

Massacre in Mucwini

Justice and Reconciliation Project
Field Note 8, November 2008
Gulu District NGO Forum



Cover: Parents stand where their three sons were slaughtered in Mucwini. *Photo by Lara Rosenoff*

THE JUSTICE AND RECONCILIATION PROJECT: FIELD NOTES

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EXECUTIVE SUMMARY

In the early morning hours of 24 July 2002, the villages around Mucwini awoke to the bloodied corpses of 56 men, women and children. The massacre was a deliberate and ruthless retaliation by the Lord's Resistance Army (LRA) after a local man they had abducted escaped from them with a gun. After they were finished with their 'work,' the LRA wrote a letter to the populace, blaming them for the massacre and threatening more killings if the stolen gun was not recovered.

In the aftermath of the massacre, the victims accused the escaped man of purposely orchestrating the massacre to resolve a long standing land dispute between his clan and that of the majority of victims. Since the massacre, both clans have ceased relations and have threatened retaliation if the issue is not resolved using the traditional mechanism of Mato Oput (drinking the bitter root). The victim clan demands the payment *Kwor*, or death compensation and the elders have busied themselves trying to cool tensions. In the absence of formal justice, the victims attempt to come to terms with what happened using what is available to them: traditional justice mechanisms.

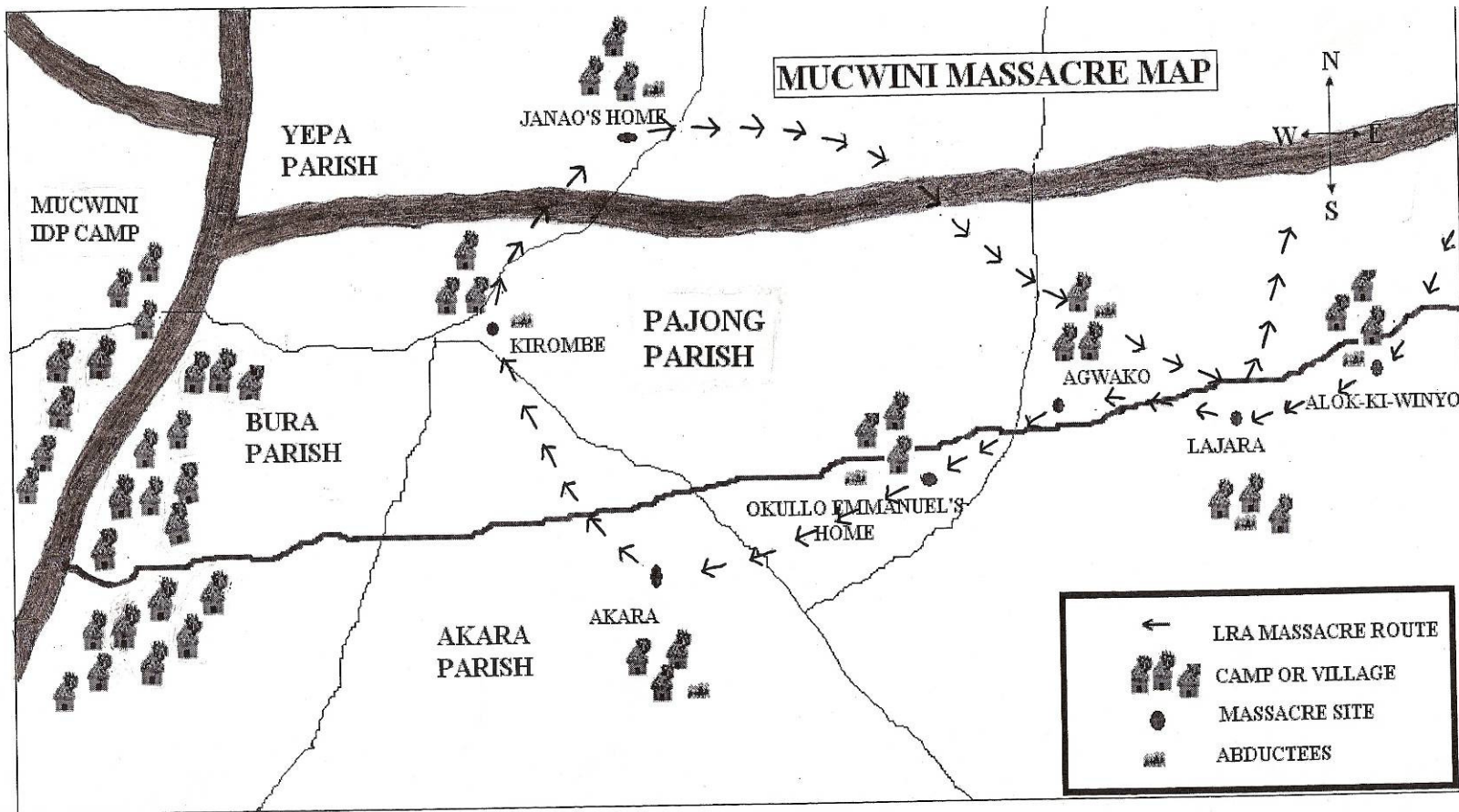
The aftermath of the Mucwini massacre is an important case study of the justice and reconciliation challenges facing peace builders as the Juba Peace Talks conclude.¹ After

documenting the events of the massacre and attempts by victims to come to terms with it, this *Field Note* identifies three important lessons for understanding the impact of violence on community level relations in northern Uganda, and the prospects for transitional justice. First, it illustrates how the local victim population copes with the aftermath of gross atrocity in the absence of accountability. Secondly, it suggests the need to revisit the potential role of traditional justice mechanisms to resolve local conflicts. Finally, it highlights how the war has exacerbated underlying tensions around land ownership.

These lessons point to the urgent need to accelerate the development of a transitional justice policy by the government of Uganda. This policy should incorporate the following four recommendations arising out of the lessons learned from Mucwini:

- Atrocities such as the massacre suffered at Mucwini need to be acknowledged and addressed through apology and truth-seeking.
- The use of alternative justice mechanisms such as dialogue and mediation by local leaders should be encouraged and supported in a manner that promotes transparency, fairness, neutrality, equality and accountability of the mediators.
- Symbolic compensation should be available to victims where it would contribute to reconciliation.
- The peaceful resolution of land disputes and other disagreements should be encouraged and facilitated.

¹ Peace negotiations were concluded in April 2008 but the final peace agreement was not signed by General Joseph Kony reportedly due to the lack of clarity in the agreement on accountability and reconciliation



Above: Map of the Mucwini Massacre. Drawn by Jessica Anderson and Lino Owor Ogora

INTRODUCTION

In the two years since the Juba Peace talks between the Government of the Republic of Uganda and the Lord's Resistance Army began in South Sudan, Northern Uganda has enjoyed a relatively long period of calm. Tens of thousands have begun to return from internally displaced persons (IDP) camps to their original homesteads. Northern Uganda is now entering a critical period of transition as communities struggle to return to 'life as normal' while dealing with the legacies of brutal mass violence. This phase will test the ability of the Juba Peace Agreement and those responsible for its implementation to promote lasting peace, development and reconciliation.

The case of two conflicting clans as seen in Mucwini is not uncommon in northern Uganda. Located approximately twenty kilometers North of Kitgum Town in Kitgum District, Mucwini was the site of an LRA massacre of 56 people. Despite the fact that the victims were from a diversity of clans, (Bura, Padibe, Akara, Pajong, Pubec, Lumelong, Yepa, Paimera, Pachua) the massacre renewed a long standing land dispute between two rival clans, the Pubec and the Pajong.² The dispute involves a contested claim that a Pubec man abducted by the LRA purposely told them he was from the rival Pajong clan and then escaped with a gun, knowing that the LRA would retaliate against the Pajong. For this reason, surviving members of the Pajong clan blame the Pubec clan for the massacre, instead of the LRA. While other victim clans claim to have forgiven the Pubec because they realize that it would be impossible for them to raise funds for the payment of *Kwor*, tensions have continued to escalate between the Pajong and Pubec, particularly around land claims.

² The Pajong Clan suffered the largest number of casualties

This *Field Note* sets about recalling the massacre of 24 July 2002 based on eyewitness testimony and records kept by local officials. It then considers and makes recommendations based on the breadth of insights the events following the massacre contain for those striving for peace, development and justice in the region.

METHODS

JRP focal points routinely act as participant observers.³ In July 2007, Denish Okoya, the JRP community focal person for Kitgum Matidi IDP camp travelled to Mucwini to document a memorial prayer, uncovering the contested story of the massacre which was then identified as an important case study by the team. In follow-up which was conducted in three phases in November 2007, February 2008 and July 2008, JRP researchers performed 32 individual interviews with witnesses and survivors of the massacre. The bulk of the research was conducted between 19 and 24 November 2007 while follow-up interviews took place from 7 to 8 February 2008 and 7 to 11 July 2008. All interviews were conducted in Luo then transcribed into English and each took an average of 30 minutes to complete. The team also held 7 focus group discussions with respondents from the clans of Pajong, Pubec, Bura and Akara to elicit insight into the current conflict. In total 40 respondents participated in the focus group discussions for the entire duration of the research and included some participants who had taken part in the individual interviews.

Respondents were purposively selected with the help of a local leader based on their identity as victims or survivors and their knowledge of the massacre. This approach was combined with a random technique of selection through cluster and snowballing

³ JRP has five camp focal persons living and working in the IDP camps of Kitgum Matidi, Padibe, Amuru, Anaka and Pajule as participant observers.

methods. The data was then typed up, coded, analyzed and crosschecked by research officers to produce an objective set of observations and conclusions.

EVENTS PRECEDING THE MASSACRE

At the heart of the contentious story of the Mucwini massacre is an intractable debate between two clans – the Pajong and Pubec. Both clans had their villages located in Pajong Parish in the outskirts of the present day Mucwini camp. Prior to the massacre, it was a small trading center with 6 parishes⁴ in the surrounding area. The massacre would force people to flee their villages and to establish a camp at the trading centre. Although many people have begun the process of resettling to satellite camps in this period of relative calm, others continue to live in the camp to date.

The Pajong and Pubec had been involved in a long running dispute over ownership of a large expanse of farmland located in Pajong Parish with both clans laying claim based on cultural heritage. This dispute eventually culminated in a court ruling favouring the Pajong in 1994. After this ruling, a middle aged man from the Pubec clan named Omara⁵ reportedly declared that he would continue fighting a ‘silent war’⁶ against the Pajong.

Omara was a veteran soldier who had served in the Ugandan army during the 70s and 80s. Upon discharge, he turned to farming and running a petty trade business which required him to frequently travel to neighbouring camps to buy or sell his products.

On the afternoon of 21 July 2002, Omara was abducted by a group of LRA soldiers while on his way to conduct trade in Orom. As a precautionary measure, people abducted by the LRA usually do not reveal their true identities, those of their relatives or the location of their homes to prevent revenge killings in the event of their escape. It is alleged that on abduction, the rebels interrogated Omara in an effort to obtain his name, the location of his home village, and the identity of his parents and relatives, as is standard LRA practice.

Respondents claim that while Omara gave his real name, he lied to the rebels and claimed that he was from the rival Pajong clan, identifying his parents as Okullu Emmanuel and Acan Dora. Okullu Emmanuel was an influential elder and leader of the Pajong clan, and Acan Dora was his wife. Omara is said to have also described the house of Okullu Emmanuel as one that was roofed with iron sheets.

The rebels moved with Omara until dusk when they stopped to camp for the night. As they went about their preparations, Omara waited for an opportune moment, and then grabbed one of the guns that the rebels had placed on the ground. He fired a few shots and thereafter escaped from the camp as the rebels and the other abductees took cover in fear of getting shot. The rebels did not pursue him immediately, knowing that he was armed and dangerous. However since he had revealed the location of his home, they knew they would be able to follow him later. The LRA commander in charge communicated with the LRA high command in Sudan to report the incident. A now demobilized LRA soldier recalled in an interview with JRP that he overheard General Joseph Kony, leader of the LRA, instructing the commander in charge to carry out an attack on Omara’s

⁴ Bura, Yepa, Akara, Pajong, Agwoko, Lagot

⁵ The identities of some respondents interviewed from Mucwini IDP camp in this Field Note have been replaced by pseudo-names due to the sensitivity of the Field Note.

⁶ This statement could be interpreted as using other means such as witchcraft to force your enemy to submit to your will. The Pubec deny that this statement was made by Omara.

village and ‘slaughter everything that breathed.’⁷

Conflicting versions of the story following Omara’s escape from the LRA emerge as narrated to us by respondents. One version claims that Omara ran all night until he reached the army detach in Namokora, where he handed in the gun he had come away with and was debriefed by the Ugandan army. Other respondents claim that after his escape Omara passed through his village and alerted his clan members of the possibility of a retaliatory attack before proceeding to the army detach in Namokora. After being debriefed, respondents also allege that the army aided him in leaving the area that night and fleeing to Kitgum Town and shortly afterwards to Bweyale town in Masindi District where he was recruited into the Ugandan army. Omara never returned to Mucwini again. His relatives in Mucwini told JRP researchers that although Omara has since retired from the army, he still lives in Bweyale and works as a bicycle repairer.

THE MASSACRE

On the evening of the 23 July 2002, a group of LRA rebels advanced towards Mucwini from the Northeast, intent on finding the home of Omara located in Pajong Parish. As is standard prior to targeted attacks, the LRA first conducted recognizance, abducting civilians to learn of the location of Omara’s home. At about 7:00 pm in the village of Alok-Ki-Winyo which is a few miles Northeast of Pajong Parish, many of the residents were just settling down to partake in the evening meal and retire for the night when the rebels suddenly appeared in their midst. The rebels quickly rounded up and abducted civilians from their homesteads before continuing on their way to Pajong Parish. The

⁷ This period coincided with the Operation Iron Fist and could therefore be one of the reasons why the LRA reacted with such brutality.

village of Lajara lay along their path, and as they went through it, the rebels abducted more people. One abductee from Alok-Ki-Winyo recalls:

When we reached Lajara, we found the village still bustling with activity. The rebels said that since the village was still busy and people were still moving about, they could not go into the village. They told us to be quiet and wait for the activity to subside. So we lay in the bush and waited. We could hear some drunken people in the village talking loudly. After about an hour they moved into the village and abducted people. I saw four men and one woman who had been abducted but since it was dark I could not see the others. We moved and went to Pajong.⁸

According to one respondent, “the abductees were being used to help the rebels to find the home which had been mentioned by Omara as their home.”⁹

Between 11:00 pm - 12 am the rebels reached their destination in Pajong Parish, which had been mentioned by Omara as the location of his home. The people who had been abducted from Alok-Ki-Winyo and Lajara were all taken to the home of Okullu Emmanuel, which had been described by Omara as having a house roofed with iron. The rebels then split into groups and went about the village rounding up the residents of Pajong – whom they believed to be the clan mates of Omara - to take them to the home of Okullu Emmanuel. Many survivors recalled being awoken from their slumber by the sound of rebels pounding loudly on their doors and crashing into their homes. A survivor recounted the following story:

We were sleeping at night when the rebels came. They kicked the door open. There were

⁸ Interview with female survivor of the massacre, Mucwini Camp, 10th December 2008

⁹ Interview with female survivor of the massacre, Mucwini Camp, 12th December 2007

four of them with very bright torches. They ordered us to come out of the house and stand in the compound. The hut of my elder son had still not been opened. They asked me who was in that hut. I did not reply. So they went and kicked open his door. They told him to come out but he hesitated. So they dragged him out and beat him, claiming that he was stubborn. They asked me if we knew why they had come. I said I did not know. They told me that I would find out later. They then led us all to the compound of Okullu Emmanuel. We found so many people had already been gathered in the compound, including Okullu Emmanuel, his son, and his wife.¹⁰

Another survivor of Pajong Parish recalls:

When they came I was asleep. My husband was sleeping on the bed. I was on the floor with three of my children. All of them are girls. My son refused to sleep at home; he was sleeping in the bush so that he would be safe in case the rebels came. A soldier kicked down my door and shouted, "Woman get up right now! We're going to kill you!" So when I got up, others proceeded to the bed where my husband was sleeping. They stripped his shirt and tied his hands behind his back. One hit his back with a gun. They all shouted at once, "kill that man! He looks like a soldier!" They immediately pulled him out and took him where there were other abductees. They tied them together and then we were all made to walk out of the compound. I was still with my three children. Two were in front of me and one was strapped to my back. They told us that they were taking us to the compound of Okullu Emmanuel.¹¹

All the residents of Pajong who had been rounded up by the rebels were led to the compound of Okullu Emmanuel to join the abductees from Alok-Ki-Winyo and Lajara. They were approximately 50 to 60 people in total, and were soon to witness the horror about to be unleashed upon them, starting

with the interrogation of Okullu and his family. One survivor recalled the following episode:

When they (rebels) got to Okullu Emmanuel's house, they found him sleeping inside with his wife and children. They brought him out of the house and asked him if he was Okullu Emmanuel. He said he was the one. They asked him if his wife was Acan Dora. He said she was the one. Then they told him that his son, Omara, had escaped with their gun. They asked him to produce it. Emmanuel replied that he was not the father of Omara, and even offered to take them to the home of Omara. They did not listen to him. All the abducted people were made to lie down on the ground.¹²

Next Page: Survivors lead JRP to site of one of the attacks after mapping it out in the red dirt. Printed with permission. Photos by Jessica Anderson, 2008

¹⁰ Interview with female survivor of the massacre, Pajong Parish, 8th July 2008

¹¹ Interview with female survivor of the massacre, Pajong Parish, 8th July 2008

¹² Male participant, focus group discussion with Pajong clan members, Pajong Parish, 7th February 2008



Another witness recalls:

We listened to the rebels as they interrogated Okullu Emmanuel and his family members. They asked Okullu Emmanuel's son if he was Omara's brother. He said he was not the one. They asked him if their house is roofed with iron sheets. He said it was. They asked Okullu Emmanuel if the place they were in was his home. He replied that it was. They asked him if he was Omara's father. He said he was not the one. Then they asked his wife if she was Acan Dora and whether she was Omara's mother. She agreed that she was Acan Dora but denied being the mother of Omara.¹³

The killings then started. The rebels randomly picked some of the people, separated them from the main group of captives and sent them in small groups of four to five people to different locations in neighbouring compounds where they met their deaths. Okullu's wife Dora Acan and his son Tony were among the first people brutally beaten to death using objects such as axes, hand hoes, machetes, and logs. One survivor, also a sister-in-law of Okullu Emmanuel, recalls:

Five people were taken to my compound, out of which four were killed. My husband survived because he was not being closely guarded and he managed to run into the bush. However he had been beaten using the butt of a gun and as a result he has a physical disability up to this day. Among these five people who were killed in my compound were Okullu Emmanuel's wife and his son. Five people were taken to the compound of my neighbor and killed from there. None of them survived. Then four people were killed in between by compound and that of my neighbor. Okullu died in his compound just a short distance away from the house.¹⁴

Okullu Emmanuel was said to have met his death in a brutal manner in front of the group that remained in his compound;

They took Emmanuel to a granary. His head was chopped off with a panga (machete) while his son and wife were taken by another group to the compound of the brother of Emmanuel. As they were killing him Okullu said, "I am not the father of Omara!" But the LRA replied, "We were instructed by Omara that if we came to this iron roofed house we would find Emmanuel his father, Dora his mother, and Tony his brother".¹⁵

A two year old child of a woman called Esther started coughing incessantly. The coughing irritated the rebels to the point that one of them remarked, 'this child will make us to be caught.' Esther was ordered by the commander of the rebels to 'go and throw her child into the bush.' As she moved to obey the command, the rebel chief changed his mind and told her to place the child on the veranda of a hut next to which the captives had been gathered. Esther was told to rejoin the group of captives, and as she did so, the rebels flashed bright light into the eyes of the frightened child telling her, 'if you cry right now we are going to kill you.' The child continued crying and was immediately picked up by a rebel soldier and battered to death against the post of the hut.

The above incident was later to turn into a painful slaughter of 6 other children at the hands of their own mothers. One mother recalled being forced to participate in the killing of her own child;

He (the commander) told us that whoever was there with a child should un-strap them and start to smash them. Seven of us were ordered to smash the children on the veranda. I had a girl who was five years old. There were three women and myself who were ordered to kill

¹³ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

¹⁴ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

¹⁵ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

my daughter. The LRA surrounded us with pangas.¹⁶ If you were doing it slowly they would threaten to kill you.¹⁷

In total, about 21 people are said to have died in and around Okullu's compound. A traumatised survivor recalled the scene after the killings had taken place, "I was too shocked to cry. I could not easily stand the sight of smashed brains mixed with blood. I felt dizzy and shivered all over."¹⁸

After the slaughter, the rebels ordered the survivors, now numbering about 35 in total, to begin walking eastward in the direction of another village called Akara. On the way, they lectured those who had survived and continued to threaten further violence. As one survivor recalled, "we were told that we would all be killed eventually. They told us that we had at least had the opportunity to watch our people die."¹⁹

Another female survivor speculated that they were forced to move to a new location, because the scene at Okullu's compound was so gruesome: "I think they also decided to go and kill more people from ahead because the site of bloody corpses of people who had been smashed to death was very ugly."²⁰

More killings followed in the next village of Akara.

We followed the road to Akara. When we reached it they started abducting people. They lined some of them on the road with their hands tied behind their backs. They started hacking them with hoes. When they were

dead, the rebels told us to continue following them. We saw five people dead.²¹

The rebels and their captives then crossed a stream and came to a place called Kirombe at about 6:00 am, where the third group of people was massacred.

At Kirombe some more men were killed. The rebels were targeting the men only at Kirombe. I do not know why. They told the women to speak out if there was a man seated next to them so that that man would be taken and killed. We were all scared and we did not say anything. So the rebels moved by themselves among us in order to identify the men to be killed. Whenever they came across a man they would beat the woman seated next to that man while asking her why she had not spoken out. About ten men were taken and made to lie face downwards on the road, and then they were beaten to death. The rest of us were then told to move over the dead bodies and to proceed to a place called Agwoko.²²

Along the way the rebels abducted an old man called Janao Owona and looted food from his compound. It was at Agwoko that the final round of killings occurred. A female survivor of this massacre recalled in an interview;

When we reached Agwoko they abducted one new boy and killed him. The woman in front of me was selected and taken to be killed. Five women from the ones who survived in Okullu's compound were taken to a homestead and killed in a hut. The women were clubbed and hacked to death. Janao was also killed next to the women.²³

From Agwoko, the rebels retraced their footsteps to Lajara village which they had passed earlier on their way to Pajong. At Lajara, the rebels addressed the prisoners,

¹⁶ Machetes

¹⁷ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

¹⁸ Interview with female survivor of the massacre, Mucwini Camp, 14th December 2007

¹⁹ Interview with female survivor of the massacre, Mucwini Camp, 7th July 2008

²⁰ Female participant, focus group discussion with Pajong clan members, Pajong Parish, 7th February 2008

²¹ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

²² Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

²³ Interview with female survivor of the massacre, Pajong Parish, 7th July 2008

telling them they had carried out the massacre in retaliation of a man called Omara who had escaped with their gun. One survivor recalled the words of their killers. "If we have killed your brother, your sister, your uncle, or your mother, do not blame us. That is Omara's fault."²⁴

The survivors were released to return home and in order to justify their actions, the rebels left behind a letter explaining their reason for carrying out the massacre.

Written on a piece of paper plucked from a child's school notebook the letter read:²⁵

We came because of our gun which Omara escaped with. As a sign that we were angered by the loss of our gun, we have carried out this massacre. Before this incident there was no grudge between us (LRA) and you (civilians) which shows that you are to blame and if our property (the gun) is not returned by Omara then you are in for more disaster.

Signed: Commander Okot Wi Lit²⁶, for our gun which we shall continue to struggle for.

COPING WITH THE AFTERMATH

The death toll was 56 men, women and children; killed in the most violent ways.²⁷ As

²⁴ Female participant, focus group discussion with Pajong clan members, Pajong Parish, 7th February 2008

²⁵ Obtained from Mucwini IDP Sub County Records, names are attached in annex II to remember the dead.

²⁶ The commander of the Mucwini massacre remains a matter of intense speculation. A recent BBC report alleged that Dominic Ongwen commanded this massacre (see <http://news.bbc.co.uk/go/pr/fr//2/hi/africa/7603939.stm>. Published: 2008/09/08 16:28:42 GMT) However over the course of the research, JRP was unable to establish from the respondents and dozens of other ex-LRA combatants the identity of the massacre commander. In fact some respondents went as far as alleging that the massacre was commanded by a woman. Furthermore, we were unable to get any information about commander Okot Wi Lit, whose signature appears in the massacre letter.

frightened survivors came out of their hiding places, they were greeted by chaos, shock, and trauma due to the gruesome scene which the LRA had left behind.

It was about 7:00am when we discovered that many people had been killed. For instance in one compound over twenty people had been killed. They had mostly been clubbed on the head and others hit to death with hoes.²⁸

Another said:

I personally tried to save a woman I found still breathing but unfortunately she died shortly afterwards.²⁹

Relatives of the dead rushed to spots where the killings had occurred, while the information about what had happened was relayed to Kitgum District leaders, who arrived shortly at the scene. Some of the leaders suggested that the dead be buried in a mass grave.³⁰

This decision was rejected by most relatives of the deceased, as many considered the massacre as a failure on the part of the Government to protect the people of Pajong from the rebels. Many people were left dumbfounded and others wailed while at the same time blaming Omara as being responsible for the massacre that had happened.³¹

Days after the event, survivors of the massacre lived in fear of further retaliation. When unconfirmed rumors circulated that the

²⁷ Official records obtained from Mucwini Sub County Headquarters.

²⁸ Interview with male survivor of the massacre, Mucwini Camp, 12th December 2007

²⁹ Interview with male survivor of the massacre, Mucwini Camp, 13th December 2007

³⁰ Many respondents felt the construction of a mass grave would be equivalent to a mockery by the government after having done 'nothing' to prevent the attack from the LRA despite the fact that they had got prior warning from Omara.

³¹ Interview with male survivor of the massacre, Mucwini Camp, 12th December 2007

LRA had originally set a target of 100 people to be killed as the penalty for the loss of their gun, people abandoned their villages and fled to the trading centre in fear that the LRA would return.

Cultural leaders and relatives of the dead organized a cleansing ceremony in the areas where the killings had occurred. The ceremony involved making a blood sacrifice of a sheep to appease the spirits of the dead and preparing a small feast which was shared by surviving relatives.³²

At the request of victims, the first memorial prayer was organized with the help of Reverend Father Cena,³³ a Parish priest at Kitgum Catholic Mission, who donated 100,000 shillings (approximately 59 USD) to facilitate the prayers.

He also sponsored the construction of a memorial cross in Mucwini center. On this cross, there is an inscription which reads, "Pray for 56 people killed on 24/7/2002 Massacre at Pajong". This cross is the only acknowledgement of the massacre to date. Since its creation, a memorial prayer has been held annually to remember those who died.



In the months and years which followed, victims who lost family members formed a self help support group which contributes towards the organization of the memorial prayers and other self help support activities such as micro finance and peer to peer counseling;

We want this committee to help calm the grief of those who lost their loved ones. We try to counsel the victims so that they may not feel like revenging against the perpetrators. This group is called Pajong attack Memorial Group.³⁴

While some survivors expressed satisfaction with these efforts, many felt that more should be done to help survivors of the massacre. Some felt that a better monument should be built to replace the cross constructed by Reverend Father Cena, while others thought that more tangible forms of acknowledgement and reparations such as a school or a hospital should be constructed and support given to families of the victims.

In the long run however, the Mucwini massacre like many other massacres in the history of the conflict remains officially unacknowledged, and the surviving relatives of those who perished struggle on with the memories they have been left with. As one survivor painfully puts it, "I am gradually trying to forget about what happened but it is still difficult because at times the memory comes back so strongly that I visualize my two brothers and clan mates lying in a pool of blood."³⁵ In addition, they are faced with the dilemmas of post conflict reconciliation which will be examined in the next section.

³² In Acholi tradition, it is believed that the spirits of those who die violently or without respect will not rest peacefully until steps are taken to put their spirits to rest.³² *Cen*, or the ghostly vengeance of the wronged spirit, will cause 'misfortune,' 'sickness' and 'death' on the clan of perpetrators or people living within the vicinity of the area in which the killings occurred. See JRP Field Note V: Abomination. 2007.

³³ Some respondents referred to him as 'Gena'

³⁴ Interview with male survivor of the massacre, Mucwini Camp, 13th December 2007

³⁵ Interview with male survivor of the massacre, Mucwini Camp, 12th December 2007

THE DILEMMAS OF POST CONFLICT RECONCILIATION

On the path to reconciliation and healing, both victims and perpetrators have a role to play in acknowledging and finding solutions to the wrongs that were committed. The Mucwini massacre, like other massacres which have occurred in places such as Atiak and Barlonyo, has left in its wake post conflict reconciliation issues which may in the long run prove difficult to resolve. In this particular case, three lessons emerge:

1. Responsibility in the aftermath of atrocity

The responsibility for the Mucwini massacre remains controversial and unresolved. No perpetrator has been identified and its occurrence has not been acknowledged. What is perhaps even more puzzling is that the majority of the survivors do not blame the LRA for the attack or the UPDF for failing to protect them. Instead they blame Omara, a former abductee of the LRA who is arguably a victim of the conflict as well.

In our interviews with massacre survivors, over 82% primarily blame Omara for his catalyst role in the massacre. Although he may have been under duress when pressured by the LRA to give his name and village locale, most respondents reasoned that he purposely gave that of his rivals, knowing the consequences that would follow upon his escape.



This is therefore an indication that in the absence of official acknowledgement and other transitional justice measures, people will continue to blame each other for sufferings encountered while all are victims of the war. The larger tragedy therefore befalls the entire community. The LRA's warning, that they have themselves to blame, is fulfilled. Still, the community has also turned to unofficial means to resolve the conflict, a subject we turn to now.

2. Role of Traditional Justice

In Northern Uganda, traditional justice mechanisms have been hotly debated with respect to their adequacy and appropriateness to deal with crimes committed during the conflict.³⁶ The case of the Mucwini massacre provides an important, if still ongoing, case study of how mechanisms such as *mato oput* have been adapted to address atrocities committed during the conflict.

According to Acholi culture, one person's crime – in this case Omara's – extends to the whole of his or her clan. It is therefore considered the responsibility of a clan to address wrongs committed by one of its members.³⁷ In keeping with this view, the Pajong clan blamed the Pubec clan for the death of their people because of the role played by Omara. They demanded the

³⁶ See for example; Refugee Law Project Working Paper Number 17, "Peace First, Justice Later: Traditional Justice in Northern Uganda," July 2005; Justice and reconciliation Project, "Accountability, Reconciliation and the Juba Peace Talks: Beyond the Impasse," October 2006; Conciliation Resources, "Reconciliation and Justice: Mato Oput and the Amnesty Act," Barney Afako (2002); Royal African Society, "Courting Conflict? Justice, Peace and the ICC in Africa," March 2008.

³⁷ A clan is considered an important structure in the life of an individual, as it offers both protection and identity. If you don't belong to any clan then you are nobody. In line with this, the responsibility for the Mucwini massacre has shifted from Omara to the whole of his clan.

payment of *kwor* and *mato oput*. At first, Omara's clan defended the actions of their son. In fact, as one Pubec clan leader put it:

There is no son of Pubec who has killed a child of Pajong. This son of ours (Omara) went to Orom to get treatment because he was sick. While he was there, he was abducted by the rebels and taken away to the bush. In the bush, he used survival instinct by grabbing a gun from the LRA which he fled with. He returned with this gun and took it to the barracks. From there he went to the office of the UPDF who assisted him to get asylum. We cannot blame him for what happened."³⁸

With the refusal of the Pubec to take responsibility for the massacre, tensions increased to the extent that neutral mediators had to intervene to establish a 'cooling down period'³⁹ in 2002. Relations were severed, characterised by little or no socio-economic interaction between the two clans. Members of Pajong, for example, did not allow their children to share meals with the Pubec; and neither of the clan members attended each others' social functions. When JRP first arrived in Mucwini in November 2007, tensions remained visibly high between the two clans. One massacre survivor remarked:

Healing and reconciliation between the two clans is far from reality, the people of Pubec should stay far away from us.⁴⁰

³⁸ Male participant, focus group discussion with Pubec clan members, Mucwini Camp, 8th February 2008

³⁹ This is a period in which two clans involved in a dispute involving loss of life do not interact with each other until death compensation has been paid and Mato Oput has taken place. During this period, elders from a neutral clan conduct investigations to uncover the truth so that the process of Mato Oput can take place. See Liu Institute for Global Issues, Gulu District NGO Forum, Ker Kwaro Acholi, 'Roco Wat I Acoli: Restoring Relationships in Acholi-land, September 2005, p. 54

⁴⁰ Interview with female survivor of the massacre, Mucwini Camp, 14th December 2007

Since July 2002 various mediation attempts by traditional, religious and political leaders were made, but none bore fruit. Between 2002 and 2005 for example, respondents claim that an attempt was made by the Paramount Chief of Acholi, Rwot David Onen Acana II after the case was forwarded to him by the local chief of the area, Rwot Samson Alata. This attempt was unsuccessful, though not enough information is available to establish the reason for this. In 2006, Acholi Religious Leader's Peace Initiative (ARLPI) made another attempt to initiate dialogue between the Pajong and Pubec. This attempt failed because the Pajong refused to attend the arranged meeting. In January 2008, the Kitgum District Local Government established a mediation team led by the retired Bishop Mac Baker Ochola to find a way forward in reconciling the two clans.⁴¹ This mediation team has had two meetings with the Pajong and Pubec and has been instrumental in promoting dialogue between them.

After meeting the two clans separately in January 2008 - meetings which, in the words of Bishop Ochola, were characterised by bitterness on the part of the Pajong and denial on the side of the Pubec - the mediation team finally succeeded in persuading the two clans to meet face to face on 26 April 2008 and confront each other with the truth. Bishop Ochola recalls his strategy:

We started by approaching the two clans separately. We approached the Pajong first because they claimed to be the victims, saying that the massacre had been caused by a

⁴¹ This team consists of Bishop Mac Baker Ochola of ARLPI (Chairperson), Festo Okidi of World Vision (secretary), Phillip Odwong (a retired teacher), Lt. Col. Obwoya (UPDF), Hon. Rose Olaa Lakere (woman councilor for Kitgum), Hon Lakot Rose Ocaya (woman councilor for Omiya Anyima), Mrs. Winifred Mwai, Mrs. Abu P. Oryema, and representatives from the offices Deputy LC V Chairperson and Resident District Commissioner for Kitgum.

member of the Pubec clan. Eventually however, they agreed to meet with the people of Pubec. So we called for a joint meeting.⁴²

Mediation and dialogue eventually led to acknowledgement and admission of responsibility by the Pubec clan, although the issue of compensation still remains highly contested and difficult to resolve. At the last meeting mediated by Bishop Ochola on 26 April 2008 in Mucwini, the Pubec relented and acknowledged their responsibility for the actions of Omara:

When we met them this time round (2nd meeting in April), the Pubec admitted that Omara was responsible for the death of 56 people and therefore the people of Pubec should be held responsible. They however said that since the Pubec clan is small and the people who died are many, the payment of compensation may not be possible. So they appealed to the government and the international community to help in paying compensation.⁴³

According to Bishop Ochola, the amount of compensation that is required for each deceased person is 10 head of cattle which is the equivalent of approximately 4,000,000/= Uganda shillings⁴⁴ (with each head of cattle valued at 400,000/= Uganda shillings⁴⁵) among other requirements. However, with the rampant poverty in the IDP camps, characterised by the loss of livelihoods and acute shortage of funds, the Pubec clan is simply unable to pay *kwor*. In fact many respondents we interviewed including both Pajong and Pubec suggested that compensation would only be possible if the government, NGOs and other donors intervened. Meanwhile, leaders of other clans

that lost people in the massacre told us in interviews that they had forgiven the Pubec altogether because the huge amount required for compensation was unfeasible. These leaders however called on the government to ‘cool their hearts’ by providing some form of support, however minimal, to the families of victims:

The clans who lost people in the massacre with the exception of the Pajong feel we should forgive Omara and the Pubec because they cannot afford to pay the huge amount of compensation. This is what we told the paramount chief when he came to consult us. We told him that if possible the government should think of compensating the victims who lost family members. It should find a way of cooling our hearts.⁴⁶

Despite the above financial impasse, the developments that have occurred between the two clans since the occurrence of the massacre indicate that local mediation could indeed lead to some degree of reconciliation among victims. The case illustrates that without good mediation and dialogue between survivors, further conflict can arise. Also of critical importance to victims is the need for acknowledgement and apology by perceived perpetrators. For instance in the last mediation meeting held between the Pajong and Pubec, the Pajong are alleged to have stated that “if in the aftermath of the massacre the Pubec had met with them and asked for forgiveness and initiated talks of reconciliation then tensions would not have escalated to the stage at which they are now.”⁴⁷

Finally, it must be remembered that accountability is not an issue for the Pubec alone but should also involve defining the

⁴² Interview with Bishop Mac Baker Ochola, Chairman Pajong-Pubec mediating team, Kitgum Town, 7th June 2008

⁴³ Ibid

⁴⁴ Approximately USD 2352.94

⁴⁵ Approximately USD 235.39

⁴⁶ Interview with Akara clan elder/leader, Mucwini IDP Camp, 9th July 2008

⁴⁷ Interview with the vice chairman Kitgum District Local Government, also a member of the mediation team, 11th July 2008

roles of the UPDF and the LRA in the process. As key actors who were tasked with defending the populace against LRA attacks, the UPDF needs to be held accountable for its failure in this regard. Likewise, the LRA commander in charge of the massacre needs to be held accountable for targeting innocent civilians.

3. The Conflict has increased land tensions

Another key factor in promoting reconciliation between the Pajong and Pubec is the land dispute, which resurfaced after the occurrence of the massacre. Prior to his abduction, there had been a long running land dispute between Omara's Pubec clan and the Pajong. The land dispute between the Pajong and Pubec begun as struggle over who owned a large expanse of farmland (referred to as *Aker* in Luo) located in Pajong Parish.⁴⁸

According to Acholi laws of customary land ownership, land is communally owned, and any individual who wanted access to it was not denied even if the land was in a location where he had no ancestral rights, provided he sought permission from the elders and leaders of the clan in question.⁴⁹ Over time, after decades of trust and rapport building, the stranger and his descendants (and it would be a he, for land is inherited through the male line) would be accepted as part of the clan. This is how the Pajong and Pubec clans are said to have come to live and farm on the same piece of land – with each laying claim to ownership and ancestry.

In 1994, the land dispute was eventually presented for litigation before a magistrate in Kitgum town, who ruled in favour of the Pajong. The Pajong clan was however

directed by the court and the district authorities to continue hosting the Pubec on the land. Several respondents claim that after this ruling, Omara (one of the unofficial leaders of the Pubec as far as the land dispute was concerned) then vowed to continue fighting a 'silent war' against the Pajong.

As a result, in the aftermath of the massacre and upon reading the letter and hearing the testimonies of eyewitnesses, the land dispute resurfaced to further complicate relations between the Pajong and Pubec. The elders of the Pajong clan bitterly recalled Omara's vow to wage a 'silent war' against them after the court ruling. The elders argued that Omara orchestrated the massacre of the Pajong in order to gain an advantage, as one Pajong elder argued;

I feel that it is this very land dispute that made Omara, a member of Pubec clan, think that the right way of taking over the land was to make the LRA kill the people of Pajong.⁵⁰

As a result, the Pajong clan declared in January 2008⁵¹ that whether the Pubec clan paid compensation or not, they would not be allowed to return to the land. To do so, they said, would be like making the Pubec 'kill them twice' and allowing their perpetrators to 'enjoy life on the very land on which their blood was shed.' In the words of one Pajong elder;

No Pubec member should think that after *culu kwor* we shall allow them to come back and stay here. We cannot permit them to stay on the very land on which we shed our blood. This will be like allowing them to kill us again.⁵²

⁴⁸ Pajong Parish is inhabited by different clans and not the Pajong alone.

⁴⁹ See Ker Kwaro Acholi and Norwegian Refugee Council, "Principles and Practices of Customary Land Tenure in Acholiland," Section 2 (Attainment and loss of rights to land), article b(i) June 2008

⁵⁰ Interview with Pajong Elder, Pajong Parish, December 2007

⁵¹ This declaration was made in a letter that the Pajong clan leaders wrote to the Mucwini Sub County and Kitgum District authorities

⁵² Male participant, focus group discussion with Pajong clan members, Pajong Parish, 7th February 2008

However after the mediation meeting conducted by Bishop Ochola in April 2008, the Pajong softened their stance and said they could consider allowing other members of Pubec clan to return to the land, but not Omara's immediate family. The Pubec on the other hand claim the Pajong are using the story to deny them access to the land, an opinion which is held by many other massacre survivors from other clans;

Now the people of Pajong are taking advantage of the situation to solve their conflict by denying the Pubec access to settle back in their land because their son Omara motivated the massacre of the 24th-July-2002.”⁵³

The Ugandan Government is currently pursuing a policy of decongestion, where internally displaced persons are being encouraged to move to smaller satellite camps which are located closer to their homesteads. It is hoped that this will reduce overcrowding in the main camps, and also allow access to farmland. In fact some internally displaced persons have moved directly back to their former homesteads rather than settling in the satellite camps. When JRP researchers last visited Mucwini camp in May 2008, over one third of the population had left the camp.

However, as other IDPs return to their homesteads, a huge section of the Pubec clan⁵⁴ remains languishing in Mucwini camp waiting for the dispute between them and the Pajong to be resolved. Having been born in Pajong land after their original Pubec ancestors migrated there, grown up on and farmed it for decades, they consider

themselves descendants of the land with rights equal to those of the Pajong.

The unresolved issue therefore poses significant challenges to the process of return to villages. Contested land ownership is already a significant area for concern in Acholiland. In this case, the dispute is linked in part to the lack of transitional justice measures: there is, in effect, no one to hold responsible for the tragic events that happened in Mucwini. In addition, the land dispute is symptomatic of tensions arising as a result of the massacre, and should not necessarily be seen as a cause of these tensions. This dispute over land, in a sense, may therefore be the only means of doing something to relieve tensions in the absence of formal justice processes to address war crimes.

CONCLUSIONS AND RECOMMENDATIONS

Northern Uganda is now entering a critical period of transition from conflict to peace. The war ravaged community is starting to come to terms with the realities of what happened during the conflict, and to hope for reconciliation and closure. The post conflict reconciliation challenges being experienced by the Pajong and the Pubec should serve as a warning that the absence of transitional justice measures is likely to result in victims and perpetrators taking matters into their own hands. **There is urgent need therefore for the Government of the Republic of Uganda to expedite the development of a transitional justice policy for Northern Uganda and Uganda as a whole.**

This policy should take into consideration the following key factors which have manifested themselves as illustrated by the case of the Pajong and Pubec:

Acknowledgement of atrocities, apology and truth seeking are important factors

⁵³ Interview with male survivor of the massacre, Mucwini Camp, 12th December 2007

⁵⁴ It is not the entire Pubec clan being denied land. The section of Pajong clan in question is referred to as Pubec Pamong whose population could not be established. Other sections of Pubec clan live in areas such as Lagot.

that must be included in any future transitional justice initiatives for Northern Uganda. Most of the massacres which have occurred during the war remain unacknowledged, many people who were abducted by the LRA remain unaccounted for, and victims who lost loved ones struggle to live with their painful memories.

Traditional justice mechanisms are available and still being practiced in communities of northern Uganda. The case of the Pajong and Pubec indicates that alternative conflict resolution mechanisms can help ease tensions and possibly, in some instances, promote peaceful coexistence. Good mediation and dialogue by local leaders will be important to the success of these initiatives, and should be supported in a manner that promotes transparency, fairness, neutrality, equality and accountability of the mediators.

Symbolic compensation for harm inflicted upon victims is an important determinant for attaining reconciliation, and needs to be considered in the design of a reparations policy. Many respondents interviewed in the course of this research felt strongly that the Government of Uganda ought to ‘cool their hearts’ for the loss of their relatives in some way. This is because they consider it a failure on the part of the Government that it was unable to offer them adequate protection from the LRA.

Peaceful resolution of land disputes and other disagreements that will occur among returnees need to be urgently promoted. As a harbinger of future post conflict reconciliation challenges, Northern Uganda at the moment is awash with numerous land disputes involving returnees, a factor which is hampering the return process.⁵⁵ In some instances the government

has also been implicated in ‘land grabbing’ specifically in Acholiland. The struggle for land as a valuable resource could manifest itself in other forms if not checked.

Field Notes is a series of reports by the Justice and Reconciliation Project (based in Gulu District NGO Forum). Each issue features a new theme related to justice based on research carried out with war-affected persons in IDP camps. Drawing directly on their experiences and initiatives, results are intended to inform and improve local, national and international policies and programmes on justice and reconciliation.

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⁵⁵ For example statistics obtained from the Norwegian Refugee Council’s Wang-oo project database shows

that in the districts of Acholiland there were 2500 cases registered between 2002 and 2007 alone. Wang-oo Norwegian Refugee Council, “Newsletter Year Review 2007” February 2008

ANNEX A: LRA MASSACRE LETTER

24/07/2008

MANU BAI PA
 AGE OKELA BOTUMU POKO
 MANU
 WAN UWA LUBO KAP LUBUKU
 UWA MA IDRINO KULUBO
 DONS MA NYUTU HI WAN CUMNY
 UWA OCULEK PI LUBUKU UWA OMITO
 UWA TIMOTIC MANU
 WAN MOWY MOME UWA KA CIVILLIAN
 ONA PERE CI MANU WINTA REYA
 AGE OYENTO MA KA SAMI UWA
 MA CALO LUBUKU PE OBUOKO
 CI PUB BUCU CAN KEKEN O
 AN COMBER + OKST E WUI LITO
 PI LUBUKU UWA UWA BIMBE
 KI TIC UWA PIRE O

ANNEX B: LIST OF VICTIMS

SN	NAME	SEX
1	Okello Manueli	M
2	Acen Duculina	F
3	Nyero Amos	M
4	Luboyi Geoffrey	M
5	Oyoo Milton	M
6	Lacuk Betty	F
7	Akaka Christopher	M
8	Ocira Alfred	M
9	Ongom Richard	M
10	Odoch David	M
11	Lubangakene Geoffrey	M
12	Komakech Ivan	M
13	Okeny David	M
14	Amato	F
15	Otika Joseph	M
16	Ongola Bosco	M
17	Opoka Christopher	M
18	Aciro Sunday	F
19	Okongo William	M
20	Lukwiya Donato	M
21	Ajok Grace	F
22	Okot	M
23	Aballo Christine	F
24	Mwaka Ronaldo	M
25	Ikuny Celsio	M
26	Anenocan	F
27	Onen Celsio	M
28	Oringa Joseph	M
29	Amito Jennifer	F
30	Abwot Betty	F
31	Omal Francis	M
32	Oryem Phillips	M
33	Owana Richard	M
34	Lunyong Julio	M
35	Torach Celsio	M
36	Atuk Dorine	F
37	Owona Janao	M
38	Obol Silvano	M
39	Odong Cira	M
40	Okello George	M
41	Odong Patrick	M
42	Oringa Yecaloni	M
43	Omal Michael	M
44	Acellam Elson	M
45	Okullu Alfred	M
46	Adoch Gaboryela	F
47	Ayoo Rose	F
48	Oyat Francis	M
49	Layomcwiny Mark	M
50	Olara Bazil	M
51	Amone Selestino	M
52	Ochola David	M
53	Olal Silvano	M
54	Opoka Charles	M
55	Azim Charles	M
56	Irene Layet	F