidated by or defiant towards the LRA leader. Machar and some of the international observers acknowledged the LRA/M’s internal struggles, but seemed determined to separate these from bringing the talks to a successful conclusion. On my follow-up stays during almost all of March and the first half of April, and then most of June, these two parallel strands of the Juba Talks seemed to continue.

2008 was to be a confusing year and this chapter gives an account of the events that made it so. Previously less obvious patterns of mistrust and miscommunication came to the fore, as did the parallel preparations for war and peace. Of the international actors, the US took on a new and prominent role, working behind the scenes to assure military preparations while being an observer at the talks. Within the delegation, roles of individuals became increasingly confusing, facilitating the often lazy assertion that the LRA/M just did not want peace. Nonetheless I mistakenly thought throughout most of the year that despite increasing brinkmanship, the peace process would somehow continue. This chapter chronicles the events that led to the end of the Juba Talks with a particular focus on the flows of information and various backchannels that contributed to the return to war in December 2008.

January Changes

In January 2008, delegates and UN staff from Juba met with the LRA in Ri-Kwangba for the first time since Otti’s death had been confirmed. Amongst those representing the LRA was Caesar Achellam. A member of UN security asked Achellam if he was at the meeting as the new number two, replacing Otti. Achellam responded that he was only representing Kony because Kony had “another engagement”, and that he was not number two. In fact, he said, “applications for the post are being screened.”⁶⁷³ An LRA/M delegate said that when he had asked Odhiambo whether he would be the new number two, Odhiambo had been unwilling to comment directly on Otti’s

673 Author interview with UN security officer. Juba: 1/2/2008.

death, but instead mentioned that nobody who had ever held the post of second-in-command survived.⁶⁷⁴

Delegates recalled the January meeting as extremely difficult; they felt betrayed, mourned for Otti, and no longer knew how to engage with those in the bush. Just after the delegates had left Ri-Kwangba, Kony ordered a personnel reshuffle in his delegation, dismissing Ojul and Ayoo as chair and spokesperson, to be replaced by Matsanga and Obita respectively. A little later, a letter was delivered by the new chairman Matsanga to Machar in which Kony asked for the dismissal of Achama and Okiror from the CHMT. They were both ordered to return to the bush. The dismissals again fuelled rumours that the reason for Otti's death and for the dismissal of a range of prominent delegates was to be found in the Mombasa meeting, at which all of those dismissed had been present. Former delegates wrote in their disgruntled repudiation of the Juba Talks:

The dismissal of Martin Ojul in particular and the reconstitution of the LRA/M delegation on the 22nd January 2008, and the dismissal of two LRA officers in the CHMT from the LRA in early February were partly a result of the above secret meetings [with Museveni during consultations and the Mombasa meeting], which were meant to compromise, infiltrate, lure and/or destroy the LRA peace team during the consultation exercise in Uganda.⁶⁷⁵

Having just been dismissed from the CHMT, one of the two young men was visibly distraught. He was twiddling his chunky satellite phone in his hands and barely looked up from the sheet of paper he was reading. "I am not sure what to do," he said, describing his mission in the Juba process.

How is this possible after all the hardship? We walked hundreds of miles through the bush, breaking through security, getting to Kitgum, hiring a car, meeting Martin, meeting Assefa and Simon, then the first meeting with the VP on February 14, the first meeting ever! It was the first time the VP spoke to Vincent; we were getting everything off the ground.

But now, he continued, the delegation was being "renewed" and he and his colleague were "said to be Martin's partners, so we have to go". He had last spoken to Kony a few days before: "The chairman said nothing to me on Tuesday night. But the chairman is now being influenced by Matsanga; there are many stories about Matsanga. Matsanga only went to Nabanga last time, he did not even go to Ri-Kwangba." I asked him what he was going to do—was he going back to the bush as ordered? "I am not sure if I should go and have no future at all," he replied. "But I cannot stay in Juba, it is too expensive." He looked at the paper in his hand. "I am not sure

674 Fieldnotes, Juba: 2/2/2008.

675 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009.

whether this is really the best for Ugandan people.”⁶⁷⁶ His colleague, also freshly dismissed, was more matter-of-fact. I asked him whether he was following the order to return. He answered:

We are just on standby, next time you might not find us here. What has been decided has been decided. You cannot ask questions. This is how it has been decided; there is nothing I can do about it. There was an assassination attempt on Kony so this was what happened. But this demoralised the delegation and myself.

In the end, all those dismissed departed for Nairobi. In the delegation, the dismissal of Ojul, Ongom, Ayoo, Okiro and Achama was widely discussed. One delegate speculated that their having found agreement on too many issues was the reason for the breakdown of trust, confirming the division between the process and the agreements it produced, and that those now leaving “had come too close to being settled. Look at the timing: all of this comes after our tour of Uganda with all its implications. Maybe we came too close to the enemy.” I was not sure I understood what that meant. Did he mean that travelling to Uganda to meet the president was a bad decision? I asked if that was not precisely what was needed in a process that aimed to bring two parties together. He answered: “Maybe the delegation had gone too far in what they have negotiated? But then why is the new delegation saying that it is now very easy? I am not sure it makes sense to me. I can only speculate about motives.”

“LRA is now split into two camps,” explained another former delegate when I asked him how he felt about his dismissal. He was upset about Otti’s death and described to me the scene in Ri-Kwangba when he learned that Otti had been killed. “That man is a madman, killing Vincent when pleading for his life. I was going to resign but [another delegate] held my mouth shut,” said the same man who had previously boasted about his tight connection with the high command.

“It’s all fixed now,” said another delegate. “[One delegate] and [another delegate] are government moles so from now on it will be GoU and GoU at the table. But there is nothing more we can do. We have taken it this far; it is to our colleagues now to run the last laps. If they want to run the laps with the government, there is nothing we can do.”

In contrast, Obita, who was taking over as delegation leader, seemed in a good mood. “I would say we look at the first week of March to sign the agreement, otherwise we will give Machar a heart attack,” he joked. Then he became serious. “Kony is ready to sign. We have to renew the CoH and then consult the consultations documents for a few days and then get back into it. We can start with Agenda 3 because it is easier to deal with

⁶⁷⁶ Fieldnotes, Juba: 2/2/2008.

implementation protocols than with Agenda 2. Two is more complicated. But I am in very good spirits.”⁶⁷⁷

Yet despite Obita’s optimism, with Ojul and Ayoo dismissed, the delegation in Juba was struggling to maintain coherence. One delegate commented that it was unfair that Ojul, who had led the delegation for close to two years, was now being blamed for the perceived failure of the talks. “It is not good how they said it that [Ojul] was leaving with disgrace. He needs a rest. Sometimes troubles come up and then you have to be careful and withdraw for a while. Maybe you can come back later, maybe you cannot.”⁶⁷⁸

In the midst of the confusion, Museveni reiterated that everything needed to be signed by January 31, 2008. “The UPDF is all over the place now for the 31st deadline,” said a UN security advisor. “It is now all very political, with the US pushing for military and with the DPA playing stupid political games. They want it fixed once and for all, so it will just all go back to the beginning”, elaborating that the push for military action would void the progress made.⁶⁷⁹ With much talk of the deadline on the radio, the LRA withdrew deeper into Garamba Park. A woman who was abducted from Ezo in March 2008 said that she often had to walk from Garamba to collect food in Ri-Kwangba. From January, it took much longer, 24 hours, to walk from the LRA camp in Garamba to reach Ri-Kwangba.⁶⁸⁰ Despite the shaky situation, said one Sudanese abductee, the LRA was still talking about peace: “They were digging, waiting for outcome of peace talks. Everyone was waiting for outcome of peace talks.”⁶⁸¹

With another GoU deadline looming, Chissano travelled to Kampala from January 25-27 to discuss the resumption of talks with Museveni. Museveni had agreed to give progress at the talks another month; Chissano needed him to confirm this in writing to President Kabila, as it went against the agreement Museveni and Kabila had struck in Arusha. A confidential US cable states: “Chissano said that Kabila felt under pressure from the United States to take action against the LRA at the same time Congo had agreed with Uganda to take no action until January 31. As a result, Kabila was insisting on a letter from Museveni.” Despite reports that an increased number of Congolese troops were in the area around Dungu, to protect

⁶⁷⁷ Fieldnotes, Juba: 30/1/2008.

⁶⁷⁸ Fieldnotes, Juba: 2/2/2008.

⁶⁷⁹ Fieldnotes, Juba: 2/2/2008.

⁶⁸⁰ Author (with translator) interview with female Sudanese LRA abductee from Ezo. Yambio: 23/2/ 2009.

⁶⁸¹ Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009

civilians from LRA attacks and contain the LRA—action that Chissano saw as critical—it was also clear that the DRC’s military attention was focused on the offensive against General Laurent Nkunda, who had been very active and had committed atrocities against civilians.⁶⁸²

On January 27, Chissano met for three hours with Shortley, during which he asked whether the US “were interested in supporting action against the LRA. Senior Advisor Shortley said that we would get back to him,” reads a US memo about the meeting, further stating that Chissano “did not come across as opposing military actions, as long as it did not push the LRA, which would likely scatter into small groups, deeper into Congo. He did not have a high level of confidence in the capability of regional forces to take on the LRA.”⁶⁸³

The internal LRA/M developments radically altered the dynamics between the negotiation parties. In the early days of the Juba Talks, the mediator had seen the LRA/M as holding the “moral high ground”,⁶⁸⁴ despite tension and often unreasonable demands. In Machar’s view, the LRA/M seemed to have come to the talks willing to address issues—unlike the GoU, who in his view had simply wanted to clinch an unchallenging deal; Machar had experienced the GoU as the obstinate party. When the LRA/M delegation unravelled during the process of consultations, when Otti’s death became official, the delegation split and communication with Kony became near impossible, the GoU now displayed reason, patience and understanding, argued Machar. An international advisor to the talks described the position of the GoU:

GoU is really very constructive, and says there is no such thing as a deadline in the sense of an ultimatum. But things are not moving at all, so far... A situation of no progress whatsoever will of course lead to deadlines indeed becoming ultimatums. If they don’t get their act together soon, we might seriously getting [*sic*] at risk of military action.⁶⁸⁵

The GoU stated that it remained positive towards the peace process, and would allow time for the LRA to sort out their internal problems until the process was to start again. For some of the delegates, the GoU’s stance was not surprising. They argued that the GoU had never wanted a deal; with a deal less likely they could of course appear to be more generous. Behind the scenes, the GoU was indeed pursuing different avenues. In meetings with the US, the GoU delegation said that

682 US Embassy Kampala, “08KAMPALA197 (confidential): Northern Uganda: U.N. Envoy on resumption of talks ”, 1/2/2007.

683 US Embassy Kampala, “08KAMPALA197 (confidential): Northern Uganda: U.N. Envoy on resumption of talks ”, 1/2/2007.

684 Fieldnotes, Juba: 6/9/2006.

685 Personal email from international advisor to author. 30/1/2008.

the GOU would contain Kony's ability to act, by denying him access to arms caches in southern Sudan and northern Uganda. The GOU also has alerted the Central African Republic of Kony's reported intentions to relocate there. The GOU would continue to encourage LRA defections, and take all measures to defend its borders from incursions. Second, while the GOU was highly sceptical of the current LRA negotiating team's authority to negotiate for Kony, the GOU would continue to participate in the Juba Peace Talks.⁶⁸⁶

New rumours about continued upheaval within the LRA emerged. A statement by the International Organisation for Migration (IOM) said that Odhiambo had been in touch with them, wanting to defect. A US cable recounted that IOM's Uganda country director was maintaining contact with people claiming to be Odhiambo and Ongwen, believing them to be genuine callers, "despite indications to the contrary and warnings from the External Security Organization (ESO) that the callers are not genuine".⁶⁸⁷ Analysts publicly speculated about the likelihood of Odhiambo's defection. Unsurprisingly, Odhiambo never appeared at IOM-facilitated meeting points to aid his defection. It later transpired that the phone calls had most likely been made by a former LRA soldier. This man, who was also featured in documentaries by Invisible Children, had been trying to extract money from international and GoU officials in return for the promise of defection. It was a similar scheme to that pursued a year earlier by a former delegate who had impersonated LRA commander Bwone to extract donor money and plant information. A confidential US government document showed that Invisible Children had implicated the person purported to be behind the Odhiambo rumour to the GoU, and that he was arrested on March 5, 2009.⁶⁸⁸

Meanwhile the security situation in Sudan had again deteriorated. On January 20, 2008, an LRA group was seen moving from Morobo to Tore in Western Equatoria; another moved in Central Equatoria from Lire towards Kajo Keji. This movement caused great concern and coincided with—or was the cause of—a few violent incidents. Eastern Equatorians thought that some LRA were still among them, but that they were not causing any trouble, and might be waiting for new orders. Rumours of airdrops circulated, but could never be verified. It was clear that coordination between GoSS, GoS and security forces was limited. Residents around Obbo

686 US Embassy Kampala, "07KAMPALA1894 (Confidential): LRA Peace Process Update", 17/12/2007.

687 US Embassy Kampala. "09KAMPALA207 (confidential): Uganda/DRC: Museveni and Kabila summit set for March 1", 25/2/2009.

688 US Embassy Kampala, "09KAMPALA587 (confidential) Uganda: Games the Acholi Diaspora continue to play", 11/6/2009.

reported that the UPDF there was selling guns and ammunition to civilians. They had reported it to the UPDF in Kajo Keji, to no avail.⁶⁸⁹

Many attacks in Equatoria were apparently misattributed to LRA—although some attacks were clearly traceable to be LRA—and this affected talks. A number of attacks were reported in Central Equatoria; the area around Yei was particularly unstable. In an ad hoc meeting for aid agencies in Juba, the attacks were described as following “known LRA patterns”, with systematic and extensive looting and abductions, but the release of abductees in many cases after they had done their work as porters.⁶⁹⁰ In Kajo-Keji, three SPLA soldiers were killed in a suspected LRA attack, but one of their killers was recognised to be a former SPLA soldier. In February 2008, AFP ran a story about a massacre of 136 people by 300 LRA near Kajo Keji. The UN was unable to confirm that such a massacre had happened. Reporting on the Kajo Keji attack on February 4 was confusing. The Danish Refugee Council and UN security spoke of 36 killed—100 fewer than AFP had reported—while the SPLA said four.⁶⁹¹ With the overly large number of LRA fighters (300) reportedly involved in the attack, even the Ugandan military dismissed the reports.⁶⁹² Some of the security problems indeed turned out to be home-grown. One victim of the attacks described his experience: “The people who attacked spoke Arabic and wore green uniform. They were those that call themselves ‘No Unit’.”⁶⁹³ “No Unit”, it came to be known, were a group of disgruntled SPLA soldiers who had defected from the SPLA after receiving no pay.⁶⁹⁴ They had started attacks in the Yei area, renouncing their SPLA loyalty through their name “No Unit”.

I followed up with the AFP reporter who had written about the supposed large massacre. He said that he had received his information from three sources in southern Sudan and a western diplomat. One government source told him “that the dead were indeed 141”. Because the official did not want to go on the record, he had been unable to publish the higher number. “All the three/four sources have confirmed that the LRA killings will be downplaed [*sic*] or censured [*sic*] for the sake of talks.”⁶⁹⁵ This

689 Author interview with local journalist. Juba: 31/2/2008.

690 Fieldnotes, Juba: 13/2/2008.

691 US Embassy Kampala. “KAMPALA 000284 (Confidential): Northern Uganda: Government views on progress at Juba, reported LRA attacks”, 15/2/2008.

692 US Embassy Kampala. “KAMPALA 000284 (Confidential): Northern Uganda: Government views on progress at Juba, reported LRA attacks”, 15/2/2008.

693 Author interview (with translator from Arabic) with Tore resident (displaced to Yei). Yei: 31/3/2008.

694 Author interview with local journalist. Juba: 31/1/2008.

695 Personal email to author from reporter, 13/2/2008.

particular massacre was never confirmed, but it was clear that suspicions were also growing within GoSS that Machar was keeping a lid on LRA activities in order to conclude the talks. Small-scale abductions by the LRA in Sudan were definitely happening at this time. Also in early 2008, the UN in Juba was informed about a substantial LRA attack in CAR, in which an unconfirmed but large number of people were killed or abducted. Such atrocities were politically impossible to square with continued perseverance in the peace talks. An international member of the mediation team commented on the news about LRA activity in CAR: "The only solution in Juba was to swipe this under the carpet. I found that at the time quite difficult to swallow."⁶⁹⁶

A young Zande man who was taken by the LRA in March 2008 from Ezo recounted what happened to him after he was abducted around that time: "When they abduct people they gather them and pray from them in Acholi, they then put crosses on forehead, chest and foot using a mixture of water and ashes. After that, there were no more prayers. I never saw the LRA pray after that." He was forced to speak only Acholi from his first day with the LRA: "We were told 'forget your mother tongue or you will be beaten to death if you say you don't know Acholi. When you understand first, you are better. If you are slow to learn you will be beaten until you know it.'" He also noted that while Acholi remained the language of the LRA, some of the LRA fighters spoke other languages, "but not fluently. Some Lingala, Zande, Kiswahili. When they come to someone's house and are confused with geography, they ask for directions in local language." He mentioned that one LRA "speaks Lingala like a Congolese, but he is Acholi. He also speaks Arabic."⁶⁹⁷

Final Talks

In the midst of confusion and accusations of a cover-up from all sides, talks restarted on January 30 with Matsanga leading the LRA/M delegation. The process was strengthened by EU observers, in addition to a number of African dignitaries and military personnel who had been engaged in the process since the previous November. This last round was the first to see the presence of US representative Shortley in the mediation room, mandated by US Assistant Secretary of State Frazier "to work with the mediator and parties on moving the peace process forward" in a process that, a US

⁶⁹⁶ Personal email to author from an international advisor to the Juba Talks, 7/8/2011.

⁶⁹⁷ Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

statement read, "cannot be open-ended".⁶⁹⁸ Another extension of the CoH was one of the first points to be discussed. The latest version of the CoH was to expire on February 29, 2008, and the GoU was unwilling to discuss a further extension, stressing instead their confidence in progress in Juba and their expectation that an agreement on a permanent ceasefire would be signed by that date.⁶⁹⁹

From what then followed, this did not seem an unreasonable expectation. From the end of January 2008 and into March, events accelerated. With Matsanga as the head of the delegation, the talks proceeded at previously unknown speed. After only four days of negotiations on the issue, on February 19, 2008, the parties signed an annex to Agenda 3 on accountability and reconciliation that stipulated Uganda's commitment to establishing a Special Division of the High Court to deal with crimes committed in this war. Agenda 5—a permanent ceasefire—was signed on February 23, with the ceasefire to come into force 24 hours after the signing of the Final Peace Agreement. Former delegates watched from Nairobi as Matsanga signed the outstanding agreements despite the fact, as they wrote later,

that all the major points contained in the LRA "Position Papers" which the LRA/M wanted dealt with seriously, were thrown out without consultation with chairman of LRA peace talks. For example, the matters on Agenda No. 2, dealing with "The Root Causes of the conflict" were brutally handled and put to rest, without clear solution, to bring about lasting reconciliation! All other items were likewise manipulated and concluded in a manner that tantamount to mere adoptions of Uganda government "Position Papers" and without detailed consultations with General Joseph Kony!⁷⁰⁰

In Juba, various facilitators of the peace talks commented with dismay on their observations of US representative Shortley, who was, in the view of an international security official "going around to the donors to ask them to stop funding the talks, while being an observer and now he is also involved in money giving to the delegation," explained an international staff member.⁷⁰¹

In late February 2008, Machar was making plans for an official grand signing ceremony for early April in Juba, coupled with the expectation that all agreements would be signed by March 25. Talking to US officials, who

698 US State Department, "Resumption of the Peace Talks in Juba (2008/068)", Washington, D.C.: 2008.

699 US Embassy Kampala. "KAMPALA 000284 (Confidential): Northern Uganda: Government views on progress at Juba, reported LRA attacks", 15/2/2008.

700 LRA/M/Alex Oloya. "LRA condemn Gunboat tactics being used by Uganda", Nairobi/ London: 25/4/2008.

701 Author interview with international security staff. Juba: 1/2/2008.

also asked that GoSS “be prepared to take military action in coordination with its neighbours against the LRA in the event that Kony refuses a peace agreement and returns to fighting”, Machar reportedly expressed confidence that Kony would sign, and replied: “Let me be a peacemaker now,” before agreeing that military action “would be the outcome of failed talks”. In a confidential memo, the US representative commented on the meeting:

Given reports that Kony has no intention of reaching an agreement, the negotiations in Juba appear to proceed in a parallel reality. However, the process keeps his fighters engaged in peace rather than war and could ensure some defections from frustrated LRA fighters if Kony doesn’t follow through with his half-hearted participation in the peace process. The wily Riek Machar cannot be trusted, and we hope he is passing along sound information and not just stringing us along.⁷⁰²

On February 28, the LRA/M delegates travelled to Ri-Kwangba to present the texts of the final agreements to Kony. They travelled without the legal advisor who had been a delegate from the first gathering of the delegation. Krispus Ayena had resigned or been dismissed, fuelling further speculation that ethnic divisions between Acholi and Langi were widening in the delegation.⁷⁰³

What exactly happened at the February meeting remains unclear. The broadest consensus seems to be that Matsanga stayed behind in Nabanga when the delegates went to Ri-Kwangba. In Ri-Kwangba, delegates reportedly met with LRA commanders Alit and Thomas Kwoyelo, but it seems they spoke to Kony only on the phone. Because of pressure to conclude things in Juba, the delegates stayed in Ri-Kwangba only a short time. Initially, it was unclear what message they had been given by Kony. Nevertheless, events the following day seemed to imply that Kony had liked the agreements. As the rumour spread in February 2008 that 400 members of the LRA were moving in CAR, the information situation once again became unreliable. While the rumour was widely reported, even a UPDF spokesman called it unreliable, since it stemmed from a single source.⁷⁰⁴

702 US Embassy Khartoum. “08KHARTOUM429: LRA Peace Talks to resume in Juba”, 23/2/2008.

703 US Embassy Kampala. “KAMPALA 000284 (Confidential): Northern Uganda: Government views on progress at Juba, reported LRA attacks”, 15/2/2008.

704 US Embassy Kampala. “KAMPALA 000284 (Confidential): Northern Uganda: Government views on progress at Juba, reported LRA attacks”, 15/2/2008.

On February 29, the final two documents were signed: an agreement on DDR, and the implementation protocol.⁷⁰⁵ Some of the observers were baffled at the speed at which things were now progressing, lauding Matsanga's leadership and lambasting Ojul. Most of the LRA/M delegates, however, were less impressed and instead felt relegated to the sidelines. At this stage, they already talked about that the agreements might turn out to be meaningless. It had become clear that successes happening on paper and how the LRA/M delegates were experiencing their peace process were two entirely different things.

What remained unsigned was the agreement that would validate all the others, the chapeau document Final Peace Agreement (FPA). The signing of the final Agenda on implementation caused a confrontation: Matsanga claimed that the GoU had agreed that they would not push for a signing date in exchange for some language changes in the implementation protocol. He said the LRA/M needed time to travel to The Hague to argue against the ICC warrants, and had also asked for time to prepare for Easter celebrations. The GoU insisted that signing should take place no later than March 28 (which was when the latest round of the CoH was due to expire), which prompted Matsanga to walk out of the negotiation room, calling the GoU delegates "thieves" and "liars".⁷⁰⁶ LRA/M delegates insisted that it would need to be signed by Kony himself. Before that could happen, however, they wanted reassurance from the ICC that it would honour the agreement. No commitment from the ICC was forthcoming, and after days of debate and changed dates, Machar finally managed to have the LRA/M agree to a signing ceremony in Ri-Kwangba. For the GoU, Rugunda would be present as the most senior GoU representative to avoid a confrontation between Kony and Museveni at this late stage. A few days later, a celebratory ceremony in Juba was to be held at which Museveni was supposed to countersign; guest passes for the ceremony were handed out by GoSS.

In the LRA camp preparations were made for both war and peace. A 15-year-old boy from Central Equatoria who was abducted in January 2008 said he was kept in a group of about 30 Equatorians. His group was only used to carry things, and they were told that they would be trained militarily "once he understood the LRA policy", but others who had been

⁷⁰⁵ Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Agreement on Disarmament, Demobilisation and Reintegration", Juba: 29/2/2008; Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Agreement on Implementation and Monitoring Mechanisms", Juba: 29/2/2008.

⁷⁰⁶ US Embassy Khartoum. "08KHARTOUM324: LRA Peace Talks conclude, await signing of final agreement", 3/4/2008.

abducted earlier were trained.⁷⁰⁷ A man from Ezo who was abducted in March 2008 said that while he was in captivity, “the LRA used to tell them that they were preparing themselves to take over Uganda government and those who are Sudanese could then stay in the professional army.” He said that when he was abducted in March 2008, he was told the LRA “are not fighting and were going for peace”. He noted that at the time of his abduction, most LRA were wearing their hair shaved.⁷⁰⁸ When in the bush and actively fighting, the LRA had been famous for wearing dreadlocks. A number of the commanders who interacted with outsiders during the Juba talks did so only after cutting their hair to shed the bush fighter image. One abductee said that in early April 2008, the LRA camp was unchanged, but also that he might not have noticed changes because he was kept isolated: “I only heard of Riek Machar when they were coming for peace and there were big people coming from Juba.”⁷⁰⁹

From all accounts from within the LRA camp and from the LRA/M delegation, it remains impossible to say with certainty whether at this stage the LRA believed in war or peace. No clear evidence exists to conclude that either Kony was planning to definitively sign or that he was just stringing everyone along to play for time. Judging from how he had acted all along in the Juba Talks, it seems most likely that Kony was considering—and preparing for—both options, depending on what developments might still occur.

The Missing Signature

For six days, from April 9-15, 2008, the basic AFEX compound in Nabanga played host to a tight concentration of rumours, narratives, politics, threats and hope. 150 people waited for developments a few kilometres away in the bush. The people were Sudanese, Ugandans, Kenyans, Europeans and Americans. Local civilian village leaders waited alongside a former president of Mozambique; journalists sat with those desperate to avoid press exposure. Soldiers stood guard over pacifists, priests chatted with atheists, activists and victims lined up behind each other for food at mealtimes. Members of Kony’s family were there: a sister, who looked just like him, and

707 Author (with translator) interview with male teenager from Central Equatoria, / 15 years old, abducted by the LRA for 12 months 2008 - 2009. Yambio: 23/2/2009.

708 Author (with translator) interview with male teenager from Central Equatoria, / 15 years old, abducted by the LRA for 12 months 2008 - 2009. Yambio: 23/2/2009.

709 Author (with translator) interview with male teenager from Central Equatoria, / 15 years old, abducted by the LRA for 12 months 2008 - 2009. Yambio: 23/2/2009.

his uncle. A few cooks scrambled to feed the masses with ever dwindling supplies. They had expected to cook for 70 mouths for two days, and now had to feed 150 for a week. Local women watched with worried amazement as dozens of foreigners pumped dry one of two local boreholes. In the midst of all this sat an LRA/M delegation, unsure whether its leader would follow through and deliver a signature under the FPA, the contents of which had been being negotiated for almost two years.

The wait for Kony's signature began when, on April 9, press and observers were flown to Nabanga in UN helicopters. Machar and senior visitors arrived on the morning of April 10, greeted by ululating women and a joyous reception. Everyone travelled onwards to Ri-Kwangba and found a space to sit under a canopy tent. A generator for the printer and photocopier was ready to go; hot food was waiting to be served.

Ri-Kwangba was guarded by a handful of junior LRA soldiers; nobody of rank was in sight. Some of the LRA/M delegates, including the leaders Matsanga and Obita, walked into the bush. When the two leaders of the delegation re-emerged not much later with long faces, it was clear that something was wrong. They had not been able to meet with Kony. Machar told everyone to relax and have lunch. Matsanga insisted that the signing would still go ahead. After lunch, the Acholi elders walked into the bush, because they had been told that Kony wanted to talk to them. As it turned out, he only spoke to them on the phone, and said that he was 10 days' walk away.⁷¹⁰ Beyond this discouraging news there was little information, so everyone returned to Nabanga for the night—including the LRA/M delegation, which on previous visits had stayed in the bush behind Ri-Kwangba with the LRA.

Simultaneously in Nairobi and London, the broader LRA/M system was at work. One of the delegates, who had been dismissed from the delegation more than a year before this signing ceremony, said Kony called him in Nairobi. The LRA leader reportedly told his dismissed spokesperson that he was unsure what exactly the delegation had negotiated regarding Agenda 3 on accountability and reconciliation and whether it was safe for him to come out of the bush. Olweny said that he suggested that Kony renegotiate with a new delegation that, crucially, would include him, Olweny. Kony's doubts about Agenda 3's clarity were reportedly also communicated to a

⁷¹⁰ Iya describes this moment R.Iya, "Encountering Kony: A Madi perspective", in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010, p.180.

London-based anti-Museveni hardliner, Alex Omoya, who headed a group calling itself Atoocoon.⁷¹¹

On April 11, Matsanga resigned as leader of the delegation. In an improvised press conference at which journalists crowded around him, he cited lack of clarity about Kony's wishes as a reason.⁷¹² Apparently, Kony had said that he was unclear about parts of the agreement, despite the fact that each individual component of the agreement had already been signed by his delegation. The UN called this one of the expected scenarios; the GoU seemed relaxed. The elders went back to Ri-Kwangba and encountered an LRA colonel who had little to say about what would happen with the signing ceremony. There was no sign of further activity in Ri-Kwangba. Upon hearing this, the GoU delegation climbed onto one of the UN-provided helicopters; most reporters, some of the diplomats and the representatives of St Egidio who had come to attend the signing ceremony joined Ugandan government officials in travelling back to Juba. Machar withdrew into a tukul and held private meetings. It transpired that he had wanted to meet the high command before the signing, but was advised by the delegation that Kony would only arrive on the day itself. The second day passed. Everyone was waiting for a phone call from Kony. At night, more than 20 people squeezed into the lunch tent to sleep on the dirty floor.

On April 12, rumours surfaced about a leadership struggle between Kony and Odhiambo. Odhiambo had reportedly been killed three weeks previously by a group of former LRA soldiers who had defected with Otto in late 2007. The story was that the former LRA had come back with the well-equipped 105th battalion of the UPDF. Another version said that Kony himself had shot Odhiambo on their way back from the January meeting with the delegation. The whispers accused one of the delegates of lying because he claimed to have spoken to Odhiambo just a week before. Nothing could be verified. Nobody openly claimed to have had recent contact with Kony. My phone rang. It was one of the former delegates calling from Nairobi. He wanted an update, and nobody else in Nabanga, including his former colleagues in the delegation, was taking his calls. He said he also could not get through to Kony.

Then more information transpired about a statement by the London-based group called Atoocoon, headed by Alex Oloya. The statement purported to come directly from Kony: "The Lords Resistance Army suspends all contacts

⁷¹¹ "Atooo" in Acholi is the "name given to a child, many of those brothers and sisters have died". F.K. Girling, *The Acholi of Uganda*. London: HMSO, 1960, p. 23.

⁷¹² Fieldnotes, Nabanga: 11/4/2008.

with the Uganda government and dissolves peace negotiation team with immediate effect. Agreements 2,3,4,5 nullified." The statement accused "observers, Mr. Chissano (UN) and other parties associated with the peace talks" of having misled the LRA. The mediator was accused of not being neutral, the international community of lacking "Understanding and Full Commitment", the ICC of being biased, Chissano of incompetence and a lack of "expertise and experience in all fields of Conflict Resolution". As well as judging the talks poorly managed, the statement also lamented that IDPs in Uganda had remained in camps and the "Lack of Seriousness by the Government of Uganda in which it has rejected all demands made by the LRA. The intimidation, bullying and bribery of LRA delegates and its programs of ending the war with military force is not helpful to ending conflict."⁷¹³

Oloya concluded in his electronic press release that Kony would not sign, and that

In the interest for peace the High command has appointed Mr Alex, Mr Obonyo and Mr Bill to forge a new negotiation delegation under a political structure to salvage the peace negotiation which has now collapsed. We have the confidence under this credible formation; peace is achievable with the correct modalities for negotiation with Uganda.⁷¹⁴

The detailed news of the press release was received with confusion in Nabanga, and was noted in Juba, New York, London and Washington, DC.

Kony still had not called; delegates were reluctant to comment on the authenticity of the statement. With everyone confined to the small camp in Nabanga, more rumours circulated. Someone said that more LRA soldiers were arriving in Ri-Kwangba, and this was usually a sign that the leader was near. Another rumour contradicted this: apparently Ri-Kwangba was deserted, and Kony nowhere in the vicinity. The handful of LRA still present in the camp were meant to keep up the pretence. Someone claimed that the ICC had sent word that they had military intelligence about Kony's whereabouts. According to this source, Kony was far away. Delegates dismissed this as ICC propaganda and said that in fact Kony was close.

It was unclear who had the most reliable information: Obita was considered closest to Kony, although some delegates said not to listen to Obita. They argued that only Anywar (who could be seen standing aside from everyone, speaking into a mobile phone with a concerned expression) had contact to

713 LRA/M (attributed to Joseph Kony, distributed by Alex Oloya). "Press Release Lord's Resistance Army/ Movement: Peace talks between LRA and Uganda Government is suspended", 10/4/2008.

714 LRA/M (attributed to Joseph Kony, distributed by Alex Oloya). "Press Release Lord's Resistance Army/ Movement: Peace talks between LRA and Uganda Government is suspended", 10/4/2008.

Kony. A third delegate said to not trust Anywar, because Kony had asked for Dr Oniek to come by and explain the few pages of the Final Peace Agreement that were not clear to him. When Oniek went by himself to Ri-Kwangba to meet Kony, he found nobody. It was said that Oryem could have predicted that Kony would not be waiting; after all Oryem was closest to Kony. Maybe it was not Oryem but one of the Ugandan traditional leaders, Rwot Oywak who was closest to Kony, someone said. Kony, it was said, had asked Rwot Oywak to be the new chairman of the delegation because he no longer trusted Obita.

People were talking about friction in the delegation and the Acholi diaspora. It was said that before leaving Juba to join the signing ceremony in Ri-Kwangba, Matsanga and Obita had been fighting. Text messages had been sent to Kony from the diaspora, saying that he would be attacked within minutes if he came out. One seasoned delegate explained that LRA infighting had become bad ever since Otti's death. "Every time there is a visit, people defect. Phone numbers are exchanged, so Kony worries about meetings."⁷¹⁵ Another mentioned that the CIA now had a Gulu base on the top floor of the Bank of Uganda, and that all those who had defected from the delegation were now working with Ugandan intelligence, the External Security Organisation (ESO). Neither development had made it easier to convince Kony to commit himself to peace.

If he was surprised or frustrated, Machar did not let it show. "There is still a strong sentiment within the Acholi community against peace," Machar said, seated under the straw roof of a tukul in the less crowded half of the compound. "I have no clear information." The Ugandans were impressed that Machar had not left: "He is sitting it out, he is gaining confidence and trust that way, he has always done that," explained one Ugandan leader. Machar seemed calm, still: "The CoH is no longer valuable to Kony since he has broken it," he explained. "Neither Kony nor I have trust in the delegation, so we need direct contact. Because Kony can negotiate an exit package, but he needs to negotiate it. The Acholi are very divided. Many are ashamed of the LRA, but they use them as a mascot."⁷¹⁶

News transpired that after returning from Nabanga, Matsanga had been arrested in Juba airport with \$20,000 that he had been given by Museveni to deliver to Kony but had stolen instead. Matsanga also reportedly had a letter from Museveni to Kony, offering safety guarantees and advising the LRA leader to spend the money on a function in Ri-Kwangba. Before his resignation, Matsanga had mentioned this letter from Museveni. He said

⁷¹⁵ Fieldnotes, Nabanga: 12/4/2008.

⁷¹⁶ Fieldnotes, Nabanga: 12/4/2008.

Museveni had written it in “begging language” because “a golden handshake was always an option from the US or Kampala.”⁷¹⁷ Later it turned out that the stories were untrue: Matsanga reportedly had handed the money back to the GoU. The letter Matsanga had carried, promising safety and money for the Ri-Kwangba function, was addressed to himself, not to Kony. Or he might never have had a letter at all; it remained unclear. It turned out that Matsanga had donated \$1,000 to the process and handed a \$100 dollar bill to every Acholi leader just before he left.

It now seemed certain that both Odhiambo and Achellam had been killed.⁷¹⁸ UN security confirmed that three LRA groups were moving: one with Kony, one anti-Kony, and one moving towards Kony for extra protection. Ongwen was reported to be in CAR. US Special Envoy Shortley was giving out information on the phone in a loud voice: “You can write this if you want. I am not saying you have to, I just want to give you a sense of things.”⁷¹⁹ Later, to the great amusement of some of the journalists, Shortley walked around the camp complaining that there was no cold water to drink.

On April 13, Chissano arrived. The news spread that the CIA had tracked LRA phone calls and they were coming from near Nabanga. The dignitaries gathered in different corners of the compound or disappeared for long meetings in Machar’s tukul. Over lunch the representative of the Canadian government handed around paperwork regarding military action against the LRA prepared for the UNSC. When asked why the Canadians had done this work despite not being members of the UNSC and whether they had discussed their suggestion with Uganda, they admitted that they had not, but that it had been debated with other countries. When challenged, the Canadian had to concede that none of these other countries was African.

Later that night, beer provisions ran out. Someone claimed that contact with Kony had been established; a phone call had been made. One of the journalists had learned that Condoleeza Rice had offered assistance, but that Museveni had declined. “He does not like interference, or only if it is absolutely positively good for him,” explained one of the Ugandan community leaders.

On April 14, news came that groups had been tracked moving towards Nabanga from Yei and CAR, but were still a long way away. The last remaining reporters prepared to leave; the three founders of Invisible

⁷¹⁷ Fieldnotes, Nabanga: 12/4/2008.

⁷¹⁸ This was later found to be untrue, but stayed as a persistent rumour.

⁷¹⁹ Fieldnotes, Nabanga: 12/4/2008.

Children loaded their video equipment and then themselves onto the helicopter. Once the press had left, everyone seemed to relax. Politics were now discussed more openly. One story was that in a phone call the previous night, Kony had asked for \$500,000 to be paid to him directly in exchange for his signature. Another story was that no money had been discussed, it had only been transmitted that the high command was meeting and that they were near Nabanga, but nobody believed it. Uganda's civil society leaders suggested sending the message that they would go into Ri-Kwangba one last time to say goodbye. By the time I got into a helicopter on April 15, the rumour was that the LRA had asked for a payment of US\$2 million to be shared by everyone, and an extra \$800,000 for Kony.⁷²⁰ On April 18, Kony called and demanded a meeting with Ugandan leaders to discuss Agenda 3 on May 10.

A few weeks after the first failed signing ceremony, the London group around Alex Oloya issued another statement. "We condemn without reservation in the strongest terms it deserves, the tactics being used by the Ugandan government in which it's using the name of United States Army as a gunboat system to persuade LRA in signing the bogus FPA or be attacked," it said.⁷²¹ The LRA/M saw the military option coming, more sharply in focus than during the better days of the talks. Olweny argued that the talks had entered a different stage as their lack of sincerity had been exposed, the rifts in the delegation pointing to government infiltration. "The answer is a new, proper delegation, we start afresh and from the beginning," he said.⁷²²

When the Ugandan leaders returned with Machar and UN representatives for the meeting on May 10, they did not see Kony, nor did they have any communication with him. After seven days of waiting, a member of the mediation team gave a frank assessment of the situation: "Of course the peace process is tits up. Everybody kind of agrees that Joseph has closed the door with a big bang. No communication so no dialogue so we are back at square one!"⁷²³

So what had happened? Some in the LRA/M argue that Kony was unsure about a few points in the FPA, particularly regarding accountability and justice. He had not been able to discuss and clarify these points with his delegation, particularly the issue of whether using so-called traditional justice procedures like mato oput, a reconciliation ceremony after a

⁷²⁰ Fieldnotes, Nabanga: 16/4/2008.

⁷²¹ LRA/M/Alex Oloya. "LRA condemn Gunboat tactics being used by Uganda", Nairobi/ London: 25/4/2008.

⁷²² Fieldnotes, Cologne: 24/9/2008.

⁷²³ Personal email to author (name of writer withheld), 24/8/2008.

homicide, really was the answer to ICC warrants.⁷²⁴ He had asked for the “signing ceremony” to be a meeting with the delegation, the Acholi religious leaders and Rwot Acana to clarify those points. He had not clarified his concerns in April or in May. The meeting in May failed, claimed the delegation in a written statement, because the former delegation leader “Matsanga had called Kony and informed him that Dr Obita was coming with American snipers to assassinate him, and that a large number of UPDF tanks had also crossed the border from Uganda into Sudan headed for Ri-kwangba.”⁷²⁵ However, lack of communication about the FPA or security concerns and Kony’s unreliability meant that even supporters of the peace process were losing patience: “The LRA’s failure to attend the scheduled meetings and to advance the peace process undermines its own interest,” Machar wrote in a statement.⁷²⁶

Machar himself was coming under increased pressure. His commitment to the peace talks with the LRA had always been closely scrutinised by other members of GoSS. Various points of criticism had been mentioned: that he should focus on southern Sudanese business only, or that he was doing this only to increase his international profile, that the talks were costing GoSS too much money, that he was trying to appease the LRA to call on them in case of an armed struggle within southern Sudan similar to the SPLA split of 1991. In late May 2008, during the second SPLM convention in Juba, Machar declared his candidacy as SPLM chairperson, openly challenging Kiir. The move almost cost him the vice-presidency, with opposition to his desire for power voiced loudly. In an emergency meeting of the SPLM Interim Political Bureau, provisions were made for three deputies to make Machar withdraw his leadership challenge.

LRA/M delegates suspiciously eyed a number of parallel developments, increasingly aware that time was running out for a peaceful solution. Former delegates who had been sidelined in the various internal struggles

724 The LRA/M later published “the main reasons he [Kony] cited for wanting the agreement to be revisited”, such as increased clarity on accountability procedures, implementation of DDR as well as welfare arrangements for LRA soldiers, and “the absence of a clear and satisfactory provision in the Agreement as a whole for the participation of the LRA/M in government in the post-conflict dispensation”. LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

For discussions of Mato Oput, see B.Afako, “Reconciliation and justice: ‘Mato oput’ and the Amnesty Act” in *Accord: Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda*, ed. Lucima Okello. London: Conciliation Resources, 2002; B.Afako, “Traditional drink unites Ugandans”, *BBC Focus on Africa Magazine*, October 2006; and T.Allen, “The International Criminal Court and the invention of traditional justice in Northern Uganda”, *Politique Africaine* 107, 2007.

725 LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

726 Office of the Vice-President Government of Southern Sudan/ Riek Machar Teny-Dhurgon, “Statement of the Chief Mediator concerning the status of the peace process between the Government of Uganda and the Lord’s Resistance Army”, Juba: 11/9/2008, p.2.

published a statement highlighting the GoU's collaboration with other armies, including the US:

Many times the government has used the threat of foreign or regional troops coming into an alliance of operation to crush the LRA. This even when peace talks are in progress. The SPLA, Congolese troops, Rwandese and Ethiopian troops are often said to be preparing for a joint operation. Even the UN troops in Congo, MONUC, whose mandate is to keep peace, are thrown into the fray. When, since the Korean War of the 50s, has the United Nations ever fought a war on behalf of a sovereign state, not against another sovereign state but against a rebel force? The Uganda government seems to have succeeded in roping in the United States Army and Marines in the conflict. These powerful forces are now all over Northern Uganda carrying out humanitarian, development and capacity building activities. All this certainly have not gone down well with the LRA forces in the bush who see themselves as besieged from all sides. Very recently, in the past couple of weeks, large movement of UPDF troops has taken place from the UPDF 4th Division base in Gulu towards Garamba Parks [sic].⁷²⁷

For the LRA/M, the reported troop movement was proof that these peace talks would also be betrayed in favour of military action. For most observers and most advocacy groups, it showed on the contrary that finally the day of reckoning for the LRA through military action had come. News of a second meeting between military officials of GoU, GoSS and the government of DRC emerged on June 2; it was instantly obvious that these were meetings to discuss joint military operations against the LRA.

On June 5, the LRA attacked the SPLA detachment in Nabanga. The SPLA had acted as a buffer between the LRA in Ri-Kwangba and the civilians in Nabanga since 2006. In the attack, the LRA killed 14 civilians and seven soldiers. A Sudanese abductee in the LRA camp said that after the attack on the SPLA, the LRA fighters brought home SPLA guns, new uniforms and new bags they had looted.⁷²⁸ From the point of view of one of the SPLA commanders in charge in Nabanga at the time, the LRA attacks on the SPLA were prompted by news of the military meeting on the radio. He said: "I also heard the news on the radio that SPLA, UPDF, DRC were going to team up against LRA, so I think that was the reason."⁷²⁹ Members of the mediation team provided a different perspective. Considering that Kony had not been engaged with the negotiations on the final two agreements,

⁷²⁷ O.Olweny and J.Otukene, "Re: Juba Peace Talks: Who should be blamed for the refusal of Joseph Kony to sign the peace agreement?", Nairobi: 30/5/2008.

⁷²⁸ Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

⁷²⁹ P.Amoru and A.Mugyema, "Uganda: Government Resumes War on LRA Rebels", *The Monitor*, 4/6/2008; BBC News, "Congo 'to attack Ugandan rebels'", 4/6/2008.

an international advisor suggested that the attack was also partly prompted in order

to violate the holy peace-ground of Nabanga, to make the peace process more difficult without saying no. And it worked, the next meeting was cancelled because the SPLA, angry as they still were, did not allow food to go through. And the GoU reacted to that by working towards a peace agreement that as they knew had not been shown to Kony by Matsanga and would not be signed. After all, to have the peace agreement ready would make it more difficult for Kony and others to say that a new round of talks should be started.⁷³⁰

From the point of view of some of the LRA/M delegates, the reasons for this attack were entirely different and highlighted a broader structural issue: Having struggled in the past with the notion of being protected by the SPLA--a force very friendly towards Museveni--they had repeatedly reported to the mediator that they distrusted the SPLA detach in Nabanga. Their claim was that one of the soldiers, who had been introduced to them as a Sudanese Acholi, was in fact a UPDF soldier disguised by SPLA uniform. According to the LRA/M, he had been there since at least 2007. They interpreted his presence not only as proof that the UPDF was preparing to attack the LRA in Ri-Kwangba, but further that the peace talks were never mediated and supported by a neutral party in South Sudan.⁷³¹

Delegates in Juba became uncomfortable. The rumour mill became noticeably more active. UN security personnel had monitored intelligence that showed that Kony was still in the DRC, despite the delegation's information that he had moved to CAR. Activity had been observed across the DRC border near Yei, where an unscheduled and unidentified helicopter had landed in the last week of May—it was unclear whether it had brought or taken people, brought supplies or been piloted by UPDF or SAF. In Tore, further north, an arrest was made of a SAF soldier who said he was waiting for a plane. The speculation there was that he was supposed to coordinate LRA who were being transported to Chad to fight for SAF there, yet none of this could be verified.⁷³²

On June 18 Kony re-emerged, calling Chissano's office to schedule another meeting with him. Two days later, Matsanga popped up in Juba to announce that he had been reappointed by Kony to lead the LRA/M delegation. The only remaining member of the LRA on the CHMT, Michael Anywar, left the CHMT to become a negotiating delegate. Chissano's office followed Kony's request and scheduled a confidential meeting for July 30—

⁷³⁰ Personal email to author from international advisor to the Juba Talks. 7/8/2011.

⁷³¹ Fieldnotes, Nairobi: 26/06/2013.

⁷³² Fieldnotes, Juba: 10/6/2007.

the former president of Mozambique judged Kony's wish for clarity justified, because the agreement on accountability was particularly complex in its implications and groundbreaking within international justice.⁷³³ Before the meeting, Kony demanded food and water to be delivered by Caritas, because since the attack on the SPLA detachment, the SPLA had no longer been willing to deliver provisions to the LRA. Engaging Caritas swiftly proved impossible, since the contract with them to support the LRA assembly had expired. Machar, expressing goodwill, organised two trucks of food, which the LRA refused to accept since they had come from the SPLA.

On July 30, the scheduled meeting between Kony and Chissano did not take place; several other attempts to meet also failed. Looking back on these months, an advisor to Chissano stated that he had limited sympathy with Kony's claim that he needed more clarity, because Kony did not appear at meetings and because he had said in a phone call: "Please tell Machar and Chissano to come. I understand now that I do not have to go immediately to Uganda when I sign, and that I am the one being seen as blocking progress. Therefore, when they come I will sign."⁷³⁴ However, another suggested signing date at the end of August came and went without progress. On September 11, 2008, Machar wrote in a statement that Kony had talked about his lack of understanding of some of the elements of the negotiated settlement, namely the clauses on justice and accountability and on how the DDR procedures would actually treat and integrate the LRA. This lack of understanding had caused his reluctance to sign: "Whilst that failure came at great cost and inconvenience, General Joseph Kony's desire to understand the full implications of the agreement is not invalid," Machar wrote.⁷³⁵

Although the CHMT had inspected the site before the agreed meeting date of August 24/25, skirmishes ensued between the LRA and SPLA. Machar described the situation as having been caused by "uncoordinated troop deployments along the borders", which resulted in an interruption in food supply to the LRA.⁷³⁶ Although initially another meeting had been proposed for September, it was clear that whoever was trying to get the LRA/M back together for a credible peace effort was scrambling—even Kony himself. Reportedly, he was trying to meet his delegation, but many had since

⁷³³ Personal email to author from international Advisor to the Juba Talks. 7/8/2011.

⁷³⁴ Personal email to author from international Advisor to the Juba Talks. 7/8/2011.

⁷³⁵ Office of the Vice-President Government of Southern Sudan/ Riek Machar Teny-Dhurgon, "Statement of the Chief Mediator concerning the status of the peace process between the Government of Uganda and the Lord's Resistance Army", Juba: 11/9/2008, p.2.

⁷³⁶ Office of the Vice-President Government of Southern Sudan/ Riek Machar Teny-Dhurgon, "Statement of the Chief Mediator concerning the status of the peace process between the Government of Uganda and the Lord's Resistance Army", Juba: 11/9/2008, p.2

turned their backs on their own time as delegates. After it had reportedly been communicated to Kony that Obita was planning to come with American snipers, it became increasingly difficult to make contact.⁷³⁷

On August 28, the US State Department named Kony a Specially Designated Global Terrorist in Executive Order 13334, which under the US's declared War on Terror allowed increased military action against the LRA and its leader. The mechanism behind using the terrorist label is spelt out by Marchal, who writes:

The current "war on terror" allows the US administration to militarize its African policy through the establishment of AFRICOM. US military officials claim that this new structure will work hand in hand with civilians to build boreholes and schools, as European colonial armies did. The problem, as with their predecessors, is that that is not all they do.⁷³⁸

On 17 September, the LRA attacked Dungu in Haute Uele district in DRC's Orientale Province in what they said was a response to increased deployment of Congolese forces in the area. In the next few months, LRA attacks would occur in the area stretching from East Faragi to Western Duruma, a distance of about 450 kilometres. As a result, schools were closed for fear of abduction, and residents in Dungu protested at the DRC government and international community's inability to provide protection. OCHA and MONUC offices in Dungu town were destroyed.⁷³⁹

On October 1, 2008, AFRICOM became a stand-alone command.⁷⁴⁰ Kiir countered his deputy's positive attitude towards the peace talks, stating that GoSS was no longer prepared for the process to continue indefinitely. In a meeting in Kampala, Machar and Chissano agreed on a final deadline for Kony's signature: November 30. In parallel, preparations for a military strike continued.

The final deadline of November 30 was "properly communicated" to Kony, explained one delegate to me.⁷⁴¹ However, Kony had argued that he had been under the impression that the April, May and September meetings were to be opportunities to see the negotiated agreements. Kony had then

⁷³⁷ Fieldnotes, Nairobi: 11/11/2009. The delegates who had heard about this threat said that the information had been relayed to Kony by Jolly Okot, Uganda's Country Director for Invisible Children, who was working as an informant for the US government. This allegation has also been made publicly.

⁷³⁸ R.Marchal, "Warlordism and terrorism: how to obscure an already confusing crisis? The case of Somalia", *International Affairs* 83, 6, 2007.

⁷³⁹ Fieldnotes, Kampala: 1/2009.

⁷⁴⁰ L.Ploch. Congressional Research Service. "Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa". Washington, D.C.: 2011.

⁷⁴¹ Fieldnotes, Nairobi: 11/11/2009.

arranged a meeting with his delegation for November 18, to clarify outstanding issues before the November 30 deadline. One Sudanese abductee said that until November, the LRA in the camp “were saying there would be peace.”⁷⁴² The delegates tried to get to Ri-Kwangba in time for the meeting on November 18. At that point, however, patience with the LRA to-and-fro had largely expired. “We tried to get transport and food support, but we could not,” explained a former delegate to me. “So we only arrived on 28th, too late to discuss before the deadline.”⁷⁴³ In the evening of November 28, Kony came to greet his visitors, returning for an afternoon meeting the following day.

Along with the delegates, a group of leaders from Uganda had also joined the meeting. The visitors were subjected to unusually harsh security checks. Afterwards, some of the leaders were more complimentary than others about their encounter with Kony: while some said that Kony was still willing to go for peace, even if the time seemed not right, Iya for example found that “much of what [Kony] said was not coherent; at times he seemed to not remember things he had just said.” Kony made a few major points, according to Iya. He expressed his distrust of Machar, the SPLA and the Congolese forces, said that he did not fear the ICC but also would not sign an agreement if the warrants were still in place, that he did not know all the details in the signed agreements and that he wanted to speak directly to Museveni. He accused his delegation of being thieves, and said that his commanders felt the agreement did not give them much.⁷⁴⁴ An account of the meeting from a confidential US cable—with information provided by Acholi leaders—states that Kony reportedly accused his previous delegation leader, Ojul, of stealing donor money and being on the GoU payroll, thus voiding the agreements that had been signed by Ojul. Kony said that Matsanga, with Labeja present as his trusted person, should lead his delegation. Further elaborating, Kony stated that Chissano had failed to meet his promise to request UNSC deferment of the ICC warrants after the signing of Agenda 3 in June the previous year—an action that, as Chissano’s team emphasised had never been promised before the signing of the FPA. Asking to be paid the \$10,000, which Museveni had sent for him, Kony said that Machar had blocked the payment. The money, notes a US

742 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

743 LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

744 R.Iya, “Encountering Kony: A Madi perspective”, in *The Lord's Resistance Army: Myth and Reality*, ed. T.Allen and K.Vlassenroot. London/ New York: Zed Books, 2010.

memo about the meeting, was “diverted by the mediation team”.⁷⁴⁵ Kony then left Ri-Kwangba without speaking to Chissano or Machar, who were waiting not far away. In a side meeting with elders, Ongwen reportedly said to the Acholi Paramount Chief Acana that senior LRA commanders would not allow Kony to sign a deal unless future prospects and demobilisation packages for senior commanders were clearly defined.⁷⁴⁶

Young Sudanese abductees who had been staying at the LRA camp in Garamba said that after Kony returned from the November meeting, something changed. A young woman from Eastern Equatoria who had been with the LRA since January 2007 said that from November onwards LRA fighters were talking about failure of the Juba Talks, and she saw that “they started now killing, they went into villages differently.”⁷⁴⁷ The young man from Ezo who had remarked on the shaved hair of the LRA at the time of his abduction in March 2008 said that after the last meeting in November with the elders, the LRA fighters “came back and said there is no more peace” and started turning their hair into dreadlocks. “After they came back from Nabanga, the LRA told us to grow our hair into dreads, women should stop plaiting their hair because peace talks are no longer there.”⁷⁴⁸

From December 5 to 8, LRA/M delegates and Machar travelled to Kinshasa. Not all LRA/M delegates were allowed in the meetings with the president, but Machar said that Kabila was supportive of maintaining dialogue with Kony as the cheaper and safer option to prevent attacks on civilians. To the two LRA/M delegates accompanying the SPLM/GoU delegation to Kinshasa, Kabila said that he was against military action because “you don’t disturb a beehive.”⁷⁴⁹ In recounting the days between the meeting in Nabanga and the launch of the military offensive against the LRA, delegates said that Kony asked for clarification on a few outstanding issues. One clarification concerned the sequencing of dealing with the ICC warrants: did Kony have to sign first, or could the warrants be withdrawn first? On December 8, in a meeting of Museveni, Machar and Matsanga in Kampala, Museveni said that Kony had to sign the document first before he could deal with the ICC warrants.⁷⁵⁰ He expressed his willingness to talk to Kony directly, but also insisted that the LRA ought not to receive any further assistance until they

745 US Embassy Kampala. “08KAMPALA1579 (confidential): Uganda: Kony living in a fool’s paradise”, 10/12/2008.

746 US Embassy Kampala. “08KAMPALA1579 (confidential): Uganda: Kony living in a fool’s paradise”, 10/12/2008.

747 Author (with translator) interview with Sudanese LRA abductee from Parajok. Yambio: 23/2/2009.

748 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 – December 2008 with the LRA. Yambio: 23/2/2009.

749 Fieldnotes, Nairobi: 11/9/2009.

750 Fieldnotes, Nairobi: 11/9/2009.

were fully assembled in Ri-Kwangba.⁷⁵¹ Delegates said that all misunderstandings about the challenges inherent within the agreement were clarified by December 10, 2008: "On December 10, Kony was ready to sign."⁷⁵²

Operation Lightning Thunder

On December 13, 2008, recounted a 27-year-old female Sudanese abductee, residents of the LRA camp were called to Kony. "Kony told forces you people have to scatter, there will be an attack tomorrow, on 14," she said. However, she and the people she was with did not believe Kony's prediction, so they went to the garden they were tending instead. Kony had left his camp at 12, and soon afterwards they heard what sounded like aerial bombing of Kony's camp.⁷⁵³ A 20-year old man from Ezo said that on December 13, he had been chosen to leave the LRA camp to carry meat from some buffaloes and fish, "but Kony sent a message to come back quickly because war has started."⁷⁵⁴ Another young Sudanese man who was at Kony's camp said that "when Kony told people of the attack, Kony took off during bombardment, Kony's camp split in three forces." He said that during the bombing, he was told to run with Kony's forces, "but the forces ran into an ambush so I could take off from the ambush. When we heard gunshot we ran away, so I don't know what happened to the others."⁷⁵⁵ The young woman described the attack: "People were scattered. The helicopter went back to DRC. People went back to get some things." Her group of more than 50 people, many of whom were not LRA, then walked for two months to reach CAR.⁷⁵⁶

The bombs were the beginning of what came to be known as Operation Lightning Thunder (OLT). A joint press statement from all involved forces said

The Armed Forces of Uganda (UPDF), DRC (FARDC) and Southern Sudan (SPLA) in a joint intelligence-led military operation this morning, the 14 Dec 2008 launched an attack on the LRA hideouts

751 US Embassy Kampala. "08KAMPALA1579 (confidential): Uganda: Kony living in a fool's paradise", 10/12/2008.

752 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009.

753 Author (with translator) interview with female Sudanese LRA abductee from Ezo. Yambio: 23/2/2009.

754 Author (with translator Zande/ English) interview with Sudanese abductee who spent March 2008 - December 2008 with the LRA. Yambio: 23/2/2009.

755 Author (with translator) interview with male teenager from Central Equatoria, abducted by the LRA for 12 months 2008 - 2009. Yambio: 23/2/2009.

756 Author (with translator) interview with female Sudanese LRA abductee from Ezo. Yambio: 23/2/2009.

of terrorist Joseph Kony in Garamba, Democratic Republic of Congo. The three Armed Forces successfully attacked the main body of bandits and destroyed the main camp of Kony codenamed Camp Swahili setting it on fire. Military operations against these terrorists are continuing.⁷⁵⁷

The operation had been prepared with the aid of US AFRICOM, which had provided aid in planning and logistics to the tune of about \$7 million. Within days, it was clear that the image of lightning and thunder had been ill chosen. Plans of dividing up the area into a neat grid and having infantry jump out of planes into each square had remained fantasies.⁷⁵⁸ The quick strike had been delayed, and the delayed aerial action had failed to kill the LRA leadership and instead had scattered the LRA across a wide area with no ground troops to prevent the spread, fulfilling precisely what Chissano had outlined as the worst-case scenario.

On December 16, 2008, Chissano gave a closed briefing to the UNSC to inform them that military action had been launched. He outlined how Kony had seven opportunities to sign the FPA and had not done so, but on the contrary had continued to fight civilians in the DRC, CAR, and southern Sudan. The UNSC was supportive of the military operation as a way to put pressure on Kony to sign the peace deal.⁷⁵⁹ However, both Chissano and Machar maintained that other roads to peace needed to stay open. In an interview on Al-Jazeera, Machar said that he had been arm-twisted by Undersecretary of State Frazier to go for the military option. Despite the military pursuit, the GoU reiterated periodically that the option to sign the FPA remained open for Kony.

In the December 2008 issue of its report, the UNSC mentioned various ideas regarding "what role regional stakeholders, Chissano and the Council can play in the developing and implementing a new strategy to bring the LRA back to the peace process, or if Kony does sign, to support implementation of the Final Peace Agreement".⁷⁶⁰ Distancing itself from UN obligations of civilian protection, the report stated that "a consideration for the Council may be what role, if any given the current situation in eastern DRC, the UN and stakeholders in the region could have."⁷⁶¹

757 Office of the President, Uganda Media Centre. "Press Statement on the Joint Operation Against the LRA", UPDF Brig James Mugira, Chief of Military Intelligence Brig Matual Majok, SPLA, and Chief of Military Intelligence Brig Deodenne Kitenge, FARDC. Kampala: 14/12/2008.

758 R.R. Atkinson. "From Uganda to the Congo and beyond pursuing the Lord's Resistance Army", New York: International Peace Institute, 2009.

759 UN Security Council. "Update report: Northern Uganda and LRA-affected areas", New York, 22/6/2009.

760 UN Security Council, "Security Council Report: Northern Uganda and LRA-Affected Areas", December 2008.

761 UN Security Council, "Security Council Report: Northern Uganda and LRA-Affected Areas", December 2008.

The council stated that in September the

Secretary-General indicated that a continued facilitation role of the Envoy was critical to help the parties overcome current obstacle and create a propitious environment for implementing the future Final Peace Agreement. If the Final Peace Agreement is signed, the Secretary-General would expect the Envoy to play a key role in supervising its implementation. In the event of further delays, the Special Envoy was expected to continue to provide good offices and facilitation.⁷⁶²

The council explicitly stated “another option, albeit unlikely given the fragility of the peace process and instability in the region, would be to terminate the mandate.”⁷⁶³ Chissano’s mandate as the UN Special Envoy was, however, allowed to expire on June 30, 2009, because, as the Secretary General now stated, Chissano had

achieved the main objectives of his mandate with the conclusion of negotiations in March 2008 when agreements were signed on all substantive issues, including by the representatives of the Lord’s Resistance Army (LRA). While the final peace agreement has yet to be implemented due to LRA leader Joseph Kony’s refusal to honour his commitments and sign the agreement (he maintains the position that the arrest warrant of the International Criminal Court (ICC) against him and other LRA leaders must first be lifted), the Secretary General considered that Chissano had completed his assignment.

The support office for Chissano established in Kampala was closed as of 30 June. The Council responded in a letter of 29 May saying that members had “taken note” of the Secretary General’s intention.⁷⁶⁴

As non-military options diminished, the Enough! Project published a paper that further advocated military pursuit of the LRA, emphasising this point in briefings with diplomats in Kampala, where, according to a US embassy cable, analyst Spiegel recommended

that the military operations continue with a focus on killing the senior LRA leadership and increasing efforts to protect the Congolese civilian population. She advocated a multi-lateral discourse on planning and increased MONUC capability, along with increased U.S. Government support, including planning support, intelligence, and logistics. She explained that Congolese President Kabila’s internal problems, including opposition to the operation from eastern DRC parliamentarians, had been a problem, but that the lack of human rights abuses by the UPDF coupled with continued LRA depredations resulted in a positive perception of the UPDF presence among Congolese civilians.⁷⁶⁵

762 UN Security Council, "Security Council Report: Northern Uganda and LRA-Affected Areas", December 2008.

763 UN Security Council, "Security Council Report: Northern Uganda and LRA-Affected Areas", December 2008.

764 UN Security Council. "Update report: Northern Uganda and LRA-affected areas", New York, 22/6/2009.

765 US Embassy Kampala. "09KAMPALA551: Uganda/ DRC: Operation Rudia II Update", 1/6/2009.

Other assessments of OLT are less jubilant, and view the option of a targeted assassination more critically. In August 2007, Museveni had told US officials “a military operation against the LRA would be ‘easy’ or ‘not hard’”.⁷⁶⁶ His confidence might have lulled the US military into a false expectation of success. Yet it was clear that Kony had been warned of the impending air strike through his contacts in the UPDF. OLT scattered the remaining LRA forces across Sudan, the DRC and CAR at great cost to civilian lives.⁷⁶⁷ That protection of civilians had quickly become a problem was spelt out when Ugandan Foreign Minister Sam Kutesa asked MONUC on February 9 whether it could provide logistical support for the deployment of a further 2,000 UPDF troops to strengthen protection. Unable to transport Ugandan troops under its mandate, MONUC offered to support OLT in different ways, for example by improving roads and air strips and moving its own troops closer to areas of OLT action. Additionally, MONUC was providing logistical support for Armed Forces of the DRC (FARDC) troops under its DRC-focused mandate.⁷⁶⁸ The LRA conducted a series of brutal attacks; the combined presence of soldiers of various government armies created a volatile environment in which civilians were exposed to human rights violations. A confidential but leaked report commissioned by the Social Science Research Council provided fieldwork-based evidence that in 2011 UPDF soldiers in CAR were plundering resources; in DRC the Ugandan soldiers were accused of systematic rape, violence and of profiting from prostitution.⁷⁶⁹

Without a credible protection force, civilians were on the run from aerial attacks just as much as the LRA. What abductees with the LRA were supposed to do during OLT was unclear. Leaflets thrown out of planes by the UPDF to persuade LRA fighters to come out stated that fighters or abductees should surrender to barracks or churches. Barracks and churches had not been told to welcome LRA fighters, and in any case LRA fighters would not have been able to reach them without passing through villages, likely causing havoc there or being killed. “The military operation was not

⁷⁶⁶ US Embassy Kampala, "03 KAMPALA 001426 (Confidential): Senator Feingold raises regional and domestic issues with Ugandan President", 9/11/2007.

⁷⁶⁷ R.R. Atkinson, "From Uganda to the Congo and beyond pursuing the Lord's Resistance Army", New York: International Peace Institute, 2009; R.R. Atkinson, "Revisiting 'Operation Lightning Thunder'", *The Independent*, 9/6/2009; R.R. Atkinson, "Revisiting Operation Lightning Thunder- Part I." *The Observer Uganda* June, 1-6/6/2009; R.R. Atkinson et al., "Do no harm: assessing a military approach to the Lord's Resistance Army", *Journal of Eastern African Studies* iFirst article, 2012; M. Schomerus and K. Tumutegyeize. *Conciliation Resources*. "After Operation Lightning Thunder: Protecting communities and building peace", London: 2009.

⁷⁶⁸ US Embassy Kampala. "09KAMPALA207 (confidential): Uganda/DRC: Museveni and Kabila summit set for March 1", 25/2/2009.

⁷⁶⁹ The report was never made public, but was discussed in the Ugandan media. "Editorial: Uganda's image at stake in CAR," *The Observer*, 2/3/2012.

properly planned, that's why it is dragging on," commented an SPLA officer in early 2009. "It is more difficult and complicated the longer it drags on."⁷⁷⁰

Drag on it did. From the military perspective of one of the supposed partners, the SPLA, OLT had been ill conceived, ill planned, ill executed and extremely damaging, setting up the region for years of further instability—as was certainly still the case in 2012. Assessing the UPDF preparations for the strike against the LRA, a senior SPLA commander commented that they had used MIG-21 planes to bomb them, and that they had stationed tanks near the border in Koboko.

It was as if they were going to fight a conventional army, but that was not the case... Also, SPLA, UPDF and DRC forces never sat down together. SPLA was supposed to seal the borders and they were drunk. The US helped plan this, but Western systems normally undermine how our systems work. US officers will rely on equipment. They want to do their own intelligence gathering without relying on basic local intelligence. The State Department has no experience with realities on the ground. The UPDF troops were in Koboko for days. It was like they were going to a party. There was no alliance between SPLA and UPDF. The GoU wanted to keep the operation secret from Machar. The SPLA was not very happy. The SPLA just said to some forces, just go and sit there, let the Ugandans see if they really are the best. The LRA needs a counterinsurgency force. SPLA could do it, but they were not involved because the Ugandans in their mambas [military vehicles] are too arrogant.⁷⁷¹

The SPLA officer explained to me that he knew OLT would be a disaster when he heard reports that the UPDF was in the DRC preparing for the strike, but that the Ugandan soldiers were eating sardines and rice every night in their camp. "But really! It was the UPDF eating rice and sardines. It takes a long time to cook and eat rice. If you are in a hurry, you don't eat rice. But this is the UPDF arrogance. Wherever they go, they come with their own problems."⁷⁷²

Arrogance was also brought up by an international advisor to the talks: "The US pressure for the military option also comes from American military arrogance," he explained to me almost a year before OLT. At the time he thought it would be impossible for the UPDF to remain engaged in a military operation on Congolese ground for more than a few months at most: "The UPDF is also under performance pressure. This needs to be a

⁷⁷⁰ Author interview with Yambio-born former UNICEF Ops manager. Yambio: 25/2/2009.

⁷⁷¹ Author interview with SPLA intelligence officer. Juba: 1/3/2009.

⁷⁷² I Author interview with SPLA intelligence officer. Juba: 1/3/2009.

neat and successful military operation; they cannot hang out in DRC and certainly not plunder any more.”⁷⁷³

Yet on March 1, 2009, Presidents Kabila and Museveni met to sign a Memorandum of Understanding about extending the military cooperation indefinitely, with reviews every three months. In 2012, the UPDF remains in the DRC and CAR. UPDF news about OLT success came trickling in from the beginning, often disproved as quickly as it had been disseminated. In June 2009, the US reported that the UPDF was continuing “to make steady progress”, measured on, amongst other things the fact that “between May 18 and 29, the UPDF killed 41 LRA fighters, including Brigadier General Cesar Achellam and Lt. Col. Okello Okuti.”⁷⁷⁴ Achellam, however, emerged from the bush in 2012, very much alive. Civilian reports about the failures of UPDF engagement and atrocities committed by all sides continued. Yet, a confidential memo regarding US/Ugandan military cooperation outlined in December 2009 that the US had “received verbal assurances” from the Ugandan Defence Ministry that US intelligence was being used in the pursuit of the LRA “in compliance with Ugandan law and the law of armed conflict”. The memo elaborated that

furthermore, Uganda understands the need to consult with the U.S. in advance if the UPDF intends to use US-supplied intelligence to engage in operations not governed by the law of armed conflict. Uganda understands and acknowledges that misuse of this intelligence could cause the US to end this intelligence sharing relationship.⁷⁷⁵

The memo thus implies that failure to notify the US constitutes misuse of its intelligence, rather than giving a general condemnation of any violation of law of armed conflict. The implication of this memo is far-reaching: it allows the conclusion that the military partnership was to work along rather fluid interpretations of international obligations.

Conclusion

2008 was marked by competing forces in the Juba Talks and ultimately a conservative view of how peace talks were measured and deemed successful. The final year in a process that stretched out over three became a moment when the peace process even more so than previously narrowed

⁷⁷³ Fieldnotes, 24/11/2007. The International Court of Justice had found the UPDF guilty of plundering in DRC in a 2005 judgement. International Court of Justice, “Case concerning armed activities on the territory of the Congo (Democratic Republic of the Congo vs. Uganda)”, *ICJ*, 2005.

⁷⁷⁴ US Embassy Kampala. “09KAMPALA551: Uganda/ DRC: Operation Rudia II Update”, 1/6/2009.

⁷⁷⁵ US Embassy Kampala. “09KAMPALA1397 (confidential): Uganda: Intelligence Sharing Agreement”, 16/12/2009.

towards achieving milestones, rather than acting as a catalyst for a broader process. Additionally, challenges that had existed since the beginning came to the fore. In a conflict that had been substantially driven by rumours, 2008 showed how powerful rumours can drive those divorced from reliable information structures to action, emphasising the importance of information and how muddled it in reality was. In Kony's case, it will remain impossible to conclusively say what his intentions were, but it is fair to argue that the different signals sent by different parties added to the confusion.

The military fall-out that began in December 2008 and continues to this day shows the gravity of the decision to abandon the often frustrating process in favour of what mistakenly continues to be sold as the quicker solution. Leverage had certainly worked in exerting pressure on the LRA. For some of the LRA/M delegates, the final choice between signing a peace deal or facing military action, however, underscored the perception they had held all along: that the Juba Talks were not comprehensive peace talks or a deep peace process, but a way to ultimately pressure the LRA/M into signing an agreement. Of course, such an assessment is cursory and neglects the many concessions the government made in the agreements, and which influence northern Uganda's development until today. But in terms of how delegates perceived the Juba Talks at this point, they argued that ultimately, the Talks reinforced the power structures they were trying to address in which at some point, the GoU would again revert to badly-executed military action.

Abandoning the talks in favour of a military strike also meant that many actors failed to capitalise on the many advances made in the process thus far. The juxtaposition of process and pressure, which crystallised particularly in the final frantic weeks leading up to OLT, meant that broader political gains remained unacknowledged as the whole process was unfairly branded a failure. Some of the achievements of Juba are discussed in the final chapter.

On the international and facilitation side, the hawks and doves fought in the background over which approach would ultimately prevail. This dichotomy also brought yet again to light the profound challenges in engaging with an unreliable actor such as the LRA/M. Most international actors by the end of 2008 had simply lost patience with an inept delegation and an obstinate LRA leader; letting negotiations end could thus be done from the moral high ground. As the events show, within the LRA/M, relationships had broken down, and different agendas were being played out. As these internal dynamics unfolded, they were generally seen as proof that the LRA/M was dysfunctional. However, the insights into the inner working of the LRA/M which were particularly obvious in 2008 actually

showed something very different: how in times of crisis the LRA/M system worked and why ultimately the LRA/M stood as much in the way of an agreement as the GoU.

8. “LRA Has Already Become a System”: Representation and Distrust

On a normal negotiation day in the first part of the Juba Talks in 2006, the LRA/M delegates were driven from their hotel to the negotiation venue, Juba Raha Hotel, the white minibus crawling and climbing through the potholes on the road that connects Hai Cinema with Konyo Konyo Market. It was the worst road in town. On the minibus dashboard sat a sign reading “Delegation”. On a good day, a usually bored-looking soldier was riding shotgun; however, on many days, the delegation’s armed escort did not show up.

In the first few months of the talks, reporters from Uganda’s *New Vision* and *Daily Monitor* as well as various news agencies such as AFP and AP would hang around at the Juba Raha Hotel. Reuters was the only international news agency with a local stringer, a young man from Ikotos who had fought against the SPLA on Machar’s side. The BBC Khartoum reporter occasionally made an appearance for important events. At various points, foreign freelancers with television crews showed up. For Uganda’s *Daily Monitor*, keeping a reporter in Juba for this length of time was “the most expensive story we have ever done”, said the reporter.⁷⁷⁶ Whenever members of the delegations appeared in the doorways, the journalists jumped up to collect a quote or engage in an informal chat. On bad negotiation days, they were handed a written statement. On particularly bad days, the LRA/M delegation would read out a written statement and then disappear without further comment.

Overall, most people at the margins of the peace talks spent most of their days waiting. Waiting for decisions to be made, waiting for transport, waiting for the LRA/M delegation to appear. From the day of the opening of the talks, when the LRA/M was three hours late because their transport had not materialised, it had become their habit to be late. There had been considerable tension over the LRA/M’s tardiness. The delegation leader had promised the mediator and the GoU delegates to change and to “keep better time”.

The day after this promise had been made, I was sitting in the LRA/M’s Juba Bridge Hotel. The GoU delegation was staying at the Civicon camp—much to the resentment of the LRA/M delegation, who liked to point out that

⁷⁷⁶ Fieldnotes, Juba: 30/9/2006.

while the GoU enjoyed self-contained prefabricated housing units, their own Juba Bridge Hotel had no functioning toilet. GoSS had replied that it had been necessary to move the LRA/M to the more remote hotel to stave off attention. On this particular day, an important afternoon meeting about the next steps was scheduled for 3pm. I was waiting with another delegate—a usually quiet man from the diaspora—to hitch a lift in the minibus back to the Juba Raha Hotel. Just before three, the familiar white vehicle pulled up. Apart from my conversation partner, nobody from the delegation was anywhere to be seen. At a quarter past three, one of the leading delegates walked through the camp wrapped in a towel on his way to the washrooms to take a shower. The LRA/M delegate sitting next to me let out an audible sigh. “Now I understand why the LRA never made it out of the bush,” he said.⁷⁷⁷

Introduction

His remark was a playful expression of weariness. It revealed the delegate’s realisation that, along with the outside pressure the LRA/M was experiencing at the Juba Talks, internally they were also stuck in their own detrimental ways. “The LRA has its own problems and I am the first to admit it,” said a former delegate in November 2009. When asked why in his opinion the talks had failed, another delegate said it was because “Kony is being used and allowing himself to be used. But if you think there is only one human being at the heart of it, it is wrong.”⁷⁷⁸ In the opening speech of the talks, Olweny had made a similar point: “Even if they were to succeed, God forbid, in apprehending the five indicted leaders, LRA has already become a system. The war can only become more intensive,” he said.⁷⁷⁹ However, much analysis of the LRA continues to see it as a group gathered around Kony as the centre of gravity and of the conflict.⁷⁸⁰

⁷⁷⁷ Fieldnotes, Juba: 30/9/2006.

⁷⁷⁸ LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

⁷⁷⁹ LRA/M Delegation in Juba/O.Olweny, “LRA/M opening speech at first Juba Peace Talks opening ceremony”, 14/7/2006.

⁷⁸⁰ A more nuanced understanding of conflict networks has called into question the straight lines of command that are emphasised in conflict resolution, military strategy, and more recently international criminal prosecution. Grabher and Stark advocate shifting attention “from the attributes and motivations of individual personalities to the properties of the localities and networks” in which war happens. G.Grabher and D.Stark, “Organizing Diversity: Evolutionary Theory, Network Analysis and Postsocialism”, *Regional Studies* 31, 1997. Wassermann and Faust suggest that examining networks, rather than individual relationships, might allow better analytical insight into complex conflicts. S.Wassermann and K.Faust, *Social Network Analysis: Methods and Applications*. Cambridge: Cambridge University Press, 1994. Sorbo et al. write in their description of internal wars “rather than being a transitory problem... internal war can be seen as the emergence of essentially new types of social formation adapted for survival on the margins of the global economy”. G.Sorbo, J.Macrae, and L.Wohlgemuth. Chr. Michelsen Institute, “NGOs in Conflict - An Evaluation of International Alert”. CMI Series. Bergen: 1997.

Recent scholarship allows to call into question such simplified and personified analysis. Particularly more nuanced understandings of conflict networks have called into question the straight lines of command that have been emphasised in conflict resolution, military strategy, and more recently international criminal prosecution. Grabher and Stark advocate shifting attention “from the attributes and motivations of individual personalities to the properties of the localities and networks” in which war happens.⁷⁸¹ Wassermann and Faust suggest that examining networks, rather than individual relationships, might allow better analytical insight into complex conflicts.⁷⁸² This is a particularly poignant insight when looking at the LRA conflict also as a conflict of marginalisation both in the national and broader international context. Sorbo et al. write in their description of internal wars “rather than being a transitory problem... internal war can be seen as the emergence of essentially new types of social formation adapted for survival on the margins of the global economy.”⁷⁸³ It is in these insights about connecting local, seemingly personalised conflicts to broader processes of political and economic marginalisation that a different perspective of the LRA conflict makes sense.

The Ugandan government, the US military and various advocacy groups have pushed the notion that if Kony were put under pressure, the LRA would automatically falter.⁷⁸⁴ I had a typical conversation with a former employee of a UN agency in Kampala. He was convinced that Kony was the “linchpin”, and that killing him would turn the LRA’s military behaviour into criminal behaviour “where individual interests supersede group interest, thus it will be easier to coax them out of the bush”.⁷⁸⁵ Jackson—without particularly grounding the claim in empirical evidence—echoes this typical assessment: “Kony himself holds the key to peace—a cult cannot function without its high priest. Remove the high priest and the structure falls apart.”⁷⁸⁶ Kaplan describes the LRA as a “paradigmatic exemplar” of a group that has

781 G.Grabher and D.Stark, “Organizing Diversity: Evolutionary Theory, Network Analysis and Postsocialism”, *Regional Studies* 31, 1997.

782 S.Wassermann and K.Faust, *Social Network Analysis: Methods and Applications*. Cambridge: Cambridge University Press, 1994.

783 G.Sorbo, J.Macrae, and L.Wohlgemuth. Chr. Michelsen Institute, “NGOs in Conflict - An Evaluation of International Alert”. CMI Series. Bergen: 1997.

784 During the Juba Talks, there were glimpses of a growing understanding of the more complex set-up of the LRA. This was reflected, for example, in an ICG report: “Whether [Kony] comes out of the bush to sign a peace agreement is less relevant to avoiding an eventual new revolt in northern Uganda than whether the government makes serious efforts to keep its promises to that region.” International Crisis Group. “Northern Uganda: The road to peace, with or without Kony”, Africa Report 146. Nairobi/ Brussels: 10/12/2008. A similar argument appears in a follow-up report. International Crisis Group. “LRA: A Regional Strategy beyond Killing Kony”, Africa Report 157, Brussels: 2010.

785 Fieldnotes, New York: 24/9/2010.

786 P.Jackson, “Negotiating with Ghosts: Religion, Conflict and Peace in Northern Uganda”, *The Round Table* 98, 402, 2009, p.326.

turned inward, becoming localistic rather than international, and manifest[s] intense ethnic, racial, or tribal mysticism. They are millenarian and chiliarist in nature, and seek to create a new society—based on the creation of new men and women—in a single generation.⁷⁸⁷

Kaplan's description is at once one-dimensional and profound. In a sense, the LRA/M did seek to create a new society by pushing for profound change and for the overhaul of Uganda's politics. At times it seemed as if the delegation wanted to turn back the clock by comprehensively addressing Museveni's betrayals from 20 years ago, and in doing so to provide a different history that would be more in the Acholi's favour. Many delegates, however, were aware that such ambitious goals would require a change not only in LRA violence, but crucially in internal LRA/M dynamics. The rather unreliable behaviour in negotiations, including the lack of clarity on who the dependably mandated negotiators were, and the sketchy link between the high command and its civilian negotiators had earned the group the reputation of being dysfunctional. In his letter to Machar on-and-off LRA/M delegation leader Matsanga gave a similar description: "But sir LRA issue is a complex that one shouldn't blame you for the total chaos that reins the movement of LRA."⁷⁸⁸

This chapter analyses how the perceived chaos served a distinct purpose: it confirmed the LRA/M's status as a marginalised group, unable to create inner cohesion and bring about change because of pressure exerted by hostile structures. By extension, the battle against such disempowering structures also implied that all LRA/M actions were justified. By maintaining this status quo, the LRA/M permanently remained in the position of expressing their desire for peace but not being able to get it, without having to examine their own role in the failure of the talks.

The chapter first discusses the representation structure of the LRA/M. It then examines the LRA/M's understanding that its organisation and all its individuals were deeply embedded in a hostile context. This maintains the LRA/M's notion of itself as representing all marginalised people in Uganda against a belligerent political system that had no interest in allowing such representation. In the LRA/M's self-assigned role as spokespeople for everyone with a grievance, encounters with the hostile political system created an internal understanding that if any LRA/M demands were rejected or their behaviour criticised, this was proof that broader forces were at work to silence its voice. As a result, the LRA/M was weak at

⁷⁸⁷ J. Kaplan, "The fifth wave: The new tribalism?", *Terrorism and Political Violence* 19, 2007.

⁷⁸⁸ D. Nyekorach-Matsanga, "Letter to Riek Machar re: Continued support for the peace process and clarification", 30/4/2008.

assessing its own performance and making necessary concessions and compromises.

Second, individuals within the LRA/M deeply mistrusted each other. The network of distrust meant that others interpreted individual support for concessions at the negotiation table as having been manipulated by systemic forces. At the same time, distrust acted as glue in the delegation. Having been infiltrated by government agents, LRA/M delegates chose to react by keeping the enemies close to allow for better control. The chapter concludes that distrust amongst delegates, seeming disconnect between LRA and LRM and also infiltration through government agents are what maintains the broader LRA system.

Representation in a Hostile Environment

Who Represents the LRA?

When it became clear that the negotiation would be conducted by a team of LRA sympathisers from the diaspora—the LRM—discussions in the media and international organisations centred on whether this “diaspora delegation” was the right negotiation partner.⁷⁸⁹ A delegation drawn mainly from people in the diaspora meant an acute lack of high-level LRA command at the negotiation table. Ugandan opposition politician Mao commented in a newspaper article on November 8, 2006: “It is good that those who have been backing the LRA have come out in the open, but their biggest problem is that they are still stuck in the politics of 1986. They seem to think that being in exile is a badge of honour.”⁷⁹⁰ An article in the *Monitor* described the LRA/M team as “a group of people who have maintained contact with the LRA over the years” who were now pushing a political agenda that had not existed before. The newspaper quoted Ugandan MP Odonga Otto: “I think the talks will be lukewarm because I know some of these people on Kony’s team like Ayena (Odongo). They have just been hanging around town but Kony is in his own world.” The lack of

789 Contested representation is not a new issue in LRA peace talks: in 1997, Pain wrote that as a prerequisite for future peace talks “some would want first to test out the credibility of claimed representatives to influence the fighters in the field or to represent them”. D.Pain, “‘The Bending of Spears’: Producing consensus for peace and development in Northern Uganda”, London: International Alert/ Kacoke Madit, December 1997. The LRA and LRM have a long history, however volatile. In the 1990s and leading up to the Juba Talks, the relationship was usually described as one that was invoked whenever convenient to either side. While the LRM stands accused of providing material support to the LRA ever since the war started, the LRA certainly draws much of its views on the outside world from members of the diaspora. The LRM at times used the existence of the LRA to make a political point, but seemed to have very little direct contact with their supposed military wing. However, whenever the political development moved from issuing statements towards having to be a legitimate negotiation partner, the two groups converged. Overall, viewing LRA and LRM as part of the same system is a more appropriate description.

790 N.Mao, “‘It is good..’”, *The New Vision*, 8/11/2006.

direct access to Kony and Otti—exacerbated by the fact that complicated information had to be relayed on expensive and bad-quality satellite phone lines—created convoluted and often unreliable communication paths for the GoU and the mediation team, as well as for the LRA/M delegates themselves.

The *New Vision* latched onto “the striking contrast between a mostly illiterate rebel army hiding out in the bush and their educated representatives flown in from abroad”. The paper questioned whether these could be legitimate representatives of Kony: “Of 17 LRA representatives at the peace talks, only five are rebel fighters, while 10 are Ugandans living in the UK, the US, Kenya and Germany. The remaining two are LRA sympathisers from Kampala.”⁷⁹¹ Egeland described the LRA/M delegations as “more professional mediators... these are the people of the diaspora. They are pretty good, actually too good because they were demanding more and more per diems and more and more projects and assistance and agreements that went far beyond what should be in such talks.”⁷⁹² It was a standard joke among UN support staff at the peace process that the Juba Talks for some delegates were mainly a period of personal improvement: “As the talks went on, watches were growing,” observed one international staff member. “A few months into the process I saw [one of the delegates] with a \$5,000 dive watch on his wrist.”⁷⁹³ One alienated former delegate put down his thoughts about his former colleagues’ claim to the ownership of the peace-process in a letter to Machar and various northern Ugandan and Sudanese leaders:

[Two delegates] told me in no uncertain terms that although I had been requested by their principals to support them, I should know from the start that the peace talks was their DEAL and hence I should follow what they told me to do and say not what I thought was the correct thing to do and say. I could at first not believe my ears, but as time went by, what I heard was true. And by the way the two don’t follow the proceedings in the conference hall as they partially understand English, the language of communication during the talks. The two are also the ones who give out per diem to the delegates and give what they think is enough not what they are given by the GoSS and the rest they pocket. If asked why not the amount given by GoSS, they simply say that is enough for delegates, the rest they would take to Otti, which is never true as the GoSS always have special package for Otti and the rest of the LRA soldiers. They also solicit funds from other sources without Otti and other members of the delegation knowing. But they make sure they send to Otti whatever he wants and at all costs. That is why they have acquired property such as mataus [*sic*],

⁷⁹¹ *The New Vision*, “Why do Ugandan exiles support LRA?”, 16/9/2006.

⁷⁹² Author telephone interview with Jan Egeland, former UN-Undersecretary for Humanitarian Affairs. 15/10/2007.

⁷⁹³ Author interview with international security expert. Nabanga: 13/4/2008

houses and plots in Nairobi. The peace process is really their DEAL!

794

Summarising his impression of the delegation, one international advisor said "the problem with a group like the LRA is that they have very few friends and therefore you end up with a delegation of funny people."⁷⁹⁵ Each individual delegate had brought their own story with them to the negotiation table. One delegate recalled his time as an opposition soldier in the UPDA as a time of suffering. Another had endured personal losses, with family members still suffering harassment in Uganda. Delegates had left behind in Uganda possessions or careers, or the hope of careers and success that they had held in 1986. Very few of them had spent time in Uganda in the last years or decades; those who did had experienced either government scrutiny or a failure to launch a political career. They deeply mistrusted each other, as discussed further below. In his first meeting with the soon-to-be delegates, Machar was frank about his concerns and reminded the delegation that during the least peace talks, the LRA's negotiator Sam Kolo had surrendered to the UPDF:

The president of Uganda committed to the peace process, but are you a solid delegation representing the LRA? If you are, you have to avail yourself to the rest of the world. The leader of the movement must have confidence in his delegation. The first thing to resolve is how many should be in the delegation. When Betty Bigombe negotiated the peace, the leader of the delegation defected.⁷⁹⁶

Many instances during the talks seemed to confirm that the delegates and the high command were rather detached from each other. Despite publicly endorsing his delegation, Otti also emphasised that he remained crucial in expressing the LRA's standpoint: "If I don't speak for LRA, there is no LRA," he said.⁷⁹⁷ On September 27, 2006, Otti contradicted a position taken by his delegation. Reportedly at the request of the high command, the delegates had tried to get Rugunda off the GoU team. Otti weighed in via the press to say that he wanted Rugunda to stay. The delegation's legitimacy was shaken, and talk about the need for direct negotiations with Kony heated up.⁷⁹⁸

In the online discussion space Acoli Forum, the relationship between the LRA leadership, the LRM delegation and the Acholi elders was the subject

794 Name of writer withheld by author, "Letter to Riek Machar re: Acholi Peace Conference in Juba", April 2007; sender's caps.

795 Personal email to author from international Advisor to the Juba Talks. 7/8/2011.

796 Fieldnotes, Juba: 7/6/2006.

797 Author interview with Vincent Otti, Ri-Kwangba: 14/11/2006.

798 T.Cocks, "Ugandan rebel commander overrules own peace team", *Reuters*, 27/9/2006.

of heated debate after a newspaper article reported that Otti had called RDC Ochora after the opening of the peace talks to say that Olweny's harsh speech "was not cleared with the High Command". This had followed initial confusion over whether Kony and Otti had accepted an amnesty offer from the GoU after the delegation had declined it.⁷⁹⁹ One participant, signing his post Alfred, argued:

the RDC Walter Ochora is playing his gimmick in order to create confusion between the LRA High command and their negotiating team. I wonder why the LRA high command want a separate talk with Acoli delegation when they entrusted their representative?... Otii Vincent must also learn to be Respectfull [sic] of his representative doing a very difficult job to defend him and his commanders in the talk. Un necessary [sic] phone call interviews with the government officials and press interviews regarding the negotiation is not the best way forward. The LRA High Command must leave press interview to their leader of the delegation.⁸⁰⁰

Reacting to the debate about the delegation's legitimacy, LRA/M delegate Ayena stood up in the Juba Raha Hotel meeting hall. He was reportedly angry and argued that the delegation as it stood before the mediation team had been fully mandated by Kony. Even if Kony had appointed a dog, he said, and written a letter confirming the mandate and attached it to the dog's collar, the dog would need to be treated with respect. There was thus, he concluded, no reason to doubt the legitimacy of the delegation. When asked about their legitimacy to represent the high command, most delegates, referred to June 12, 2006, when Kony had signed off on the list of delegates.⁸⁰¹

The *East African* quoted GoU deputy delegation leader and Minister for International Affairs Okello Oryem as having declared "in frustration... 'If we were dealing with Kony's real demands, we would have signed an agreement by now and been out of this place.'" Oryem made the point that the demands set out by the delegates were "mainly the personal position of the non-combatant arm of the LRA", which he saw as an attempt "to derail the process".⁸⁰² Kony, reported the government, had only asked for his personal safety and the removal of his name from the list of terrorists.⁸⁰³ The demands Oryem saw as expressing personal positions covered a range

799 A.Izama and E.Gyezaho, "More Hurdles In Juba Talks", *The Daily Monitor*, 19/7/2006.

800 Alfred, "Subject: Re: [Acoli Forum] More hurdles in Juba talks", in *Acoli Forum*, 19/7/2006.

801 On June 12, 2006, Otti met with Machar and the delegates in a clearing near Nabanga to finalise the delegation. I was meeting with Kony in a clearing further in the bush. During the interview Kony received a phone call from Otti to clarify some issues with the delegation. Kony okayed the delegation then, and later signed the official appointment letter.

802 *The East African*, "LRA 'externals' accused of killing talks", 24/7/2006.

803 *The East African*, "LRA 'externals' accused of killing talks", 24/7/2006.

of issues. These included the closure of IDP camps, disbandment of the UPDF as Uganda's national army, the establishment of an army that would pledge loyalty to the people rather than the president, army reform to establish forces whose composition would reflect Uganda's national character, the admission of atrocities committed by the UPDF, and a power-sharing agreement between the LRA and GoU.

Referring to these demands as of great importance to Uganda's population as a whole, the delegation rejected suggestions that they might not have a good grasp on what the LRA wanted to negotiate. A member of the mediation team concluded after the Juba Talks that the delegation

did not have any (or at least not much) influence on the leadership. I always felt that LRA-leadership used them to be between them and the rest of the world. And that the delegation did not have much of a political opinion, and that the opinion that they did have was not necessarily of relevance for the LRA... There was a link between them and a political problem, but they were only the consequence of the Northern Ugandan problem (and later a cause, as the conflict itself and the IDP-camps became the biggest N-Ugandan problem). That poses a difficulty, because there was something to talk about, but who was supposed to talk? Of course that was the reason the parliamentarians came on board, but that didn't necessarily help the "LRA-problem" (in terms of getting them out of the bush and ending the violence).⁸⁰⁴

In an untitled and unsigned discussion paper that the LRA never used publicly, the writer developed the LRA/M's counterargument against the accusation that the delegation was not a bona fide representative of the LRA or indeed of a political agenda:

Before LRA did a human face-lift to its political wing by naming about 16 persons to its peace negotiation team, the NRM Kampala regime, its backers, governments and organisations in USA and Europe claimed it was impossible to engage LRA because it neither had a political wing nor a political agenda. They went further arguing that business can only be done with LRA, if its leader Joseph Kony publicly named a spokesperson/and his representative(s).

It is therefore alarmingly socking [sic] that the proponents of the views above, with ease are changing goal-post by questioning the genuineness and credibility of the political representatives named by Joseph Kony witnessed by the authorities of southern Sudan. None else except LRA and its leadership can say who genuinely represents their course [sic] and interests...

Annoying too is the notion that the LRA team must only be considered genuine if it has a military representation on its peace negotiation team. This notion exposes Uganda as a state pervaded by the culture of military supremacy. It also means in essence that

804 Personal email to author from international advisor to the Juba Talks. 7/8/2011.

nothing binding can be done without the involvement and endorsement of the military.⁸⁰⁵

The text above is a good example of how the delegates viewed their role in the broader context: despite individually admitting that the delegation lacked technical capacity, as a group they tended to define every obstacle they encountered in Juba as a manifestation of the system they were trying to battle. They often framed the shortcomings of the LRA/M at the Juba Talks as a result of their being the lesser negotiation partner and the symbolic representation of a much larger systemic conflict. Criticism of their representatives confirmed that their marginalisation was so entrenched in the broader political context that it was impossible to represent political demands. The system as they knew it had thus continued to work.

Battling a Hostile Environment

On September 30, 2006, the *New Vision* published a photo of LRA/M delegates carrying white plastic chairs into the mediation hall of the Juba Raha Hotel. It was quite a common sight to see people carrying chairs back and forth, and the delegation was amused that the newspaper had picked this up. One delegate said to me jokingly that this proved that a level playing field had not been established at the Juba Talks: “I want to say to the mediator we are so disadvantaged, we even have to bring our own chairs.”⁸⁰⁶ While said in jest, it expressed a sentiment that I had encountered before: that the LRA/M’s marginalisation was so entrenched that not even outside help was able to create the conditions in which their situation could change. An SPLA officer who had observed the Juba Talks commented on how ingrained the dynamics between the conflict parties were—possibly too ingrained to be changed even in peace. He had observed it in Kony’s refusal to sign the FPA, and in Museveni’s treatment of the peace process which he considered lacked the necessary concessions: “When Museveni sees opportunity for peace, his rhetoric changes from partner in peace to victor in peace. You need to concede pride and ego that you are the victor. If you don’t, I will think your peace deal is bait.”⁸⁰⁷

Many analysts agree on Uganda’s politics of exclusion and marginalisation. It is not surprising that the LRA/M sees itself deeply embedded in them. Delegates and fighters viewed their own actions as reactions to systemic constraints imposed on them. Systemic marginalisation and depoliticisation

⁸⁰⁵ Unnamed author (LRA/M member of the Juba Delegation), unpublished and undated.

⁸⁰⁶ Fieldnotes, Juba: 30/9/2006.

⁸⁰⁷ Author interview with SPLA intelligence officer. Juba: 1/3/2009.

had a wide reach, in their view. Delegates remained adamant that they were on a political mission and had been fighting or living in exile for the opportunity to be at the negotiation table to address Uganda's problems. They argued that the hostile political system in Uganda was now deliberately depoliticising their cause. This impression was enhanced when international actors seemed to pursue a similar route of the depoliticisation of northern Uganda's most obvious problem. Enough! wrote that Shortley, the US government representative at the Juba Talks and senior advisor on conflict, called "for the de-linking of the Juba peace process from returns and redevelopment in the North. Other international donors should join the call to press the Ugandan government to deliver on these promises now."⁸⁰⁸

In January 2008, one LRA/M delegate made the connection between their fight and the post-election violence in Kenya. President Kibaki of Kenya, he argued, was launching an anti-Luo campaign similar to Museveni's anti-Acholi campaign, and Ugandan "Opoko" were helping Kibaki.⁸⁰⁹ Another member, commenting on the Kenyan riots, which he perceived to be anti-Luo, said "Museveni is pushing his politics across the border."⁸¹⁰ The LRA/M certainly wanted to stress the importance of the regional perspective, pointing out "that unless a collective and committed approach is made to finding a lasting solution to them now, it may become too late for the stability of the Great Lakes region as East Africa's political unity would be disrupted by Museveni's politics."⁸¹¹ Years of subdued reaction from the international community to what the LRA/M referred to as the genocide of Acholi was seen as part of the broader hostile system. The LRA/M argued that the international community had misused "a golden international human rights opportunity, attention and focus". Uganda had shown its true colours in its refusal to include the situation on the UN agenda, thereby "denying... us, the people of Uganda to reap from, benefit and enjoy the collective universal defence and promotion of the respect for men's fundamental rights to life, security, peace and development".⁸¹²

The powerful LRA/M notion that they were speaking for a wide affected constituency had a direct impact on how delegates described themselves in

⁸⁰⁸ J. Spiegel and J. Prendergast, "A new peace strategy for northern Uganda and the LRA", ENOUGH strategy paper, 19/5/2008.

⁸⁰⁹ Fieldnotes, Juba: 28/1/2008. 'Opoko' is the Acholi word for a calabash container in which milk is kept. In Uganda, opokos are associated with Banyankole cattle keepers in western Uganda. In political terms, a person subscribing to Museveni's policies is called an opoko.

⁸¹⁰ Fieldnotes, Juba: 28/1/2008.

⁸¹¹ LRA/M Delegation in Juba/O. Olweny, "LRA/M opening speech at first Juba Peace Talks opening ceremony", 14/7/2006.

⁸¹² LRA/M Peace Delegation Information and Publicity Secretariat, "Press Release: Stop the concealment of genocide in Uganda", 13/10/2007.

Juba. In their view, they represented all those who had been aggrieved by Museveni's politics. If this representation had violent flaws, it was because the system had silenced the LRA/M's political capacity to have a voice without violence. I asked Otti why at the time of the assembly in Owiny-Kibul he had not allowed his soldiers to be transported by the SPLA, but had instead encouraged civilians to provide bicycles and food to LRA soldiers passing through. He explained that he had had to make a distinction between those who were "part of LRA" and those, like the SPLA, who were not. I noted that I was unsure that all civilians in northern Uganda would agree with the characterisation that they were "part of LRA". Otti responded with conviction: "LRA is northern Uganda. We are northern Uganda."⁸¹³

From Otti's perspective, the Juba Talks strengthened this mandate. "I am in really good spirits about the peace talks," he said in September 2006 when I asked him how he was judging the progress. "I am happy to have more family connection now, more contact."⁸¹⁴ I asked him to elaborate: why was it so important to have contact? I had always been told that LRA fighters could not go home because they had committed violence. Otti found this rather amusing. He explained to me that of course, for LRA it was the most important thing to connect with their families and the people back home, because now they knew again from speaking to people during the peace talks that what they were doing in the bush was the best for northern Uganda.⁸¹⁵

Individual delegates expressed similar sentiments. They saw their mandate as connecting with others affected by the conflict. They argued that bush fighters, exiled Ugandans and Ugandan civilians all shared the experience that the government was not providing peace and development and did not allow them to speak up. This description is reminiscent of Kalyvas' description of a conflict's "deep structure" which informs the most basic and persistence analysis of why a resolution is so difficult to achieve. In this case, the "deep structure" is the LRA/M's understanding that Museveni had robbed people of their political capacity to speak up against the very marginalisation that was robbing them of their voice.⁸¹⁶ It has been one of the remarkable characteristics of the conflict in northern Uganda that the LRA's mission to resist the government has lacked consistently vocal non-violent competition, despite northern Ugandans' recognised grievances. As

⁸¹³ Author interview with Vincent Otti, Ri-Kwangba: 13/7/2007.

⁸¹⁴ Author interview with Vincent Otti, Ri-Kwangba: 22/9/2006.

⁸¹⁵ Author interview with Vincent Otti, Ri-Kwangba: 22/9/2006.

⁸¹⁶ S.N. Kalyvas, *The Logic of Violence in Civil War*. ed. Margaret Levi, Cambridge: Cambridge University Press, 2006, p.9.

a result, the LRA/M was guided in many of its actions by its understanding of itself as a social movement—or as the last man standing in an oppressive system.

This view of themselves is not surprising, as it increases the broader relevance of the fight. Scholarship has established that the boundaries between a violent civil war and a social movement is fluid since, as Koopmans argues, both civil wars and social movements express discontent.⁸¹⁷ Mamdani has broadened our understanding of the internal fluidity of social movements that need not be coherent or internally consistent “or be the agent of realising a trans-historical agenda.”⁸¹⁸ Yet describing the LRA as a social movement is not only too benevolent regarding its methods, it also simplifies the group’s connection to its surroundings. The particular term “social movement” is associated, writes Tilly, with the participation of groups claiming to represent larger groups with a limited political voice.⁸¹⁹ This definition does not include demonstrative violent behaviour against the very people the movement claims to represent. Tarrow’s definition of a collective challenge to authorities might bring us closer to a suitable description of what the LRA is.⁸²⁰ Tilly and Tarrow establish that contentious politics can be expressed with both violence and non-violence; the mode of expression does not change the cause.⁸²¹ Such a perspective on the LRA—as a group with a defined cause which has chosen violence to pursue it—allows for a more nuanced and less judgemental perspective on the LRA.

Such a perspective is important to understand how other actors utilise the LRA/M and use their resistance as a catalyst to voice their own grievances. When in the early days of the talks a range of actors, including MPs from Uganda, claimed that the LRA cause of resisting Museveni was also their own, the LRA/M’s view of themselves as representatives of the broader political context was confirmed, despite their being a little annoyed by the MPs’ presence. A Ugandan journalist who was covering the peace talks in Juba summed up why he felt the LRA/M’s view of themselves was justified:

817 R.Koopmans, "Protest in Time and Space: The Evolution of Waves of Contention", in *The Blackwell Companion to Social Movements*, ed. D. A. Snow, S. A. Soule, and H. Kriesi. New York: Blackwell: 2004.

818 M.Mamdani, "Introduction", in *African Studies in Social Movements and Democracy*, ed. Mahmood Mamdani and E. Wamba-di-Wamba. Dakar: CODESRIA, 1995, pps. 9-10.

819 C.Tilly. *Social Movements, 1768-2004*. Boulder: Paradigm Publishers, 2004.

820 S.Tarrow, *Power in Movement: Collective Action, Social Movements and Politics*. Cambridge: Cambridge University Press, 1994.

821 C.Tilly and S.Tarrow, *Contentious Politics*. Boulder: Paradigm Press, 2006.

Northern Uganda is definitely full of LRA supporters. Even people on [National Resistance] Movement positions are very excited to see Kony. You cannot get elected in northern Uganda unless you support the LRA. Even now people are dying in the camps and an entire generation has been rendered useless. That is why the LRA has become a political force to be reckoned with.⁸²²

One delegate described the LRA as the channel through which others could voice their grievances. As an example, he recounted that “one LC [Local Council] 5 in Soroti got up during consultations and said: ‘Kony might have messed this war up by what he did. But it was not his war in the first place. If the government does not want to settle this issue, we might have to fight.’”⁸²³ Such a description evokes Tilly’s concept of “brokerage”: a mechanism to link actors in both violence and non-violence.⁸²⁴

Yet not everyone was enthusiastic about the “brokering” that allowed for a strengthening the LRA mandate by renewing ties. Colonel Bwone told me that he “did not want to give more headache to my mum by seeing her and then going back to the bush again”.⁸²⁵ Others were critical because families of LRA fighters were rounded up by RDC Ochora and MP Mao to come and visit, underscoring that there was political currency in being seen to support the peace process with the LRA.⁸²⁶ This feeling was strengthened in early December 2006 when Ochora brought Kony’s ailing mother to the bush. In his angry swansong to the Juba Talks, written after the failed signing ceremony, former delegation spokesperson Olweny launched an all-out attack on the wider participation:

While it is recognized and appreciated that the cultural leaders, political leaders, administrators and elders in northern Uganda, particularly Acholi, would make a credible and substantive input into the talks as representatives and voices of the people, they instead sought to hijack the process and became themselves key movers and central figures in the process. It didn’t help that some of them were sympathetic to the government. Many a time in the plenary hall, the LRA delegation were actually debating with this lot rather than the government delegation. It is commendable that some of the political leaders—MPs—have stood up firm against the

822 Fieldnotes, Juba: 6/9/2006. Druckman’s writing on ingroup-favouring bias helps us to understand these shifts in attitudes and association. He makes the point that “the desire to form groups and to differentiate them from others is so strong that it is easily activated under a variety of conditions”. D. Druckman, “Group Attachments in Negotiation and Collective Action”, *International Negotiation* 11, 2006, p.232. In this case, it seems that the desire to form an alliance against the government supported the ingroup-favouring bias.

823 LRAM Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

824 See C. Tilly, *The Politics of Collective Violence*. New York: Cambridge University Press, 2003; C. Tilly, *Trust and Rule*. New York: Cambridge University Press, 2005.

825 Author interview with Col. Lubwoa Bwone and Lt.Col. Santo Alit (LRA). Ri-Kwangba: 22/9/2006.

826 Fieldnotes, Juba: 19/11/2006.

government for the war in the region, but many other leaders lacked the spine to forthrightly tell the government off. Moreover, the victims of the war were never adequately and independently represented at the talks. The government side only used them to reinforce their arguments against the LRA.⁸²⁷

These were huge systemic issues to tackle—much bigger in the eyes of the delegates than, for example, negotiating a way to deal with the ICC warrants. Quickly, the resigned perception set in that it was almost impossible to take on the wider political context. LRA/M delegates at times mentioned the ill-fated Commission of Inquiry into Violations of Human Rights (CIVHR) set up by Museveni to investigate government atrocities between 1962 and 1986. They agreed that not much had come of the Commission, despite what had been written about it on paper, and said that any negotiated agreement that looked good on paper might go the same way. Quinn, in her examination of the truth commission, comes to a similar assessment: she argues that the commission was left without funding and its ability to have an impact on the social fabric of Uganda was deliberately undercut. The broader implication of this was that without a record of human rights abuses, victims of government atrocities were left without recourse and without a path towards social healing. If events are left unmentioned and unaddressed, victims lose their voice, whereas “bringing these events out into the open, the power of the perpetrators over their victims is finally severed.”⁸²⁸ This assessment echoes the LRA/M’s often-repeated point that their voice to talk about the crimes against the Acholi had been silenced through violence and oppression.

They could have made a much stronger statement about the Commission’s bias against the Acholi. For the LRA/M, this realisation translated into an implicit understanding that their own attempts to tell the truth and resolve the issues might also remain unheard. This would be the case even in an internationally sponsored peace process: “Already our leaders feel that the international community, and indeed the ICC has already passed a verdict of guilty by the way the indictees are being called ‘killers’, ‘murderers’, ‘most wanted war criminals in Africa’, etc,” read one statement.⁸²⁹ For them, this was another indication that Museveni’s power to control information and understanding was too far-reaching to be countered. In fact, as a further expression of the “deep structure” of marginalisation and loss of voice, sceptics within the delegation argued that the talks had been set up by the

827 O.Olweny and J.Otukene, “Re: Juba Peace Talks: Who should be blamed for the refusal of Joseph Kony to sign the peace agreement?”, Nairobi: 30/5/2008.

828 J. R Quinn, “Constraints: The Un-Doing of the Ugandan Truth Commission”, *Human Rights Quarterly* 26, 2, 2004, p.406.

829 LRA/M Delegation in Juba/O.Olweny, “LRA/M opening speech at first Juba Peace Talks opening ceremony”, 14/7/2006. Calling someone a criminal before they have been found guilty of the crime by a court could be a libellous offence in some contexts.

GoU as a way to avoid touching on issues that would threaten Museveni's position. Winslade has described such a phenomenon occurring in a conflict situations where actors develop narratives that "see all events as taking place within, and being shaped by, larger stories. A whole mediation process itself might be seen as a plot development in the story of a particular relationship which endures through time."⁸³⁰

This understanding of the negotiation process as being firmly embedded within a hostile system which was to remain untouched in its essence by participating in such a process also meant that any agreement would not only be a compromise, but a confirmation of the system. When bombs dropped on the LRA in December 2008, communication between Kony and others in the bush and their representatives outside broke down. For many critics of the Juba Talks, Kony's retreat into the bush served as proof that the representation had never worked in the first place. For some of the remaining delegates, however, it was proof that the hostile system would always return to its established tools, and that the LRA/M had come up against destructive forces too powerful to allow their voices to be heard. They said that their mission to address Uganda's structural conflict had never stood a chance—it was, in their eyes, unfortunate but unavoidable that the LRA had also returned to its proven ways of operating as a highly mobile force committing atrocities against civilians.

System of Distrust

"Everybody lies and cheats in these talks, even on the delegation," one of the LRA/M delegates said to me.⁸³¹ Some delegates blamed the systemic political forces for the failure of the Juba Talks; but others were more critical of the role of the delegation. One delegate said that in the midst of the most comprehensive effort to address a national conflict, many of the delegates around the table had been pursuing personal agendas. They had indulged in their distrust of each other, he explained, which had destroyed any cohesion in the LRA/M to pursue the goal of peace: "If we all, in the delegation, had worked on one common goal, we would not have disintegrated to this level." "The Acholi in the early 1980s were very stupid," said one delegate, who was very frank in describing the LRA's destructive role in the war. For him, the actions of previous generations,

⁸³⁰ J. Winslade, G. Monk, and A. Cotter, "In Theory: A narrative approach to the practice of mediation." *Negotiation Journal*, January, 1998, p.24.

⁸³¹ Fieldnotes, Juba: 19/11/2006.

even though they had had it bad, had contributed to his terrible situation.⁸³²

They relied on their wealth and cattle and they failed to send their children to school. I myself missed out on seven years of school between 1983 and 1989. And because of that we now have a big problem in Acholiland, a general problem. We have become very disunited and stupid. People are only out for their own interest.⁸³³

Another delegate told me that in mid-2006 he had been living in the diaspora when he was contacted by others already working in the delegation. They had asked him to come to Juba as a delegate. He said he was shocked to hear who else had been appointed to the delegation. "I could not believe it. [Name of one of the delegates]? Why him? He took amnesty. I could not believe it. You, [delegate's name]?" he explained his reaction. "[Another delegate] used to work for Ugandan intelligence. Why him?"⁸³⁴ Another delegate recounted that the background of two of the original delegates was

not clear. People assumed [one of them] was close to Kony because he was somehow part of his security. [Another leading delegate] had worked for internal affairs before joining the peace talks; [another delegate] was NRM and it was never clear how he came to be on the team. [Another delegate] was clearly Vincent's man and was working with the government. In addition, it was not clear why Justice Onega [from Uganda's Amnesty Commission] was the first to be contacted. Did Vincent want amnesty and a deal for himself? Kony seems to think so.⁸³⁵

I regularly encountered such assessments when asking people what they thought of their co-delegates. One delegate described a leading delegate as a "well-known thug".⁸³⁶ Another delegate was known to double-deal, working for both Kony and the GoU. One early delegate was so distrusted by the others that they wanted him arrested because he was accused of interference—but he had clearly been approved by the high command, since he was allowed to stay overnight in Ri-Kwangba. It was mentioned that some delegates had stolen money when Okello fell and were hoping that in exchange for bringing Kony to the table, their crimes would be

832 There is an element of "competitive suffering" in LRA culture. Miller introduces the term "competitive suffering" when discussing Art Spiegelman's *Maus*. N.K. Miller, *Bequest and Betrayal*. Bloomington/ Indianapolis: Indiana University Press, 1996, p.107; A. Spiegelman, *The complete MAUS*. (New York: Penguin, 2003). "Competitive suffering" occurs when an essential part of one's personal identity is the ability to survive with that suffering identity intact. This captures one of the paradoxes of attempts to resolve this conflict.

833 Fieldnotes, Juba: 18/12/2006.

834 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009.

835 Fieldnotes, Nairobi: 11/11/2009.

836 Fieldnotes, 24/11/2007.

forgotten.⁸³⁷ One delegate explained “members of the delegation are on file with the GoU. This information will be used to demoralise the delegation. They will walk on each and every single item that is brought up.”⁸³⁸ For the delegate who was so shocked at who his colleagues were going to be, the make-up of the delegation was a sign that the GoU was firmly controlling the Juba Talks from the start. Nonetheless, he decided to join the delegation in Juba, precisely because he did not trust those at the centre of the peace effort.

Mistrust motivated many of the delegates. Other reasons for joining the delegation were kinship, a shared narrative of loss, or a shared antagonist identity. Some delegates were long-time associates of Kony, either inside Uganda, as organisers of LRA meetings in Nairobi, or as having travelled to LRA bases in Sudan to deliver goods for support. Others brought their own family relationships into the delegation.⁸³⁹ Yet not all stories allowed the straightforward interpretation of a long-standing LRA connection. The story of how the delegation’s legal advisor, Krispus Ayena, came to work in Juba shows the reach of the conflict across GoU and LRA affiliates, as well as how lack of trust created the delegation. Ayena said that he had been on the 2004–05 peace team as a member of the NRM “until Betty Bigombe hijacked the process”. He claimed to have been instrumental in persuading Kolo to come out because our “tactics back then was to weaken LRA by extracting key commanders to then speak strongly to LRA, but it did not work”. After withdrawing, he stopped following what happened between January 2005 and March 2006, but heard that the LRA “was making quiet connections”.

In March 2006 two of the LRA’s liaison people came to see him in Kampala and asked him to join their quest for peace talks. At the time, Ayena was recovering from a lost election campaign, having run on an NRM ticket so as to, as he said, “work from within the system because I am a strong believer in national unity and national diversity.” At first he did not believe that the LRA was starting a new peace process, but when his visitors showed photos of Onek, Assafa and Machar, he grew convinced that this was a genuine attempt. He flew to Nairobi on May 31. At the time of his arrival in Juba in early June, he said, he did not know he was going to be on the delegation, but soon realised that he did not trust the delegates

837 Author interview with local journalist. Juba: 31/1/2008.

838 Author interview with member of the LRA/M delegation. Juba: 14/7/2006.

839 Fieldnotes, Nabanga: 20/9/2006.

with the big job in hand: "I am in the right place. I am the only one to draft all papers. I said yes when I saw the capacities of the delegation."⁸⁴⁰

An internal letter by a former delegate showed how this internal distrust also created opposition to everything the delegation negotiated:

Because of the weaknesses of the majority of the LRA delegates, [Two delegates], who are at least enlightened members of this delegation took advantage and hijacked the entire system and used it to articulate their personal interests and the national ones which do not auger well, not only for the Acholi community but also for the LRA at this time in question. In fact [two delegates] and [a Ugandan MP], are the ones to produce the position papers for the LRA and they do this at night in [a delegate's] hotel room. The following day they continued to the conference room to present the papers without discussing their contents with other members of delegation. Does this move surprise any Acholi when the interests of the LRA and those of Acholi community are not raised explicitly in such position papers? For instance the first agreement between the warring parties was Cessation of Hostilities. Here they agreed that the LRA soldiers who were still in Uganda should assemble at Owiny ki bul. Certainly this is UPDF control zone! The security of these soldiers was at stake Secondly, the security of those in the IDPs camps were not also catered for in the agreement. Those in the camps have always been the victims of both UPDF and LRA, hence they required some protection from the observer team from this time until the comprehensive peace agreement is some and most of it, if not all, are implemented.⁸⁴¹

Another delegate accused some members of being government agents while calling others "opportunists". The sentiment that the GoU had planted agents within the delegation was shared by some of the Ugandan journalists who were covering the story. One reported that he had seen "[a delegate] with a Ugandan intelligence officer at midnight in Juba in a hidden place. He knows that I know what he was doing. I believe he is planted by the government to keep information flowing."⁸⁴² President Museveni himself claimed in a meeting with US officials "that the GOU had infiltrated the LRA and knew what its members were talking about".⁸⁴³ Some former LRA/M delegates were assumed in 2008 to be working closely with the GoU, since they were staying at the Fairway Hotel at government expense, presumably as informers.

Disillusionment amongst delegates about the delegation's and the LRA's behaviour was omnipresent; crucially, some delegates felt that improper

⁸⁴⁰ Fieldnotes, Juba: 11/10/2006.

⁸⁴¹ Name of writer withheld by author, "Letter to Riek Machar re: Acholi Peace Conference in Juba", April 2007.

⁸⁴² Personal email to author from Ugandan journalist (name withheld). 21/3/2007.

⁸⁴³ US Embassy Kampala. "07KAMPALA1449 (Classified Secret): Uganda: A/S Frazier discusses LRA, Congo, and Somalia with President Museveni", 14/9/2007.

and unprofessional behaviour made their already weak negotiation position even weaker. Delegates expressed despair that money given to the delegation leadership by Pax Christi for the purchase of laptops went missing; other delegates remarked on a striking absence of receipts for supposed delegation purchases.⁸⁴⁴ Delegation meetings centred on missing money as those seen as responsible were called to account.

Distrust and Approval

Being an LRA member, it transpired, meant permanently seeking validation. If one declares commitment to the cause, permanent scrutiny by other commanders follows. An LRA member has to permanently prove him- or herself in order to maintain safety and status. Approval can easily be withdrawn if Kony or the person's peers sense a lack of commitment. However, it can also be reinstated, in a process of waxing and waning engagement that the LRA also uses with outside actors. This process creates a strong network of distrust and a permanent process of self-assessment, and is mirrored in how the delegation acted in Juba. Because most individuals aim to remain acknowledged members of the group—even in moments when they seek to disconnect, the ability to disconnect shows the strength of the association—permanent self-control strengthens the internal group. One delegate explained to me how the LRA/M associates control each other and keep watch on what each member of the group is up to. Sometimes this is done in online discussions on Acholinet, sometimes it is obvious in the interactions. You can never be sure that you are trusted and dealing with trustworthy people. He gave me an example: once one of the former LRA members had left the LRA, the former LRA member called the delegate several times from a satellite phone, pretending to be Bwone. The delegate thought this was an attempt to find out if he, the delegate, had been in touch with the high command, because the man who called him was planning to pretend to the high command that he himself was that very delegate in order to regain access to the inner circle.⁸⁴⁵

I encountered the idea that being an individual within the LRA meant undergoing a permanent approval process in various guises. Superficially, the coherence within the LRA seemed extremely tight. Even among lower ranks, connections established through the shared and often forced "LRA identity" tended to continue even after individuals had left the bush. Former LRA fighters were likely to spend most of their time with comrades

⁸⁴⁴ Fieldnotes, Juba: 6/6/2006.

⁸⁴⁵ Fieldnotes, Cologne: 24/9/2008.

from the bush.⁸⁴⁶ From the point of view of individual LRA members, however, individual identity as an LRA member was a lot less consistent than the group identity suggested. It was easy to be moved from the internal group to the outside group. All LRA commanders I spoke to expressed a strong distrust in outside actors. I was not surprised by this distrust, but by how outsiders were described. It seemed a rather fluid state to be an insider, and it was very easy for a previous insider to end up on the outside.

Two of the delegates who were considered military representatives on the delegation were soon regarded as outsiders by their comrades in the bush. Despite the fact that they were representing the LRA as public faces, those in the bush no longer saw them as belonging to the LRA. On the day the two came to visit the LRA in the bush, two commanders in the bush said those two were not with the LRA any more. In public meetings, one of them still acted as Kony's bodyguard, positioned behind Kony wearing a military vest and stony face behind sunglasses. However, he was no longer one of them, other commanders said.⁸⁴⁷

I asked the two military representatives on the delegation how they saw their own situation within the LRA; both gave a similar assessment. They were proud to have been part of the inner circle, trusted enough to be chosen as the outside ambassadors. Moreover, they were puzzled or uncertain why they had lost their former inner-circle status due to their elevated status as outside "ambassadors". They had expected to be elevated in the hierarchy, having proven their commitment. One of them explained that he and his colleagues on the delegation were now walking a tightrope:

I have to be honest with you, sometimes it is hard for us to be trusted. The guys [in the bush] think we have been in Juba, maybe we are a different person now. If I come, I have to empty my pockets and be searched. I am relying on the commander now to trust me. I cannot command.⁸⁴⁸

As soon as they were dismissed from the delegation in early 2008, other delegates pointed out that the two men, although they had always been greeted with great enthusiasm in the bush, had never truly been LRA members or trusted.

846 T.Allen and M.Schomerus, *A Hard Homecoming: Lessons learned from the reception centre process on effective interventions for former 'abductees' in northern Uganda*. Washington DC/ Kampala: USAID/ UNICEF, 2006.

847 Fieldnotes, Palotaka/ Parajok: 3/10/2006.

848 Fieldnotes, Juba/ Magwi: 2/10/2006.

Abusing trust did not lead to being shunned. Instead, abuse of the system and an attempt to return to the inner circle could strengthen the bond. [One of the early delegates called O. from here on] betrayed the LRA, but it did not lead to his exclusion. [He] had originally been part of the group sent out to make outside contacts in Uganda, Nairobi and Juba. [O] was one of the first people I met and was said to be a real nephew of Kony. He sat next to me when I first spoke to Otti on the phone. He was one of the men who established contact with Pax Christi. After the first trip to see Otti, he was asked by Pax Christi to take \$10,000 to Kony. He did not go to see Kony; he did not deliver the money. Instead, he disappeared with the money and tipped off the UPDF about the route other LRA contact persons were about to travel. He told the army that they would be coming through Lira. The two denounced people narrowly escaped the UPDF.

When two of the initial delegates had to admit to Pax Christi that [O] had stolen the money, they pleaded with them to not let Machar know. For Pax Christi, this incident damaged confidence in the LRA/M delegation.⁸⁴⁹ The LRA seemed to be less troubled by the incident. For a while, nobody knew where [O] was. Suddenly he reappeared in Juba in November 2006. I walked into the hotel yard to see the very delegate who had accused [O] of betraying him to the UPDF shake hands and greet him with enthusiasm. I asked him why he was happy to see [O] who had betrayed him. He answered: "I will greet [O], but not talk to him."

Delegates accused each other of having brought [O] back. One was very vocal: he said the issue of [O] was a big headache and that whoever brought [O] back should leave the delegation. He said if [O] went back to the bush, he would be killed. Nonetheless, [O] was given accommodation and hung around, usually by himself, outside his prefabricated room in Juba Bridge Hotel. When Dr Oniek came for a meeting with the LRA to vent his anger at what the public perceived to be the LRA dragging their feet in the talks, he spotted [O]. He became very angry; after all, the money [O] had taken had been provided by an organisation. Oniek noisily called [O] a "thief" and the LRA/M "idiots" for allowing him back. The delegation was very upset about the public humiliation, and now became very protective of [O].⁸⁵⁰ Rather than being sent home, [O] was taken into the bush on the next journey. I saw him in Ri-Kwangba a couple of times after that. Clearly no deadly revenge had been taken on him. Instead he approached me and asked if I could give him \$200. That was the last time I saw [O]. He later defected again from the bush with [another delegate], and was then jailed for trying to trick the GoU out of money.

⁸⁴⁹ Author interview with Sudanese advisor to peace talks. Juba: 8/12/2006.

⁸⁵⁰ Fieldnotes, Juba: 6/11/2006.

Just after I had seen [O] back with the LRA in the bush, I spoke to one of the delegates and said how surprised I was how [O] was treated. The delegate explained to me that watching each other strengthens the LRA, especially watching those you cannot trust. The delegation, he said, do not trust anybody because “it keeps up attention” and “you know better who your opponent is.” He elaborated that that was why the delegation could not really trust Machar, because they knew his history. However, because they knew his history, their distrust also meant that they trusted him to pay back his dues. It was a circle, he explained. Once you have done something wrong, the expectation that you will do it right next time is there. But mainly, said the delegate, his own distrust of Machar made it easier to understand what was being “played”, what the real intentions were. Distrust brought a sharper image of the truth.

An intriguing relationship between mistrust and the re-establishment of collaboration had long been part of the LRA. The frayed relationship with the Khartoum government provides another example. One LRA member explained to me that in the early days in Sudan the LRA had no need to abduct fighters, they were “well taken care of in Juba”. Nonetheless, the LRA did not trust Khartoum: “Khartoum tried twice to arrest the chairman, in 2002 and 2004. In 2002, the chairman could only escape through a quick movement across the bridge.” Asking why Khartoum had turned against the LRA, the LRA commander said: “Khartoum just thought we could be their slaves.”⁸⁵¹ Another story told amongst the LRA was that a confrontation between Machar, when he was still aligned with Khartoum, and Otti almost led to the killing of Otti. He was able to escape—reportedly without his clothes—but “we thought we had lost him.” This experience of betrayal, however, as discussed earlier, was also a reason why the LRA trusted Machar with the Juba Talks.

Internally, distrust acted as a control mechanism. Externally, it contributed significantly to the LRA/M’s failure to establish itself as a reliable negotiation partner. The struggle for recognition translated into having to pull together an unwieldy fabric of internal interests with often contradictory motivations. The most obvious manifestation of this was the steady growth of the LRA/M delegation in Juba—at one point, 28 officially appointed members of the LRA/M delegation were seated at the negotiation table.⁸⁵² With more participation, turnover became rapid. Olweny lasted only a few months as spokesperson; Apire did not return to Juba in 2007. One Sudanese member of the mediation team explained to me that it struck her as inward-looking of the LRA that “the LRA has not

⁸⁵¹ Fieldnotes, Ri Kwangba: 13/9/2006.

⁸⁵² Fieldnotes, Juba: 12/9/2006.

managed to form alliances with organisations here in Juba or with the media to advance their cause. Much of what is going on between Nabanga and here and getting more people on the team makes it rather unclear what is going on. All the LRA always say is the more the better; they seem to be quite open to have more people on the team.”⁸⁵³ She thought rather than beefing up their numbers, the LRA/M would be better off focusing their demands regarding the safety of the assembly areas and working on a clear message to donor governments.

In wanting to include everyone, the delegation seemed increasingly dysfunctional. As LRA/M representation grew, so did the chief mediator’s doubt that this approach would lead to a peace deal. Asked how he felt about the Nabanga meeting attended by more than 100 family members, elders, community leaders and politicians in late July 2006 (at which I was not present), he said: “You missed the show last week, but you did not miss much. I should have done something useful and gone to the funeral of my best friend.”⁸⁵⁴

Internal distrust and the belief that individuals were primarily pursuing personal agendas created speculation early on. As early as July 2006 the *East African* reported that “parallel talks are likely to start in the next two weeks in the Southern Sudan town of Maridi between the government, Kony, Acholi cultural leaders, elders and religious leaders” due to “suspicion that some of the Lord’s Resistance Army’s negotiators are scheming to scuttle the ongoing Juba peace talks”.⁸⁵⁵ From October 2006 onwards, it was clear that a “twin track” had developed, with Gulu District Chairman Mao and RDC Ochora increasingly playing out their own rivalry.⁸⁵⁶ The Mombasa meeting was another incarnation of such a parallel track. Museveni was said to be relying increasingly on direct feedback he was getting from Ochora, rather than going through his own or Kony’s delegation.⁸⁵⁷ However, Museveni confirmed in a confidential meeting with US representatives, that he himself thought the parallel government track was “foolery”.⁸⁵⁸ The issue of representation had grown even more confused, and the level of distrust along with it.

853 Fieldnotes, Juba: 12/9/2006.

854 Fieldnotes, Maridi: 13/6/2006.

855 *The East African*. LRA ‘externals’ accused of killing talks, 24/7/2006.

856 Fieldnotes, Juba: 11/10/2006.

857 Fieldnotes, Juba: 6/12/2006.

858 US Embassy Kampala. “07KAMPALA1449 (Classified Secret): Uganda: A/S Frazier discusses LRA, Congo, and Somalia with President Museveni”, 14/9/2007.

In addition to the distrust within the Juba delegation, the broader network of those wanting to attack the political system in Uganda also influenced progress and failure in Juba. The press release issued by Alex Oloya on April 10, 2008, that said Kony would not sign the FPA and that the delegation had been infiltrated by the GoU was the most obvious manifestation of distrust and infighting in the much broader network of LRA/M affiliates. Another example of internal distrust comes from late 2007, when LRA/M delegates travelled around northern Uganda to consult with the population on issues of accountability and reconciliation. While on the road, the LRA/M delegates received angry dispatches from members of the anti-Museveni diaspora. The delegates were accused of selling out to Museveni by even entering Uganda. One delegate told me, rather frustrated, that “there was lots of trouble from the diaspora during consultations, people who complained that it could not be the real thing if they were not present.” I asked him why those who wanted to be present did not travel to join the consultations. “Exactly,” he answered. “Why did they not come?”⁸⁵⁹ His view was that they did not trust that they would be safe in Uganda, but that they also did not trust the delegates to make it safer for them in the future by negotiating a peace agreement. As a result, they believed so much in Museveni’s power to spoil everything that in the end they ended up wanting to spoil peace for everyone, he said.

Pécaut’s work might help us in understanding what happens when the concrete geographical space of a rebellion is abandoned. His point is that by abandoning a particular location with which resistance is attributed, a new space is located in which damaging patterns can be projected: “The non-place is the domain of generalized distrust.” The distrust within the vastly scattered Acholi diaspora—which became worse after the leadership struggle within the LRA—is a good example of this phenomenon.⁸⁶⁰ In early 2008, after Otti’s death had been confirmed, the delegation’s leadership was handed to Dr David Nyekorach-Matsanga. Matsanga—whose CV is a little unclear, including as to which university bestowed a PhD on him—had been meddling in Ugandan politics since the early 1980s, and had been on the fringe of the LRA/GoU conflict on and off since 1998. A brash presence, he was touted as the official LRA spokesperson in the late 1990s before publicly renouncing the LRA in 2000.⁸⁶¹ He became an image consultant for Zimbabwe’s President Robert Mugabe through his UK PR company Africa World Media Ltd, also claiming that he was working as a consultant stringer

⁸⁵⁹ Fieldnotes, Juba: 28/1/2008.

⁸⁶⁰ D. Pécaut, “Configurations of Space, Time, and Subjectivity in a Context of Terror: The Colombian Example”, *International Journal of Politics, Culture, and Society* 14, 2000, p. 136.

⁸⁶¹ See for example C. Kiwawulo, “Who is David Nyekorach Matsanga?”, *Daily Vision*, 15/8/2009.

for news outlets such as Sky News. His UK business address was given at the time of the Juba Talks as a hotel in Croydon—where nobody had heard of either Matsanga or his company.⁸⁶² In the early days of the Juba Talks he had denounced the delegation's attempt as "peace jokes" in polemical write-ups on his website in a typically audacious style.⁸⁶³ Since the end of the Juba Talks, Matsanga has been active in criticising the ICC in its work on Kenya and DRC.⁸⁶⁴

When Matsanga first arrived in Juba, delegates showed a range of reactions towards him, from detachment to outright hostility. In crucial public moments they maintained their united front, appearing as a stony-faced group with closed ranks. Internally, however, delegates were outraged. It did not help Matsanga's standing in the delegation that he instantly sought one-on-one talks with Machar in which he reportedly denounced the delegation's work and offered his own services to bring the Juba Talks to a successful close. However, Matsanga seemed to have unlimited financial means to support the peace process, including money he spent on items for the LRA in the bush, so his membership of the delegation was not openly challenged.

After Kony had had Otti killed in October 2007 and his death had been confirmed in early 2008, one of the leading delegates made clear that he was shocked about the turn of events. He called the loss terrible, both because he had had a personal relationship with Otti and because Otti had been indispensable to the peace talks. He also indicated that he felt the LRA/M delegation had been infiltrated by government agents—something he himself had been accused of being—and that it had been government agents who had convinced Kony that Otti had been making deals with the GoU behind his back, including taking money in exchange for guaranteeing a peace deal. Wanting to resign after a last visit to Nabanga in early 2008, Ojul said he was persuaded by Ayoo to remain as chairman—only to then be publicly dismissed by Kony along with Ayoo.

Ojul, argued other delegates, had gambled his own credibility by pursuing parallel tracks with government representatives, first in Mombasa and then in Kampala. There was talk of money having been exchanged during Ojul's

⁸⁶² Fieldnotes, London: 14/10/2007.

⁸⁶³ See for example D.Nyekorach-Matsanga, "UGANDA EXCLUSIVE: I have quit casino politics of Uganda", in *Africa News Flash*, London: 2007; D.Nyekorach-Matsanga, "UGANDA: The dishonesty of the peace process in Juba", in *Africa News Flash*, Khartoum: 2006; D.Nyekorach-Matsanga, "UGANDA: The Dark clouds on the Uganda/LRA peace talks. Frankly Speaking Column. The last lap of marathon in Juba talks peace", in *Africa News Flash* London: 2006; D.Nyekorach-Matsanga, "UGANDA" What a tragedy for LRA/ Uganda talks?", in *Africa News Flash*, London: 2006.

⁸⁶⁴ For a range of press releases on the issue, see Matsanga's website <http://africaworldmedia.com>

private late-night meeting with Museveni. An international military advisor reiterated that the delegation had been outraged that two delegates had worked closely with Shortley while on consultations in Uganda, and had responded to calls for individual meetings at State House without including the rest of the delegation.⁸⁶⁵ One delegate argued that Ojul was a good example of how individuals had used the broader quest of the LRA/M for their personal advancement. He said that Ojul had always kept his government contacts open to assure his personal soft landing within the system. The dismissal/resignation had been part of a bigger plan: "Martin made his red carpet for this return by distancing himself from Kony."⁸⁶⁶

Having dismissed Ojul, Kony nominated Matsanga as the delegation leader; Obita took Ayoo's position as spokesperson. For some delegates, the change in leadership made little difference: both Ojul and Matsanga were equally suspected of being steered by the government. One delegate described Matsanga and Obita as opportunists, explaining that "Obita's family is in Canada, and he did not get visa for Canada, so he came to Juba."⁸⁶⁷ Olweny wrote:

Internal schisms and rivalries, lack of cohesiveness, cliquism, greed and personal posturing began to unravel the delegation. It was already apparent that there were moles of the Uganda Government within the LRA delegation, lending credence to the claim that the Juba peace talks were actually between the two delegations of the Uganda Government!⁸⁶⁸

Freshly dismissed, one of the now former delegates expressed his distrust of the very organisation he had supported. He said that Kony's paranoia that everyone was out to get him was out of hand. He recounted that during his last meeting with Kony in the bush, Kony had complained that Chissano had received the inaugural Mo Ibrahim Prize for Achievement in African Leadership.⁸⁶⁹ Kony had stated that Chissano had received the prize because of the work he had done with the LRA, stating that he, Joseph Kony, was hence entitled to at least \$250,000 of the \$5 million prize money. According to one of his former spokespeople, this was yet again proof to Kony that nobody wanted to give the Acholi credit for their contributions and that

⁸⁶⁵ Fieldnotes, Nabanga: 15/4/2008.

⁸⁶⁶ Fieldnotes, Nabanga: 12/4/2008.

⁸⁶⁷ Fieldnotes, Cologne: 24/9/2008.

⁸⁶⁸ O.Olweny and J.Otukene, "Re: Juba Peace Talks: Who should be blamed for the refusal of Joseph Kony to sign the peace agreement?", Nairobi: 30/5/2008.

⁸⁶⁹ The Mo Ibrahim Prize for Achievement in African Leadership was inaugurated in 2007. It is "awarded annually to a former African executive Head of State or Government who has demonstrated excellence in African leadership". Since its first award, to Chissano, the prize has never been given again because, as Mo Ibrahim says, no African leader has met the stringent conditions of the award. Mo Ibrahim Foundation, "The Mo Ibrahim Prize for Achievement in African Leadership", 2007.

the system was set up against them. “These are the words of a lunatic,” he said. “Kony is now obsessed with money. He wants to make a runner. He does not know that the planet has become too small for him.”⁸⁷⁰

With Ojul, Ayoo and Ongom leaving Juba, the delegation’s numbers were quickly diminished; success in the final round of negotiations in early 2008 seemed unlikely. Yet under Matsanga’s reign outstanding agreements were signed in swift succession. In the eyes of the remaining delegates, such success came too quickly. They complained that Matsanga was not engaging Kony in the matter: he had failed to meet Kony in Ri-Kwangba on a number of occasions, citing personal security concerns as the reason for staying behind in Nabanga. Having concluded the final negotiations, Matsanga agreed to a scheduled ceremony to sign the FPA. When Kony failed to attend the April 10, 2008, signing ceremony, Matsanga resigned in a huff, citing Kony’s lack of interest in ending the war as his reason—although it remained unclear whether he had actually communicated directly or met with Kony at any point.

The lack of direct communication and Kony’s failure to arrive in Ri-Kwangba confirmed what other delegates had suspected all along: “Matsanga was a government agent hired to make it look as if Kony did not want to sign.”⁸⁷¹ Delegates had grown increasingly suspicious of Matsanga; the facts that he lived in a lavish suite at the Intercontinental Hotel in Nairobi when not in Juba and was freely spending money fuelled speculation.⁸⁷² In addition, Matsanga’s information seemed to be different from anyone else’s. From their own communication with Kony, delegates said Kony had asked for a detailed workshop on Agenda 3 after the protocol had been signed, but Matsanga had instead gone through with preparations for the signing ceremony.⁸⁷³ Kony, delegates said, had understood the signing ceremony meetings in April, May and September 2008 as opportunities to read the negotiated agreements—but the lack of progress took its toll on delegates’ belief in the Juba Talks. One delegate was so disillusioned with the failure

⁸⁷⁰ Fieldnotes, Juba: 28/1/2008.

⁸⁷¹ LRAM Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

⁸⁷² Matsanga countered the suspicions in a letter to Machar, written at the end of April 2008: “I have used my hard earned money to buy clothes, shoes, and other humanitarian goods for the women and children in Garamba Park. I am Professional earning at least good money from my job that paid for my accommodation in Nairobi while in the peace process.” D. Nyekorach-Matsanga, “Letter to Riek Machar re: Continued support for the peace process and clarification”, 30/4/2008.

⁸⁷³ LRAM Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

to sign the FPA and the increased LRA violence that he said: "If we treat the LRA as normal humans, we all lose. Kony is paranoid."⁸⁷⁴

Such disillusionment from a formerly enthusiastic delegate confirmed that the LRA/M were also experiencing a contradictory group process. As the Juba Talks gained credibility, their position as members of the LRA/M became more credible. This also meant, however, that individuals within the group used that reputation for their own purposes. In the case of Ojul, delegates argued, he felt powerful enough to pursue his own interest, but in the process of doing so risked the accomplishments of the group. His dismissal was also an assertion of power and a reminder to the group that getting too close to the other side would be considered betrayal. A high-ranking SPLA intelligence officer who had been involved in the peace talks saw a similar mechanism leading up to Otti's death. When mistrust of Otti was growing, Kony had to re-establish control. Killing Otti was one part of that; minimising communication and giving the leadership of the delegation to someone who was not trusted was another way. "[Otti's death] reinforced the LRA's leadership in having more control and people became more scared", the officer explained.⁸⁷⁵

Matsanga, it seemed, spent most of April 2008 fuming over Kony's failure to sign the FPA. On the last day of the month, he sent a letter of almost 7,000 words to Machar, decrying the delegation's shortcomings and praising his own capacity to solve the conflict. He did not hold back when judging his fellow delegates—and specifically his spokesperson—and their criticism of his reign over the delegation: "My debates during the negotiations can not be erased by any biological substance that looks like that of Dr James Obita whose genes are too short for my likings."⁸⁷⁶ To add another twist to the story of representation, Kony reinstated Matsanga as the leader of the delegation in the early summer of 2008, leaving question marks over whether he trusted Matsanga after all. Rather than speculating about this question, viewing Kony's reinstatement of Matsanga as another expression of distrust as a control mechanism might be more useful.

For the facilitators of the Juba Talks, Matsanga's larger-than-life presence caused confusion. Having been reinstated presumably to oversee the signing of the FPA, little tangible success seemed to be possible with Matsanga as the intermediary between Kony and the mediation team in Juba. Amongst facilitators it was accepted knowledge that Matsanga was probably "bought by Ugandan intelligence and that is why he had money

⁸⁷⁴ Fieldnotes, Cologne: 24/9/2008.

⁸⁷⁵ Author interview with SPLA intelligence officer (name withheld by author). Juba: 1/3/2009.

⁸⁷⁶ D. Nyekorach-Matsanga, "Letter to Riek Machar re: Continued support for the peace process and clarification", 30/4/2008.

to buy goodies". An international advisor recounted that at one point the mediation team had decided that they needed to establish direct contact with Kony, as Matsanga's role as gatekeeper had stalled progress. The initiative fell flat: "Kony called me and reiterated several times, shouting, that I should only talk to Matsanga and nobody else, that Matsanga was his only chairman. I think Kony was very cynical there. He liked the goodies, did not bother to meet Matsanga most of the time, and wanted us therefore to continue with him."⁸⁷⁷

In September 2008, when delegates and leaders from Uganda met with Kony in Ri-Kwangba, Matsanga again failed to accompany them. He later explained that he had been harassed by Ugandan security in Nairobi and thus was unable to travel. Leading up to the military offensive against the LRA—Operation Lightning Thunder in December 2008—the story of what happened and Matsanga's role in it gets ever murkier. Delegates explained to me that it had been communicated to Kony in late 2008 that the absolute final deadline for signing the FPA was November 30, 2008. On November 18, Kony asked his delegation to come to discuss the document, but reportedly indicated to delegates that he was ready to sign. The delegation only managed to get to Nabanga by November 28—too late to discuss and sign the final agreement. At that point, Matsanga had withdrawn entirely from discussing peace matters and did not join the delegation. Just over two weeks later, the UPDF dropped bombs on the LRA camp in Garamba Park. The following year, Matsanga physically assaulted two former delegates when they encountered each other in Nairobi in a radio station. The assault was so bad that the two former delegates reported Matsanga to the Kenyan police. Amongst some former delegates, Operation Lightning Thunder and the closed doors on the peace process served as proof that they had been betrayed again:

The LRA, however, is aware of certain forces at work behind the curtain, undermining and taking advantage of the great desire for peace in the region, by corrupting and attempting to divide the ranks of the LRA/M; to the extent that some of their operatives might have managed to infiltrate the ranks of the outgoing delegates

read one communiqué.⁸⁷⁸

Why delegates had not withdrawn entirely from the process once they felt Matsanga and his suspected government connections undermined it was unclear to me. One delegate explained that everyone had benefited from Matsanga's lavish spending on the peace process, despite being aware that

⁸⁷⁷ Personal email to author from international Advisor to the Juba Talks. 7/8/2011.

⁸⁷⁸ LRA/M/Alex Oloya. "LRA condemn Gunboat tactics being used by Uganda", Nairobi/ London: 25/4/2008.

he was possibly spending government funds set aside specifically to keep LRA/M delegates quiet. Other delegates said they had accepted Matsanga on the team and later as a leader to avoid a replay of what had happened in previous peace negotiations when delegates had been killed. The most prominent case was the death of Kilama, as Pain writes, “who had taken part in and surrendered following the 1988 Peace Agreement signed with the UPDA in Pece, Gulu, and had since been killed as well as other UPDA commanders”.⁸⁷⁹ The question of what had happened to Kilama was of crucial importance to the LRA/M. It was one of the two main questions raised in the 1993/94 peace talks. With the question unanswered, having a government agent as delegation leader seemed to afford a certain protection to the rank and file of the delegation.⁸⁸⁰

Having listened to many complaints about Matsanga, I was surprised when in June 2008, Anywar, who at the time was the last remaining member of the LRA on the CHMT, decided to leave the CHMT and join the delegation under Matsanga. Anywar had always been very critical of Matsanga. His move seemed to make no sense. When I had the chance to ask Anywar about it, he explained that he had indeed always been deeply distrustful of Matsanga, but that he had also realised that Matsanga brought some skills that the delegation had been lacking, namely an ability to place items in the media. With Matsanga in charge, it had become easy to get an LRA message printed in the GoU-owned *New Vision*.⁸⁸¹ Before that, neither the Ugandan nor the international media had been willing to devote any reporting to the LRA/M message. Playing the hostile system by getting a voice through someone who was seen as a traitor, argued Anywar, was better than not having a voice at all. From his point of view, by using distrust as an internal control mechanism he could at least partially counter the possible negatives of having a GoU agent on the delegation. Kony was also reportedly aware that Matsanga might be a government agent, which might have been the reason why he kept him on board, but only at arm’s length. After all, a few times in conversations LRA/M delegates had quoted Sun Tzu’s idea that it was best to keep one’s friends close but one’s enemies closer.⁸⁸²

879 Pain reports that in 1994 Kony stated, “What happened to Kilama will not happen to me”. D.Pain, “‘The Bending of Spears’: Producing consensus for peace and development in Northern Uganda”, London: International Alert/ Kacoke Madit, December 1997.

880 C.G.Dolan, “Understanding War and Its Continuation: The Case of Northern Uganda”, PhD Thesis, London School of Economics, 2005, p. 447.

881 LRA/M Peace Team, “Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward”, Nairobi: 6/11/2009.

882 Paraphrased after Sun Tzu, *The Art of War*. Oxford: Oxford University Press, 1971.

These developments created a straw man situation in the peace process, in which what was achieved on paper bore no resemblance to how indecisive and sluggish the LRA/M delegation had become. Crucially, the way distrust was handled also maintained the LRA/M's view of itself as caught in a system that would not allow the conflict to change. The LRA/M's only way to counter this was by also maintaining their status quo—or, in the words of the international advisor, by approaching the Juba Talks with great cynicism.

Maintaining the Status Quo

When the LRA/M entered the Juba Talks, they proclaimed grand aspirations that this would be the chance to comprehensively address the root causes of the war. One root cause as identified by some delegates was the GoU's lack of acceptance that the LRA/M had a legitimate political agenda—a pattern that Dolan describes as the GoU's tactical “belittling” of the LRA as having no political programme in the 1994 peace talks.⁸⁸³ From early on, however, the LRA/M thus found itself in a bind: on the one hand they were there to solve the conflict, on the other they found it hard to accept that solving the conflict might involve dissolving the LRA/M. One delegate argued in July 2006 that

the regime's mouthpiece, the New Vision Newspaper in an Editorial of July 21, says LRA is a defeated small rebel group whose demands must not be granted. The editorial advises the rebels to forget ever being part of a government of national unity. It says the best it can offer LRA is to integrate the rebel soldiers into the UPDF. To the NRM, one is only a criminal if he or she has picked arms against the regime, but one's crimes are washed away if one joins the regime.⁸⁸⁴

So while on the one hand the LRA/M said it had come to Juba for change, on the other it wanted to maintain its own status rather than being dissolved into a system it despised. Negotiating their own organisation's dissolution—which was clearly the aim of both the GoU and international facilitators—turned out to be a frightening endeavour. Maintaining the status quo as the marginalised group under permanent covert attack from the GoU became an attractive option. At one point a Sudanese Acholi leader commented on progress in the peace talks. He said it would be difficult for the LRA to sign a peace deal because if they did “they can then no longer say that they are being mistreated.”⁸⁸⁵

⁸⁸³ C.G.Dolan, “Understanding War and Its Continuation: The Case of Northern Uganda”, PhD Thesis, London School of Economics, 2005, p.109.

⁸⁸⁴ G. Ayoo, “Ethical debate” Cologne: 2006.

⁸⁸⁵ Fieldnotes, Owiny-Kibul and Palotaka: 26/11/2006.

Various participants and observers of the talks used different ways to describe how they saw the LRA/M's behaviour in the talks. One delegate described his colleagues' attempts to maintain the status quo: "The delegation is reluctant to accept outside advice. They feel threatened by any kind of expertise." He explained that not accepting advice helped to underscore the LRA/M's position. Pointing out that the GoU delegation consisted of state ministers with PhDs, he said: "The power balance between delegations is indicative of the power balance between communities."⁸⁸⁶ Yet the LRA/M was not using the support available to address this imbalance. One day a delegate discussed with me the lack of research material available to the LRA/M delegation. He said that research resources were a real problem and that this made it impossible for the LRA/M to genuinely participate in the Juba Talks. "We have no statistics on the [IDP] camps," he explained to me, "no people to do research. Instead we are told to get statistics off the Internet by Machar." I did not find that unreasonable, considering that large amounts of data and analysis, particularly on conditions in the Ugandan IDP camps, were readily available online. The delegate was genuinely surprised—he had no idea that it would be easy for the LRA/M to back up their claims with published research.⁸⁸⁷ In the end, no LRA/M statement or position paper showed evidence of having used the extensive resources available online. Instead, most arguments remained centred on the person of Museveni. One of the international advisors saw the LRA/M's maintenance of the status quo in their denial of current realities by aiming unrealistically high: "The LRA/M need to be smarter in negotiating concessions, but they do not want to take advice because they still think they can negotiate Museveni out of power."

In December 2006, a group of European ambassadors travelled to Juba to meet with participants of the Juba process, including the LRA/M delegates. Most of the delegates had gathered at the agreed meeting time with the ambassadors; delegation leader Ojul and legal advisor Ayena arrived half an hour late. They explained their tardiness with their having forgotten a letter—a letter which they then proceeded to read to the ambassadors, rather than engaging in conversation. An observer explained that the letter was "written in old communist UPC style about 1986 events", and the debate never moved much from there. Afterwards, however, members of the delegation were in a low mood, realising that their emphasis on the past paralysed them in their quest for a better future. "We lost today," was how one delegate described the scenario.⁸⁸⁸

⁸⁸⁶ Author interview with member of the LRA/M delegation. Juba: 14/7/2006.

⁸⁸⁷ Fieldnotes. Juba: 10/8/2006.

⁸⁸⁸ Fieldnotes, Juba: 15/12/2006.

Pushing for change while maintaining the disempowered and marginalised status that gave the LRA carte blanche to use violence or remain reactive to GoU action proved an unsolvable dilemma. LRA identity is caught in a perfect cycle of continued self-pollination, where the sheer existence of the LRA proves its need to exist. The ability to survive with the LRA identity intact is an essential element of this identity, setting up one of the paradoxes for resolving this conflict. Giving up this existence also would mean being reduced to meaninglessness. One of the international advisors described to me how he had experienced these internal dynamics of pushing for change and maintaining the status quo. He argued that

there is a small group of voluntary allies and a much larger group that in principle would like to get out. Juba was very instrumental in strengthening this group. So successful that Kony had to kill Otti to get the ghost back in the bottle. And that is why he was not able to say “no” to the peace process categorically, that he had to be seen by his men to be seriously working on peace (indeed, to create the narrative that LRA is all for peace but that the outside world doesn’t want it). And that explains a lot of the strange happenings especially in the last year.⁸⁸⁹

One former delegate would have disagreed with this assessment. He argued that the LRA/M were within their rights not to sign the FPA, because they had yet again become victims of the broader context in which government forces had infiltrated them and created rifts and internal distrust. He concluded that the best way forward was to rewind to the beginning and start again: “Negotiations need to be reopened. So far, they can justifiably be considered worthless.”⁸⁹⁰ With this statement, he maintained the status quo for his organisation, but also confirmed to many that negotiating with the LRA/M was a pointless endeavour.

Conclusion

The LRA/M’s messy representation, and their way of justifying their own shortcomings as manifestations of their inhibition by a hostile system, created the impression that they were dysfunctional, and as such they were not credible negotiation partners. This impression turned outside sentiment against them: donors withdrew and support waned when the label “dysfunctional” became the dominant assessment. Yet what this chapter has tried to establish is the function that the messy representation and reactive attitude fulfilled: they allowed the LRA/M to blame outside interference for each shortcoming, including the often unclear position Kony was taking vis-à-vis the Juba Talks. Further, the chapter shows

⁸⁸⁹ Personal email to author from international advisor to the Juba Talks. 7/8/2011.

⁸⁹⁰ Fieldnotes, Cologne: 24/9/2008.

interlocking structures between the LRA and the LRM, as well as between the LRA/M and the GoU. Most debates about the LRA and LRM try to establish to what extent these are separate entities; a natural follow-on discussion is to what extent the GoU infiltrated the delegation. The chapter suggests that such a fragmented interpretation of the three seemingly separate entities is misleading. Instead, part of the conflict dynamics stems precisely from the network of control, mistrust and infiltration—particularly because infiltration went both ways, with LRA/M sympathisers infiltrating the GoU, too.

Unable to get a peace deal signed, thanks to the LRA/M's characteristics described here, the conflict system of LRA/M and GoU still emerged from the Juba Talks internally strengthened. Each actor in the "system LRA" received confirmation that their behaviour continued to be necessary since nobody else could be trusted. This meant that the Juba Talks had served to confirm beliefs and the conviction that it was correct to act on them. Individual delegates maintained that the way Juba was conducted proved that conflict in Uganda was deeply rooted in a hostile system, confirming the need for resistance through an organisation such as the LRA/M. Fighters used the slow progress in the talks to maintain that the use of violence remained their only option.

The notion of being subjected to a hostile system and mutual distrust damaged the peace process. It fuelled an internal understanding that addressing those broader issues would be impossible; even smaller items on the Juba agenda became for the LRA/M unmanageably huge and impossible to tackle. Of course part of conflict transformation—possibly the crucial part—is to transform the internal dynamics of the actors. In current approaches to peacemaking, it remains unclear how this could be done without losing focus on achieving a peace agreement. Yet in having been unable to find a way to navigate internal dynamics and use them constructively, Juba also confirmed the LRA/M's notion of their own position in the conflict, thus inadvertently strengthening the very conflict structures the talks were supposed to tackle, while in a parallel process initiating significant change beyond the LRA/M. Indeed, some of these insights come from lessons that could have been learned in earlier peace talks. None of these finer points, however, was of particular interest to those facilitating the peace talks.

9. “We Are All Learning in This Peace Process”: Juba’s Legacy

Introduction

The broad endeavour of this thesis is to untangle why the Juba Talks did not produce a Final Peace Agreement and what the broader implications of this realisation are. A snapshot of the current situation post-Juba is sobering. Immediately after the initial military strike against the LRA in December 2008, the humanitarian situation was unsettled and unsettling. In early February 2009, Congolese IDP numbers stood at 160,674, with 20,000 having fled across the border into Sudan. The World Food Program had only been able to access 54,511 of the IDPs, and only those who had reached major towns or villages. Food delivery was slow on dry season roads—taking 12 days to deliver food from Beni to Dungu, a distance of 500 km—and forecast to be impossible during wet season. IDPs scattered further away from the substations were even harder to reach; some IDP camps were simply considered too dangerous for humanitarian workers due to lack of army or police presence.⁸⁹¹ The area was at the time supposed to be protected by 6,000 FARDC soldiers—who had little interest in fighting the LRA while battling problems in the Kivus—about 2,000 UPDF (although this number was never verified) and 400 MONUC troops.⁸⁹² In early 2009, the number of civilians killed by the LRA since OLT stood at 729, with 286 of 711 abductees rescued since OLT started.⁸⁹³ While the official UPDF line remained that the LRA was now weakened, local civil society actors saw the LRA “traverse the jungle with relative ease”, most notably a new, young and strong generation of fighters.⁸⁹⁴

Ever since the bombs first dropped on Garamba Park in December 2008, military operations against the LRA led by the UPDF have continued under various names with varying intensity, but with continued US assistance, including ground support. Violence against unprotected civilians has been dramatic; LRA violence against civilians escalated or was more carefully recorded when international interest spiked, such as after the Kony 2012

⁸⁹¹ Fieldnotes, Kampala: 15/2/2009.

⁸⁹² Fieldnotes, Kampala: 15/2/2009.

⁸⁹³ Fieldnotes, Kampala: 15/2/2009.

⁸⁹⁴ Fieldnotes, Kampala: 15/2/2009.

campaign.⁸⁹⁵ Internationally, opinion has been galvanised around the notion that an improved military response will end the conflict. On May 24, 2010, US President Obama signed into law the LRA Disarmament and Northern Uganda Recovery Act, making it a domestic legal obligation for the Obama government to end LRA violence—an obligation on which the government is accountable to Congress.⁸⁹⁶

In October 2010, countries affected by LRA violence and AU representatives met in Bangui, CAR. The primary outcome was an agreement to establish an AU-backed joint military brigade, with expected funding from the US and the EU, to eradicate what was referred to as the broader terrorist threat, a need for which was underscored by a Central African politician who said, “for us, LRA elements are terrorists exactly like Al-Qaeda. The international community must not be stingy with the means to help Central Africa to get rid of the insecurity created by this rebellion.”⁸⁹⁷ In October 2011, President Obama announced the deployment of 100 special military advisors to help the regional armies in their hunt for Kony. In March 2012, a video by the Californian advocacy group Invisible Children calling for Kony’s arrest and continued US military support to the Ugandan army became the biggest social media sensation ever. With political representation of the LRM reduced to a few press releases, the notion that this conflict could be ended through peaceful means and political negotiations was off the table.

In December 2006, Kony spoke to a group of leaders from Uganda, UN staff and his own delegation in the LRA camp in the bush. Sat in a large circle, the visitors weighed Kony’s every word, searching for an indication whether the LRA remained committed to the peace negotiations. The preceding few months had been rocky, with attention primarily focussed on the challenges of safely assembling the LRA. Kony, speaking in Acholi, gave his assessment of the Juba Talks.⁸⁹⁸ He spoke about being under threat from the UPDF and the LRA’s continued need to protect itself. He criticised what he saw as the unjust approach of the ICC: “I want to emphasise that in our view the

895 The LRA Crisis Tracker—run by Invisible Children and Resolve and in itself a controversial tool—shows that generally “attacks and abductions by the LRA doubled in the first six months of 2012 relative to the latter half of 2011” and that in early 2012 “LRA violence in CAR spiked following Ugandan military operations”. Invisible Children/ Resolve, “LRA Crisis Tracker Mid-Year Security Brief January - June 2012”. San Diego/ Washington, D.C.: 2012.

896 Congress of the United States of America, “Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, Public Law 111-172”, 2010. There had been previous attempts to regulate Uganda’s conflict through US law: U.S. House Congressional Resolution 309 had twelve years prior condemned “Joseph Kony and the LRA’s use of abductions and child soldiers” and called “for the immediate release of all abducted children” and urged “the US President and Secretary of State to support those groups attempting to end the abductions”. The resolution also called upon the UN to become more involved and for Sudan to stop supporting the LRA. Congress of the United States of America, “Congressional Resolution 309”, Washington, D.C., 1998.

897 AFP, “Central Africa says ‘fight LRA like Al-Qaeda’”, 14/10/2010.

898 One of the LRA/M delegates translated Kony’s words into English on the spot; it is his translation that is quoted here.

fairest way to go about this matter: the ICC should avail themselves to come and talk to us so that at least they know our view about this matter." He talked about being considered the weak partner in the negotiations and gave his analysis of how power and weakness played out in African and international politics:

The international justice system is insincere. If UN really wants the world at peace, UN should not turn to [provide/support] justice for [the] strong. If they see Kony as a weak man, they pursue him. If that is the rule of the game, the only option is to fight so that international community sees you are strong and let you walk free.

Museveni's hands was heavily involved in Rwanda and DRC when Museveni went to support the late Kabila against Mobutu. After removal of Mobutu, there was disorder: Between Kabila and Kagame and Museveni on the other side. Museveni and Kagame supported the rebel group that [wanted to] remove the regime that was in power. Charles Taylor tried to help Sankoh who did not succeed. Taylor was taken to justice because he was now vulnerable. If that is the rule of the game, it means that getting powerful is enough [to be safe]. If UN wants that to be the rule of the game, let it be clear.⁸⁹⁹

Kony argued that the reality of targeting the weak left the LRA in a bind: they had to show strength and to continue to use violence. Reiterating the LRA's commitment to resolving the problem, he concluded:

It would appear that we are hostage to our own pursuit, we seem to have built our own deathbed by committing to this peace process. We want government to be honest about it, no trickery about the peace talks. If its peace, let it be peace. If not, let's call it something else.⁹⁰⁰

In late 2006, this seemed a prematurely disillusioned assessment of the Juba Talks. Yet a few years later, the Juba Talks are generally considered a failure. Reasons given tend to be that it was an insincere, messy and corrupt process, involving an unreliable LRA, an incompetent LRM, and a contradictory international framework that pitted international standards of justice against local needs, making a principled international approach impossible. Measures of success, such as a signed Final Peace Agreement or a clear framework for dealing with the tension that arises from the intervention of the ICC, are absent.

This concluding chapter argues that such cursory assessments overlook two crucial points: what the Juba Talks did achieve and the value of Juba's broader lessons about contemporary peacemaking. The theoretical insights to be gained from the Juba Talks are multi-layered and possibly fleeting, as many of the lessons seem to be so context-specific and the detailed

⁸⁹⁹ Fieldnotes, Ri-Kwangba: 12/12/2006.

⁹⁰⁰ Fieldnotes, Ri-Kwangba: 12/12/2006.

ethnography of the talks presented here might serve to reinforce the notion that this was a unique case.

However, what makes a grounded theory distinct from other types of ethnography, most notably reflexive ethnography, is that it allows for a partial decontextualisation towards identification of broader issues without aiming for a fully-fledged abstract generalisation. Grounded theory encourages the exploration of the usefulness of the emerging interpretation for everyday life in other settings. It also aims to identify main concerns of the people studied, including how they continually address those. While the Juba Talks were a unique process, the specific emphasis on emerging patterns and concerns allow for broader lessons about peace processes in other contexts. The exploration of the Juba Talks as presented here, which intersperses a rich ethnography with broader conceptual analyses of specific patterns and underlying structures allows me to do that.

Using Grounded Theory comes with an unresolved tension. Purity of method would suggest to go into a situation with a blank slate of knowledge, then code data, construct a theory from the coding and then see whether it connects with existing scholarship. In the most extreme cases, it is suggested that Grounded Theory can only be used in a context for which no theory yet exists. In my particular case, I was naturally drawing from the scholarship on conflict resolution as I was going through collecting and coding my data. As such, the broader conclusions on offer here are both drawn from the data directly and from looking out for how the challenges of conflict resolution established in the literature manifest themselves in the Juba Peace Talks. While this might not make for purity of method, it does allow for grounded conclusions.

Three critical inferences need to be considered: First, the focus on the primarily technical conduct and legal implications of the Juba Talks glossed over the developing dynamics of the process. In the end, it was the dynamics and events of the process, rather than technical or legal challenges, that reshaped the peace effort into the next stage of violent conflict, but that also caused significant change almost as an unintended immediate consequence. Juba's most valuable conceptual contribution might be an understanding that the experience of the process rather than finding solutions to technical problems or signing agreements holds the key to conflict transformation; and that measuring success through reached milestones can be misleading. Second, Juba entrenched existing power dynamics between the LRA/M and the GoU. Because the achieved agreements were rather disconnected from how the process was experienced, the conflict system LRA—which includes actors from the LRA,

the LRM and the GoU—retreated into their established ways of doing things. And third, the Juba Talks also reveals the difficulties of scholarly or operational investigation of peace processes. Recording, analysing and possibly utilising the dynamics of a peace process is a challenge.

A Thumbnail Assessment of the Juba Talks

It is easy to look at the Juba Talks and the damaging military fallout and conclude that the talks were an overall failure. Yet many groundbreaking steps were taken along the way. Egeland summed up his assessment of the Juba Talks in 2009:

So to end up with a sustained cessation of hostilities and a situation where millions of people's lives are permanently improved, it seems, that is not a bad result in the real world.

Because the alternatives are not as many believe between perfect war and perfect peace. It is between perfect war and imperfect peace. Those are the two alternatives, I know so far in real life.⁹⁰¹

Foremost, since the Juba Talks, northern Uganda has had reliable physical peace. While LRA activity in northern Uganda had been minimal just before the Talks started, possibly due to the changing environment since Sudan's CPA, and thus a direct attribution to the Juba Talks is impossible in absence of a counterfactual, it is an important achievement to consider. The difference between a largely inactive rebel group and the population's knowledge that the rebel group has now left the territory lies in the perception of the security situation. The latter makes for a more stable environment that allows other peaceful changes to be put in place--some of these are discussed further below. Despite difficulty in direct attribution it is important to note that the Juba Talks led to a complete withdrawal of the LRA from northern Uganda. This achievement is now often falsely attributed to the UPDF having pushed the LRA out of Uganda or the ICC issuing warrants of arrest, with the implicit message being that in the end, it was the military or international justice that brought peace. In reality, the LRA left Uganda to fulfill the CoH agreement and the ICC's impact is too nebulous to allow such clear conclusions. Yet peace in northern Uganda was achieved. Taking only the cost of the Juba Talks over two years, this was done for US-\$15 million. Estimating the cost of the military operation since 2008 is difficult, but considering that a fighter plane worth a few million dollars was lost in the first days of OLT and the military operation has gone on for four years, the cost of creating more insecurity for civilians in DRC,

901 Author telephone interview with Jan Egeland, former UN-Undersecretary for Humanitarian Affairs. 27/8/2009.

South Sudan and CAR is considerably higher in both time and money than bringing peace to Uganda through the Juba Talks.

The Juba Talks crucially opened a discussion space. The often tedious debates around the negotiation table helped spell out the intricacies of the conflict in a more public setting. These included current power relationships and underlying politics, the history of grievances and political voice in Uganda, divisions within the Acholi community, the complexities of peace and justice, as well as the operational challenges of what is euphemistically called a “military solution”.

Looking back, former LRA/M delegates acknowledge that Juba had achieved something—although what exactly was hard to pin down. “It is a step, but where to?”, reminisced a former delegate in November 2008.⁹⁰² Former spokesperson Ayoo said that despite many outstanding issues, the LRA/M in the Juba Talks had “achieved a lot. We got the government to admit that there is marginalisation.”⁹⁰³ Indeed, the political debate about the marginalisation of Uganda’s north had never been had so publicly and with such intense regional and international interest. Uganda had previously not been open to a broader UN role in ending the conflict, nor had accepted outside mediation. With Machar and Chissano in crucial roles, the process was to no small extent regionally owned. The Juba Talks were also the first time that the somewhat mysterious diaspora emerged in the bigger arena to address its own politics, even if that process remains inconclusive. Involving a broad range of affected people in consultations is a remarkable achievement for a peace process.⁹⁰⁴

At least temporarily the Juba Talks challenged entrenched block thinking on military versus negotiated approaches. The peace versus justice debate became much more nuanced, nationally in Uganda, locally in affected areas, and internationally.⁹⁰⁵ The Juba Talks helped to sharpen debate on what kind of justice procedures would be possible drawing on the stipulations of Agenda 3 and on previously unconsidered aspects and

902 Author interview with former member of LRA delegation and Cessation of Hostilities Monitoring Team. Nairobi: 10/11/2008.

903 Fieldnotes, Juba: 28/1/2008.

904 Hemmer argues rightly that Juba’s virtues became also its shortcomings: international influence became overpowering, the broadening of the process created “a cacophony of voices” and blurred communication channels. J.Hemmer. Clingendael Institute. “Expert meeting report: The Lord’s Resistance Army: In Search for a New Approach”, The Hague: 2010.

905 The delicate national judicial process on Agenda 3 was negotiated largely also as a political statement to allow some breathing space from the ICC.

challenges of international justice.⁹⁰⁶ The Agreement on Comprehensive Solutions included a commitment to facilitation of returns, as well as economic development of northern Uganda.⁹⁰⁷ The fact that these agreements have been signed has opened up a different kind of negotiation space in northern Uganda, where people call on the government to fulfill what it has agreed to—which in turn pressures donors to follow up. These are important stepping stones to conflict transformation, thus making the Juba Talks worthwhile.

In Uganda's broader political arena, the Juba Talks triggered unprecedented political engagement, perhaps the most promising transformative aspect of the negotiations. People spoke up about the need for political debate, for example in an open letter to Museveni by one of his opponents who argued that the president had treated "every expression of opposition to your rule as a military, rather than a political matter."⁹⁰⁸ Dialogue between Museveni and opposition parties increased, with the President inviting leaders of the main political parties to State House to develop a framework for "constructive dialogue with the opposition", as the Daily Monitor reported, calling the meeting "a good start."⁹⁰⁹ Prior to the meeting, the opposition Uganda Peoples Congress submitted a list of neglected issues to discuss because

there is always a multiplicity of complimenting and competing ideas on any matter and especially on affairs of an entire nation like Uganda. It is this belief that has over the two decades of the NRM administration guided us in our constant demand for serious dialogue among the political stakeholders in Uganda. There has been no such dialogue.⁹¹⁰

Mamdani called those developments "a good indication that the balance of power in Ugandan politics is shifting."⁹¹¹ It was one of the LRA/M's major shortcoming that they prioritised ownership of the Juba Talks over widening the political base for anti-government grievances.

906 Clark has argued, for example, that the LRA case exposed a contradiction in the court system: since Uganda was not unwilling to prosecute, but unable to apprehend, international support was hardly needed for criminal prosecutions, but for apprehension, which is outside the ICC mandate. P.Clark, "Law, Politics and Pragmatism: The ICC and Case Selection in Uganda and the Democratic Republic of Congo," in *Courting conflict? Justice, peace and the ICC in Africa*, ed. N.Waddel and P.Clarke. London: 2008.

907 Government of the Republic of Uganda and the Lord's Resistance Army/ Movement, "Agreement on Comprehensive Solutions", Juba: 2/5/2007.

908 J.Oloka-Onyango, "Open letter to President Museveni and the Movement Caucus", in *Uganda Net* (2006).

909 K.Ssemogerere, "Will Juba turn out to be a historical mistake?", *The Monitor* 26/7/2006.

910 Uganda Peoples Congress (signed by Mama Miria Kalule Obote), "Memorandum submitted to H.E. The President of Uganda Yoweri Kaguta Museveni by The Uganda Peoples Congress at State House, Nakasero, Kampala", Kampala, 28/7/2006.

911 M.Mamdani, "Kony not the real issue in peace talks", *The New Vision*, 10/7/2006.

Yet while Uganda's internal political debate and the discussion of peace and justice was at least temporarily boosted in its sophistication, the discourse on humanitarian intervention seemed to grow more monolithic, particularly in the US and within US-headquartered advocacy organisations, who supported the notion of strengthening the Ugandan army in its pursuit of the LRA and broader anti-terror fight. In the end, the Juba talks ended with international support for what the LRA/M called a "'Rambo' type solution".⁹¹² A consequence of this was that also the political space that had for a while opened up was again closed down. With the Juba Talks receiving the label "failure", some who had used the negotiations to push political dialogue were reluctant to continue to do so to avoid being affiliated with a failed endeavour and dodgy LRA/M participants. The slow and reluctant opposition to the abolishment of Uganda's Amnesty Law in 2012 might serve as an example for this backlash, as does the general rejection of the idea that the LRA conflict can be solved through negotiations, a sentiment that seems prevalent across most UN agencies and in US political circles.

The GoU reasserted control soon after the Juba Talks had opened up a space: In April 2011, UPDF soldiers and police killed nine people (in Kampala, Gulu, and Masaka) who had been protesting against the government's management. Two demonstrators were shot in the back, two others were killed while inside a building. One of those killed in a building was a child. Several times, opposition leader Besigye was arrested and kept under house arrest in what was called "preventative detention".⁹¹³ While the events were noted internationally, pressure on the GoU was limited and US support to its military remained unchanged.

In November 2009, one of the LRA/M delegates who remained active in voicing the need for a negotiated solution talked about the urgent necessity to shift from the military situation to something that yet again opened up space for change and negotiation. He made no excuses for LRA/M shortcomings in the talks and said that for him, the fact that there were now soldiers hunting young LRA men in DRC highlighted both the military's short fuse, but also the LRA/M's shortcomings: "Military action exploits the weakness of the LRA, the weakness to communicate their grievances," he explained.⁹¹⁴ As a result, the LRA/M had also failed to settle on a shared understanding of what they wanted to achieve through negotiations and

912 Lord's Resistance Army/Movement Peace Team (Justin Labeja), "Press Statement on the Bangui Meeting on the Lord's Resistance Army", Nairobi, 18/10/2010.

913 Human Rights Watch. "Country Report: Uganda". New York, 2012.

914 Fieldnotes, Nairobi: 1/11/2009.

had not taken advantage of the momentum for change that had developed temporarily during the Juba Talks.

This list of success criteria of the Juba Talks seems to be in blatant contradiction with my core argument that the process was more important in determining success and failure than the negotiated agreements. It makes my analytical disregard for the texts of the agreements in this thesis seem an oversight. Yet what the disconnect between the knock-on effects of the negotiated agreements and the continuing conflict shows is a useful illustration to inject meaning into the notion of 'holistic peace talks'. The actors from the LRA who directly experienced the dynamics of the process continue their armed struggle. Those for whose benefit the LRA/M purportedly negotiated during the process--the civilians of northern Uganda and the citizens who live under what the LRA/M describes as an oppressive regime--might in the end experience more significant positive change in their situation. This points to a broad contradiction in current peace talks set-ups: to be holistic, that is to encompass credible positive change for all conflict actors and victims, process and agreements achieved ought to be aligned. Instead, I argue here, the experience of the process was not that of a peaceful path to conflict resolution for one of the conflict actors. Yet, in the more public arena of implementation of technical agreements, the situation was arguably changed for the better, with some changes in legislation and some corridors for political dialogue opened. That the conflict continues highlights that the former part of a holistic process is not only much more difficult to manage, it is also much more difficult to implement.

Implementation seems to rest on technical agreements to act as road maps. Yet, as I have argued in the introduction, ultimately implementation of these often fails, leaving behind a smattering of broken agreements. A holistic solid experience of a process that has changed dynamics for all actors possibly holds the key to supporting implementation when it flounders. Technical implementation without changed broader dynamics seems to most of the time run out of steam. Developments in Uganda in 2013, with President Museveni's assertion of power through arrests or dismissals of opponents and internal critics seems to be an indication of this.

Dynamics

In this thesis, I have attempted to show how the LRA/M experienced the peace negotiations, arguing that this in the end posed a greater challenge to ending the conflict than having to figure out ways to navigate the ICC

warrants. Moore writes in her work on the importance of the individual experience of everyday life that “hopes, desires and satisfactions can never be fully captured by forms of regulation.”⁹¹⁵ Likewise, the end of a conflict such as this one cannot be achieved through expecting power dynamics to change, such change needs to be noticeable during the negotiations. This means that transformation needs to be tangible in how the process is conducted and experienced. Mistakenly, the ICC caused actors in the Juba Talks to focus more on how to navigate the Rome Statute’s regulations; one way of dealing with this technical aspect was seen as getting a signature under an agreement which would, it was assumed, automatically open the door to the next steps. As such, the ICC warrants might have posed a technical challenge, but in garnering so much attention also reduced how success was measured in an unhelpful way.

The intense attention on technical challenges obscured the understanding of dynamics and events. This contributed to a game-theoretical view of the process with a focus on two crucial elements of political game theory as identified by McCarthy and Meirowitz: who is to get which concession and whether the outcome is achieved in an efficient manner.⁹¹⁶ Yet an untangling of the complex dynamics could not happen using measurable indicators. Duffield has critiqued conflict resolution approaches as promising grand social engineering aimed at modifying behaviour, rather than tackling the context.⁹¹⁷ Applied to the Juba Talks, the aim was to modify the LRA’s behaviour into signing a deal without attempting fundamental structural changes in Ugandan society. The dynamics of the talks, however, meant that the LRA/M did not go along with that as planned.

Machar, in a confidential meeting with US representatives before the failed signing ceremony, reportedly said that since the terms of the negotiated agreements were “generous to the LRA, on the whole” and because the LRA had become so used to the comforts provided to them during the Juba Talks that “even Kony was discovering that life is better with peace”, a final signature was inevitable.⁹¹⁸ A former LRA/M delegate gave an assessment, a few months later, why this was a profound misjudgment. For the LRA/M, he argued, the Juba Talks had been conducted in an offhand manner, driven by the assumption that for the LRA/M any agreement would be a bonus and more than they could have hoped for. This created a sloppy process

915 H. L. Moore, *Still Life: Hopes, Desires and Satisfactions*. Cambridge: Polity Press, 2011, p.22.

916 N. McCarthy and A. Meirowitz, *Political Game Theory: An Introduction*. New York: Cambridge University Press, 2007, p.275.

917 M. Duffield, *Evaluating conflict resolution: contexts, models and methodology*. Birmingham: 1997.

918 US Embassy Khartoum. “08KHARTOUM429: LRA Peace Talks to resume in Juba”, 23/2/2008.

that coupled basic procedural oversights with the LRA/M's lack of capacity and professionalism. "There was not even clear terms of reference set out for the exercise of the mandate for mediation. Imagine that! All this talk and somethings as simple as the terms of reference for the mediation are missing", the former delegate said.⁹¹⁹

Eager to maintain that their fight had been legitimate and that the population of northern Uganda was facing physical threats and political repression by a corrupt government, the LRA/M upheld one major criticism about the Juba Talks: that they were never meant to be a political process. One delegate explained what he considered the peculiar logic of international support for the Juba Talks: if the international community had really believed that the conflict had legitimate root causes and that violence had been committed by the GoU, how could they square this with the expectation that military action against the rebels conducted by the GoU would bring peace? He argued that this proved that in most people's minds the Juba Talks never moved beyond the notion of creating a 'soft landing'. In a 2006 statement, LRA/M spokesperson Ayoo wrote:

The NRM Kampala regime must know that the peace negotiations is [sic] an admission that the military option has failed, hence Juba becomes a political forum to arrive at some political end. Juba is not a moment to further war, but a venue and moment to get into a serious political search and discussion of the causes of the war and how to end it.⁹²⁰

"The conflict is still not accepted as a political conflict," said another former LRA/M delegate in November 2009. After three years of frustration with the GoU, the UN, his own delegation colleagues and the LRA leader, he seemed puzzled that the LRA/M had not managed to change the most basic perception about the war in northern Uganda. At that moment, he said, he did not even know what a future initiative for peace might look like or who could be a good mediator. From his perspective, everything that could have gone wrong in Juba went wrong. "Of course it's possible that Kony might get killed," he said. "But it will not make a difference to the problem and the situation in the country."⁹²¹

From his point of view, the experience of the Juba Talks had turned out to be a monolithic choice between a state the LRA/M is comfortable with—war—and the rather vague idea of a peace agreement administered by the very structures of their adversary they had been fighting and that they were

919 LRA/M Peace Team, "Juba Peace Talks: The Record of Sabotage by the Government of Uganda; The Reasons General Joseph Kony Wants the Peace Agreement Revisited; and, The Way Forward", Nairobi: 6/11/2009.

920 G.Ayoo. "The absence of Kony doesn't jeopardise the Juba Peace Negotiations", Cologne: 14/7/2006.

921 Fieldnotes, Nairobi: 1/11/2009.

forced to sign through violence. The UNSC expressed a similar notion: "There seems to be general agreement in the Council that only an effective military offensive can put enough pressure on the LRA to return to the negotiating table."⁹²²

In 2006, one LRA member explained to me that because of the peace talks, his organisation was losing control over the analysis of the conflict and the portrayal of the conflict actors. For him, the Juba Talks were looking increasingly like an exercise in reducing the conflict to agreeable declarations and in making the LRA/M vulnerable. Another member of the LRA, who considered himself instrumental in bringing about the Juba Talks, explained how entering peace talks had exposed him to future trouble in an unchanged political landscape:

I was very committed to my work in the peace process. I now have a bad record in the government because I was also the one who brought on the peace process. And the government was trying to get out of the peace process. They were trying to give us money and said we might bring the women out of the bush who might be sick.⁹²³

In his December 2006 speech, Kony had emphasised what he saw as the most prominent obstacle to reaching a peace deal:

The thing I want to add for us is the reason why it is difficult to stop war in this situation—is the attitude of disrespect, disregard and abuse. Disregard is shown to us whereby ICC just ignores us, our sentiments, how this matter should have been handled. One morning we wake up and are told we are now wanted in The Hague. Undermining of people must stop and disregard and disrespect. If there is a level of understanding of this conflict, [it is] like at the crucifixion.

Because of this disregard and lies made it was the case between Barabbas and Jesus who should be released. Crucify Jesus, they said, he is the sinner and criminal.

It is the same with ICC: emphasis is on those who have committed less crimes, not on those who have committed massive crimes that are just being pushed under.⁹²⁴

After the Juba Talks had turned into the gateway for the next military phase of this conflict, another delegate gave me his view on what had happened. For him, the threat of military action as the antidote to a negotiated peace agreement had been paralysing from the start. With OLT, his worst fears about how both the GoU and the international community were juxtaposing the signature with a military strike in an either-or option

⁹²² UN Security Council. "Update report: Northern Uganda and LRA-affected areas". New York, 22/6/2009.

⁹²³ Fieldnotes, Juba: 18/12/2006.

⁹²⁴ Fieldnotes, Ri-Kwangba: 12/12/2006.

had come true. He explained why he felt that the either-or choice was so damaging:

In reality, solving conflict through the military and solving conflict through a peace process are as related as battling the banking crisis by giving the banks more power and allowing them to issue more shares, rather than limiting their power and making the bank's balance sheet a weaker incentive for bank's performances.⁹²⁵

In his opinion, the use of military leverage in a peace process had not only ended the Juba Talks, but had also discredited the integrity of the process itself as a way to resolve the long-standing conflict. It was, to him, proof that the Juba Talks had missed the point.

Another separate set of dynamics also warrants attention: the dynamics of what I have called the galvanic surge of international opinion. With complete disregard for the reality of the situation, external actors for months and years perpetuated the notion of their own capacity to solve the situation, convincing themselves that a properly implemented "solution" was just around the corner. After the issuing of the ICC warrants in 2005 the *Washington Post* wrote "there are growing indications...that the days of this bizarre and brutal rebel force might be numbered". The article quoted Kofi Annan saying that the warrants "had sent a 'very powerful message' that 'would-be warlords' must be held accountable for their actions."⁹²⁶ At an August 2009 conference in South Africa, a representative of a European government dismissed my point that a solution to the LRA problem was not to be found through the threat of prosecution or a military strike. He argued that international contacts at an informal level were already being forged and that it was just a matter of weeks until an international LRA strategy would be made public: "LRA festive days are over."⁹²⁷

In January 2011, I was told by one of the main funders for a US advocacy group that they were certain that within the following 12–18 months, the LRA would be defeated militarily.⁹²⁸ This was at odds with the opinions held by those closely engaged on the ground: Three-and a half years after Operation Lightning Thunder started, six months after the deployment of US military advisers and two months after waves of enthusiasm for a quick military solution brought on by the Kony2012 campaign, a resident of Yambio was told by the commanding UPDF officer in his area that the UPDF was convinced that they would have to stay in the area for "ten years" to

925 Fieldnotes, Nairobi: 1/11/2009.

926 E.Wax, "Net Tightens Around Northern Uganda's Brutal Rebel Militia", *Washington Post*, 8/10/2005.

927 Fieldnotes, ISS/Egmont conference on DRC, Kloofzicht, South Africa: 25/8/2009.

928 Fieldnotes, Juba: 6/1/2011.

end the LRA insurgency.⁹²⁹ Yet the dynamics of the galvanic surge regularly drowned out these realities.

They are ignored because maintaining the galvanic surge momentum is also a material decision. A young Sudanese man at a Uganda/Sudan/DRC borders workshop explained to me that with so many international organisations and so many different kinds of people now invested in finding a solution to the LRA war, “LRA has become the biggest business in these three countries.”⁹³⁰ Being engaged in finding a solution is great currency—for acknowledgement, for fund raising, for Hollywood film scripts, for potential Nobel Peace Prizes, for graphic novels, for scholarship, and for doctoral dissertations.

Entrenchment

When the FPA remained unsigned, analysts, observers and those affected by the conflict gave a whole list of reasons. Conspicuously absent was the explanation that with a signed agreement the LRA/M would have entered into a partnership with the same enemy that they had experienced as unchanged during the negotiations. The basic contradiction of ending violent resistance in an untransformed political environment remained largely unaddressed.

Change was difficult for all actors. The LRA/M to a great extent maintained its own reputation as an unreliable and violent negotiation partner torn apart by infighting. The GoU was seen as making few genuine political concessions and instead relying on the military; the international actors failed to establish themselves as principled with clear guidelines and in some cases maintained the often criticised complicity with the GoU. These dynamics had been present in the conflict and continued during the Juba Talks and beyond, confirming the LRA/M’s perception of being trapped in hostile and unchangeable system. Being themselves caught up in their narrative that the GoU was solely adversarial, entering into a peace agreement would have also come with the concession that the GoU was capable of change—and would have required the LRA/M to change, too.

The scholarship on peace negotiations mostly falls short of empirically capturing these finer dynamics of peace processes, although the argument that peace talks can entrench conflict dynamics rather than change them, is well established. Sinn uses the concept of ‘viable peace’ introduced by Dziedzic and Hawley, which, amongst other things, stipulates that

929 Fieldnotes, London: 18/5/2012.

930 Author focus group discussion with leaders from Eastern and Central Equatoria attending a workshop on the LRA. Juba: 3/3/2009.

"violence-prone power structures must be dislodged."⁹³¹ Lesch writes about the Sudanese peace talks that "the negotiations illustrated the pitfalls of negotiating in a polarised political context in which talks heightened mistrust rather than bridged differences."⁹³² DeRouen and Sobek make the point that in a civil war, "defeat could mean the loss of existence. The high stakes generally make compromise difficult."⁹³³ Politically, argues Mamdani, the Juba Talks were

likely to constitute the most serious political challenge for both Kony and Museveni. As more political options open up for the northern political class, Kony will run the risk of being eclipsed by another, more explicitly political movement, whether armed or not.⁹³⁴

Adek, a long-term ally of Kony and the most senior member of the delegation, at one point commented that the disrespect the LRAM experienced in Juba was similar to what was happening at home. It was all too familiar, he said, because "I have been a victim of peacetalks before."⁹³⁵

However, "dislodging" the existing structures poses an existential problem to those who exist to oppose them. Zartman outlines the contradiction inherent in negotiations between the state and rebels:

Rebels need the recognition that negotiation brings, but they also need iron-clad assurances of continued existence and recognition once combat is terminated. Formulas that dissolve the rebels into the current political and military structures deny the basic needs of the rebels and are non-starters.⁹³⁶

Kony had put the same argument into his own words (muddling the mandates of the ICC and the International Court of Justice):

The solution for the peace talks is war. In the past, many great things have happened. In Rwanda, people died in thousands. The cause is Museveni. And what happened in Congo? It is Museveni. Museveni was accused in International Court of Justice. He was not arrested. Why? Because he is in power. That means we should also capture power.⁹³⁷

931 M.Sinn, "Sudan: In Search of a Model," in *SSRC: Making sense of Sudan*, ed. Alex de Waal. New York: SSRC, 2010; M.J. Dziedzic and L.Hawley, "Introduction", in *The Quest for Viable Peace: international intervention and strategies for conflict transformation*, ed. Jock Covey, Michael J. Dziedzic, and Len Hawley.Washington D.C.: 2005, p.14.

932 A.Lesch, *The Sudan-Contested National Identities*. Bloomington: Indiana University Press, 1999.

933 K.DeRouen and D.Sobek, "The Dynamics of Civil War Duration and Outcome", *Journal of Peace Research* 41, 3,2004.

934 M.Mamdani, "Kony not the real issue in peace talks", *The New Vision*, 10/7/2006.

935 Fieldnotes, Ri-Kwangba: 11/6/2006. Adek had also been imprisoned on charges of collaborating with the rebels and had been on probation with the need to regularly report to the police in Kampala.

936 W. Zartman, "Negotiating Internal, Ethnic and Identity Conflicts in a Globalized World", *International Negotiation* 11, 2006, p.260.

937 Fieldnotes, Ri-Kwangba: 12/12/2006.

Peace processes tend to be viewed as the critical point, an opportunity to debate root causes and events in the past. Yet in Juba this approach and how it was used by the two negotiation partners further entrenched memories of the conflict without a genuine commitment to changing structures going forward. To settle on peace within those structures would have meant to solidify them without access to recourse through the waging of war. If, however, continuation of having access to this recourse, no matter the cost to civilians, is the motivation behind the war, the LRA has been tremendously successful—as has the GoU in maintaining its enemy and all the benefits that brings.

The notion of conflict resolution as a reduced and regulated process that can be captured in models or conducted along legal guidelines reduces the range of internationally acceptable option to end conflicts, entrenching the limited and often unsuccessful tool set that is available. To understand the broader implications of this, it is useful to take a look at the context that unfolded around the Juba Talks.

Critics have long argued that criminalisation of violent conflict or the notion of legal frameworks as conflict resolution tools are problematic. From the LRA/M's point of view, legislating peace and disarmament rang hollow. Having called for equal justice for all perpetrators—although to what extent the LRA leadership was prepared to go to court is hard to say—they argued that notions of justice in this conflict suffered a considerable setback when on February 12, 2008, a UPDF colonel accused of having committed human rights abuses in northern Uganda, was promoted to a prominent position within the UPDF, while the US signaled its preparedness to support the UPDF in its strike against the LRA. Even after the botched and disastrous operation, the UPDF seemed certain of their friendship with the Americans since they had in 2009, as Grignon writes, given “a new shopping list of requests from the Ugandan government to help them hunt down” the LRA.⁹³⁸

From the point of view of the opposition parties in Uganda, this was a strengthening of the existing structures of militarised politics, which the UPC had criticised in a memorandum to Museveni: “The NRM legacy on politics is one of fostering militarism as a pillar of politics.... As a nation, we must discuss practical means to de-militarise our politics once and for all.”⁹³⁹ That support for a military operation contributed to militarisation seemingly came as a surprise to international observers, including the US

938 F. Grignon, *African Peace-building Agenda: "Elements of a New Strategy to Disarm the LRA"*, Brussels: International Crisis Group, 2009.

939 Uganda Peoples Congress (signed by Mama Miria Kalule Obote), "Memorandum submitted to H.E. The President of Uganda Yoweri Kaguta Museveni by The Uganda Peoples Congress at State House, Nakasero, Kampala", Kampala, 28/7/2006.

sponsors of Ugandan military activity against the LRA. Most international observers were reportedly nonplussed by the number of Ugandan troops in DRC following the implementation of “Plan B” against the LRA. The GoU had always emphasised the Congolese ownership of the military operation, hiding the rather large number of its own troops. A US report in June 2009 noted “the Ugandan Government has deliberately (and successfully) kept quiet its troop strength and regular engagements with the LRA in order to keep a Congolese face on the operation.”⁹⁴⁰

Besides entrenching uneven justice and military structures, the crucial structure that was confirmed in the Juba Talks was the depolitisation of the LRA/M’s grievance. Chomsky, in his evaluation of NATO’s engagement in Kosovo, states that open dissent was systematically suppressed with a very easy blow: whoever criticised NATO’s bombs was labelled a supporter of Milosevic.⁹⁴¹ Keen has written about the repeating pattern in conflict situations of stymying discourse.⁹⁴² Kaufmann describes a similar process of monopolising discourse in the lead-up and during the Iraq war. Sold as an honourable intervention to liberate oppressed Iraqis, the systematic streamlining of coverage, including the embedding of journalists, made Kaufmann describe the situation as a “failure of the democratic marketplace of ideas.”⁹⁴³ For many of those arguing against military strikes against the LRA and for political dialogue—including myself—being labelled an LRA apologist is a familiar experience.

Along with passing the LRA Bill, the US took further steps to entrench its viewpoint that peace, especially with unsavoury groups, was not to be gained through political processes. In June 2010, the US Supreme Court ruled that “knowingly providing any service, training, expert advice or assistance to any foreign organization designated by the US State Department as terrorist” even without any proof that the aid was “intended to further any act of terrorism or violence by the foreign group” could lead to a prison sentence of up to 15 years.⁹⁴⁴ The law, first adopted in 1996 and strengthened by the Patriot Act, had been questioned by the Obama administration after a ruling of the US Appeals court had declared “parts of the law unconstitutionally vague.”⁹⁴⁵ In the definition of the US

940 US Embassy Kampala. “09KAMPALA551: Uganda/ DRC: Operation Rudia II Update ”, 1/6/2009.

941 N.Chomsky, *The New Military Humanism: Lessons from Kosovo*. Monroe: Common Courage Press, 1999.

942 D.Keen, *Complex Emergencies*. London: Polity, 2008.

943 C.Kaufmann, “Threat Inflation and the Failure of the Marketplace of Ideas: The Selling of the Iraq War”, *International Security* 29, 1, 2004, p.30.

944 J.Vinci, “Supreme Court upholds terrorism support law”, *Reuters*, Washington, D.C., 21/6/2010.

945 J.Vinci, “Supreme Court upholds terrorism support law”, *Reuters*, Washington, D.C., 21/6/2010.

Supreme Court, assistance now includes giving advice on how to find a peaceful solution.

As the LRA was still a terrorist organisation in US definition, the ruling strengthened the point that finding a solution through talking—and giving advice on international criminal procedures—would be almost impossible for a US organisation. Andy Carl, Executive Director of Conciliation Resources, wrote in an op-ed piece for the BBC that the US government was on the one hand “calling for inclusive and political solutions to the world’s most intractable conflicts” and that this naturally “sometimes means talking to ‘terrorists.’”⁹⁴⁶ He pointed out that “the quiet diplomacy with IRA [the Irish Republican Army] and loyalist paramilitaries which helped bring about the Good Friday agreement—meetings, training seminars and facilitated dialogues—would now be deemed a terrorist offence” including for US citizens working abroad for organisations that do not fall under US jurisdiction or receive US funding.⁹⁴⁷ Similar although somewhat vague legal provisions exist in the UK under the Terrorism Act 2000. As this makes organisations vulnerable to prosecution, pursuing peace by peaceful means falls back onto governments or the UN—which also has strict guidelines on not engaging with groups deemed terrorist.⁹⁴⁸

As laws, conflict resolution, peace making, military intervention and humanitarianism continue to blur, concerns that are seemingly specific to each of these areas lose clarity, allowing for entrenchment of ideologies that support particular actions. Terry’s discussion of how refugee camps in Congo were used strategically by Hutu genocidaires to find cover and regroup has fueled concerns that feeding the LRA would legitimise them politically and facilitate their return to violence.⁹⁴⁹ To avoid such politicisation of the LRA, the negotiations suffered from depoliticisation. Mbembe draws a clear line of distinction between politics and war. To shift war into politics, “a project of autonomy” needs to be developed and “agreement among a collectivity through communication and recognition” needs to be achieved.⁹⁵⁰ Neither are possible in a situation in which one partner needed for the agreement has both depoliticised itself and is systematically depoliticised by its negotiation partners. Thus, the crucial

946 A. Carl, “Viewpoint: Ending wars peacefully just got harder,” *BBC News*, 29/6/2010.

947 A. Carl, “Viewpoint: Ending wars peacefully just got harder,” *BBC News*, 29/6/2010.

948 A. Carl, “Viewpoint: Ending wars peacefully just got harder,” *BBC News*, 29/6/2010.

949 F. Terry, *Condemned to Repeat? The Paradox of Humanitarian Action*. Ithaca: Cornell University Press, 2002.

950 A. Mbembe, “Necropolitics,” *Public Culture* 15, 1, 2003, p.13.

element of politics needed for the more “holistic” peace process, called for by Nan, remained elusive.⁹⁵¹

Understanding

This thesis aims to make visible why the LRA/M “bit its tongue”. Yet this presented a whole range of methodological and analytical challenges which are just as important to consider as the lessons learned by all other actors. Vincent Otti, in a conversation, admitted that while everyone involved in the talks wanted to maintain the notion of being in control and knowledgeable about what was going, the opposite was more the case: “See, for the UN this peace process is difficult. For the LRA, this peace process is difficult. For the VP, this peace process is difficult. We are all learning in this peace process.”⁹⁵²

Scholarship on modern peacemaking also has much to learn. For years, investigations of peace processes tended to look for the “spoilers”—readily identifiable actors that pursued a counterproductive interest which could then be tackled to bring a conflict to a resolution. What the Juba Talks in their complexity, fluidity and their vast range of individual and group actors have shown is that no single spoiler exist, nor does the notion hold water that in these kind of processes once actors have made concessions and investments in the process, there is a point of no return. Instead the realisation that peace talks are a multi-layered part of a conflict trajectory also means that individual experiences matter, possibly more so than the more technical matters that are being discussed at the table. Yet what to do with this realisation that throws open more questions than it answers? Fearon writes that “a creeping lack of confidence among social scientists as to whether they can really provide universally applicable explanations makes it all the more important not to ignore people's own understanding of why they act.”⁹⁵³

Adequately capturing that individual understanding is a daunting task. To understand the rich human tapestry requires thorough and time-consuming investigation of a nonlinear coalescence of ever-changing events, experiences and context through detailed multi-disciplinary observation. This would need to include engagement with all actors, a process after

951 S.A.Nan, “Shifting from coherent towards holistic peace processes”, in *Handbook of conflict analysis and resolution*, ed.D.J.D. Sandole, et al. London/ New York: Routledge, 2009.

952 Author interview with Vincent Otti, Ri-Kwangba: 13/7/2007.

953 J.D. Fearon, “Why do some civil wars last so much longer than others?” *Journal of Peace Research* 41, 3, 2004, p.420.

which in an ideal scenario the researcher would emerge as an omniscient narrator able to produce a sequential analysis of unsystematic human experiences while appreciating that success and failure need new measurements if the whole process and all the dynamics it sets into motion is taken into account. Indeed, investigating peace processes with a holistic perspective presents a broader challenge to the scholarship of complex processes.

A scholarly approach that provides reliable information on years of multifaceted and ever-changing motivations in a developing process and then draws constructive conclusions that help make the peace talks a success is realistically outside the remit of individual researchers. Scholarship has yet to learn how to investigate complex processes with incomplete and manipulated information and draw nuanced, yet operationally informative conclusions.

Implications for Contemporary Peacemaking

The three main insights from the Juba Talks on dynamics, entrenchment, and understanding serve as a reminder that transformation of conflicts requires a self-reflective process. For this to happen, facilitators and conflict actors need to find a way to record and reflect on ongoing non-linear experiences in a confusing environment. Additionally, for transformation to occur external actors need to examine occurrences of galvanic surges and cognitive dissonance. This means scrutinising whether decisions taken are supported by realistic insights or by ideological beliefs that a particular approach simply ought to work.

To allow such a process to happen without furthering entrenchment as seen in Juba, it is necessary to radically rethink what a peace process means and is supposed to achieve. Most peace processes are still run as if they can be project-managed, with a clearly defined start and end-point. Notably, signed agreements are considered the most important aspect of a peace process. This is at odds with how actors experience change—through realisation, experience and a transformed perspective, rather than through signatures. When the Juba Talks came to be called a failure, broader achievements were dismissed, such as the improved situation in northern Uganda, the starting point for dealing with war crimes in Uganda as stipulated in Agenda 3, or the at least temporarily improved political dialogue in Uganda. Crucially, the peace process was entirely abandoned as

a lost cause, replaced by an uncertain military approach and a dishonest discourse that stipulated that broader political issues could only be tackled once the military problem was solved.

“We are aware of our limitations, but we cannot quit now,” said a former LRA/M delegate in November 2009. Him and a few of the others had maintained a voice as the “LRA/M Peace Team”, primarily to issue press releases to comment on military and political developments. It was not clear to me what they thought they might be able to do, particularly considering that the press releases generally were not much more than rebuttals. “We will try to change the thinking on this issue,” he said.

I want to find funding for a permanent peace secretariat that looks at peacebuilding without a signature, to look at all the issues that need to be resolved to make Uganda a peaceful country without judging success of making peace on signing an agreement or hunting down Kony.⁹⁵⁴

Considering that the LRA/M failed to establish itself as a credible peacemaker during the Juba Talks and the Talks generally developed a tainted reputation, it is not surprising that funding has not been forthcoming and organisations have been reluctant to work with LRA/M representatives. Yet for peacemaking to work, it is likely that it is precisely this kind of long-term engagement with conflict actors that can become transformative.

What the Juba Talks illustrate is that both information and analysis pose challenges: information is difficult to get, impartial analysis that acknowledges the extent to which evolving dynamics influence how information is viewed poses an intellectual and operational challenge. In the Juba Talks, an ongoing record of what happened and how the actors viewed the events was not kept, but an analysis of such information could have served as an additional track to maintain focus on the present, rather than on root causes or a future military threat. It is difficult to know how exactly such records could have been helpful and establishing a theoretical counterfactual devalues my point that the key to conflict transformation lies in unpredictable dynamics. In the end, the broader lesson from the Juba Talks does not come as a concrete recommendation, but as a list of omissions. Since the Juba Talks and other similar peace processes tend to bring limited success, close attention to these omissions might be the key to transforming views on how conflicts are transformed.

Rethinking of current approaches will require a much deeper understanding of a conflict, its actors, its context and the processes aimed at resolving it. In the introduction to this thesis, I discussed the greatest

954 Fieldnotes, Nairobi: 1/11/2009.

challenge in contemporary peacemaking: the gap between theory and practice. This thesis has shown in great detail the practice of peacemaking and the constraints experienced by all actors: the LRA/M's internal constraints and external pressures, as well as the somewhat inflexible and template-driven approaches of an international community that found itself in uncharted waters between international justice and regional peace. Yet how precisely does the experience of the Juba Talks allow for broader theoretical insights?

The answer to this question lies in the quite clear conceptualisation of the kind of peace process the LRA/M was aiming for, the moments of failure when the negotiation space tightened from transformative to technical and the lack of a broader political vision. Diamond distinguishes between conflict resolution—which seeks “to discover, identify and resolve the underlying root causes of the conflict”—and the transformative process which endeavors “to change the conditions that give rise to the underlying root causes of the conflict.”⁹⁵⁵ Galtung rejects the idea of conflict resolution, as it implies that conflict can be ended, and instead supports the notion of conflict as part of political life which needs to be managed to remain constructive.⁹⁵⁶ Only with a holistic approach to managing the ebbs and flows of political conflict—which in this thesis might also be captured in the ebbs and flows of engaging during a peace process—can interaction and systems in entrenched situations be changed over the long-term.

Transformation scholars such as Väyrynen have identified the various ways in which transformation occurs: through internal transformation in actors, through a changed understanding of the issues at the heart of a conflict, through changed or new rules which regulates how actors behave with each other, and through structural transformation which make up the broadest change to the system in which the conflict occurs.⁹⁵⁷ Babbitt, Chigas and Wilkinson speak about the type of change that is needed to mitigate or even manage conflict: change in attitudes, change in behaviours, and change in institutions.⁹⁵⁸ Each of these theoretical themes prominent in conflict resolution resonates directly with the analysis of the Juba Talks

⁹⁵⁵ Diamond, L. “On Developing a Common Vocabulary: The Conflict Continuum”. *Peace Builder*, Vol.1, No. 4, Spring 1994, p. 3, cited in Botes, J. “Conflict Transformation: A debate over semantics or a crucial shift in theory and practice of peace and conflict studies?”, *The International Journal of Peace Studies*. 8, 2, 2003.

⁹⁵⁶ Galtung, J. “Conflict Resolution as Conflict Transformation: The First Law of Thermodynamics Revisited.” In: K. Rupesinghe, ed., *Conflict Transformation*. New York: St. Martin's Press, 1995, p.1

⁹⁵⁷ Väyrynen, R. “To Settle or to Transform? Perspectives on the Resolution of National and International Conflicts” In: R. Väyrynen, ed., *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*. London: Sage, 1991. p.163

⁹⁵⁸ Babbitt, E., D. Chigas and R. Wilkinson. *Theories and Indicators of Change Briefing Paper: Concepts and Primers for Conflict Management and Mitigation*, Washington, D.C.: USAID, 2013.

presented in this thesis and why they failed to transform the dynamics of the conflict.

In Place of a Conclusion: How It Continues

At the time of finishing this thesis in mid-2012, the African Union Regional Task Force (AURTF) against the LRA—established in March 2012—was strengthened with a further 2,000 UPDF soldiers and 500 SPLA.⁹⁵⁹ Civil society leaders from Uganda and the region expressed their concern about the GoU's move to let the Amnesty Law lapse, citing the Law's significant contribution to bringing stability to northern Uganda and the region and calling on the GoU to reinstate it.⁹⁶⁰ The US Senate passed Resolution 402, condemning Kony and the LRA and commending AFRICOM for their work and reiterating US commitment to staying militarily engaged and fulfilling other commitments laid out in the LRA Act.⁹⁶¹ Meanwhile, the security situation in the affected areas remained bad, with numerous armed actors identified. Whether Kony was alive or dead, whether he was in CAR, DRC or Darfur was unclear. There had been no credible communication with the LRA leadership since the Juba Talks had broken down.

In 2005, Vincent Otti had written me a letter. He had asked who I was, whether I was trustworthy and whether I could buy

two good mobile phones with enough airtime in the line of Celtel because with M.T.N or U.T.L. (mango), it is easy for it to be trapped or monitored. The mobile phone the chairman had, one of the high ranking commander surrendered with it so currently there is nothing.

Nobody could speak to the LRA, his representatives in Gulu told me, because there was no way to communicate. Also, nobody trusted the LRA. "Nothing more to say," Otti had concluded in his letter. "But more will come its way" if I managed to get the phones and stay in touch with him while I was in Europe. "I understand you are soon going back."⁹⁶²

959 *Sudan Tribune*, "East Africa: Additional Ugandan and S. Sudanese Troops Join Anti-LRA Force", 18/9/2012.

960 Traditional and religious leaders, civil society and other organisations. "Fairway Communique and Note accompanying the Fairway Communique: 'Reinstate the Full Amnesty Law'", Kampala: 12/6/2012.

961 US Senate. "S.Res. 402: Condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield". Washington, D.C., 2/8/2012.

962 Vincent Otti, "Personal letter to author," 25/8/2005.

When I had first spoken to Otti, he wanted to know more about the ICC. He thought he would be publicly executed. The last time I saw him, some weeks before he was killed, I asked him if he now knew what to expect from the ICC. "Hm hm," Otti replied, somewhat vaguely. "It is very hard to understand how you get to peace." He changed the subject, asking me if I at least had now come to fully understand the LRA. I was not sure, I replied, it was all very complicated. "It is very difficult to understand LRA, to understand Uganda," he replied.

We have a big problem in Uganda and it needs to be solved. I want peace, but the problem needs to be solved. It is good you understand because we need a lot of support. Some who understand, after a while they go back home to their country.

We are still here.⁹⁶³

⁹⁶³ Author interview with Vincent Otti, Ri-Kwangba: 13/7/2007.

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