FROM POLITICS OF WAR TO POLITICS OF PEACE – NORTHERN UGANDA: *Whose War, Whose Peace & Whose Justice?*

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I intend to name this paper "from politics of war to politics of peace" because of the single reason that; getting away from the politics of war means getting into the politics of peace by defining clearly whose war had been fought in Northern Uganda; who then defines the peace that may be desired; and can that peace be achieved at any cost, i.e. to say peace with or without justice.

1. Introduction

The current situation in Northern Uganda has brewed many schools of thoughts, for example, if justice should come before peace or should peace come before justice. The former relate to International Criminal Court (ICC) views and the latter broadly projects the Acholi community views.

In this paper, it is assumed, peace is a process which embraces justice and that conflict provide means of realising a constructive change, rather than the occasion for more cruelty and destruction. The choice of whether justice comes before peace is only relative to who has the agenda. Critical questions reflecting on whose war, whose peace, and whose justice remain unanswered and yet critical.

Currently, it is impossible to disregard the continuation of war in Uganda's politics as an end in itself. According to Von Clausewitz (cited in Diana, 2000), war is the continuation of politics by other means. But war is not just a continuation of anything. It adds a completely new dimension to conflict, with its own dynamics, and its politics are of another kind. It is the destructiveness of war, and the human misery it entails, that underlie the aspirations of conflict transformation and are the basis for the concern to make the transition to other methods.

Therefore, the basis for the concern now must be "conflict transformation that aims at changing the social organisation and execution of power" as is also stated by Guus Meijer.

The transition from politics of war to politics of peace offers conditions for making such transition as process based.

I have discussed in the following section the brief historical background of Uganda and the conflict related to the current situation in Northern Uganda. I then gave a summarised background of the war in Northern Uganda in section three. I used this as basis for advancing the arguments on whose war in section four, whose peace and whose justice in sections five and six respectively.

The last section is the conclusion of this paper.

2. Brief Political History of Uganda and Background of War in Northern Uganda

When the British established the colonial administration using a "divide and rule" policy, it favoured the contemporary Central Uganda, parts of Eastern and Western Uganda who are predominantly Bantu people by origin. These regions gained from the economic and education favouritisms and progresses.

On the contrary, the British met with various resistances in Northern Uganda. As a result, Northerners were recruited into the King African Riffles. The current political north is occupied by Nilotics who are Acholi people mainly based in Gulu, Kitgum, Pader and Amuru Districts and Nilo-Hamites who are the Langi mainly based in Lira, Apac and Dokolo Districts. Other Sudanic tribes and some descendants of Luo group are in West Nile region.

Northern Uganda is not only physically demarcated by the Nile River itself but also by cultural, social and economic fault lines. There are currently 32 ethnic tribes in the contemporary Uganda who speak nearly 23 different languages.

Before Uganda gained independence from Britain in 1962 under Milton Obote, the political parties emerged while some aimed at Pan-Africanism. The conception was mainly to fight colonial powers and enforce national unity. But, most of these parties drew heavily from religious ideologies and affiliations. Obote's Uganda Peoples' Congress (UPC) party had mainly Christian Missionary Society believers, i.e. Protestants. Majority were from the North and Eastern Uganda. The Democratic Party (DP) were mainly Catholics who were Baganda and other related Bantu people, and the Kabaka Yeeka (KY) party were mainly the Baganda Royalist who wanted the country to be run by their King, Mutesa.

President Milton Obote was ousted in 1971 by non-commissioned army officer Idi Amin. Amin targeted the Acholi and Langi people of the north because of their support for his predecessor, Obote, and because they traditionally dominated the bulk of the army. Idi Amin was overthrown in 1979 by Tanzanian-backed rebellion, the Uganda National Liberation Army (UNLA).

In 1980, national election was conducted and Obote returned to power for the second time. Yoweri Museveni who was the Minister of Defence and president of the Uganda Patriotic Movement Party lost, but he later launched a guerrilla war in 1981. Obote was overthrown in 1985 by a group of ethnic Acholi soldiers led by General Tito Okello. The Okello regime negotiated a power-sharing peace deal with Museveni's rebel group.

In February 1986, the National Resistance Army/Movement (NRA/M) led by Yoweri Museveni took over power militarily after reneging a Nairobi peace deal which was signed in 1985. The Uganda National Liberation Army (UNLA) remnants that were originally from the Northern part of Uganda fled to their home districts and Southern Sudan. They formed the Uganda People's Democratic Army (UPDA) which fought the NRA until they entered into a peace deal in 1988. The Holy Spirit Movement led by Alice Auma "Lakwena" (RIP) led another fighting force that was defeated in 1999.

Since then, the Lord's Resistance Army (LRA) led by Joseph Kony has been a fighting force against the government of Uganda. In mid July 2006, the GoU and LRA entered into peace talks with each other in Juba, Southern Sudan.

3. Root Causes of the war

The root causes of the war in Northern Uganda originally backdate to colonial times and span all past and present regimes. The root causes denote core problems, which have resulted in many effects and symptoms. Some of the root causes have become aggravating and triggering causes of the war.

Table 1 presents an outline of the root causes of the war.

Table 1: An outline of the causes of the war in Northern Uganda

Root Cause	Core Problem	Effects and Symptoms
1. Systematic division of occupation between Security/Military service for the North and Economic activities/ Civil service for the South - done to suit the interest and needs of the colonialists	• Lack of economic activities and opportunities in the North • Manipulations and misuse of the armed forces (military) by shrewd politicians • Lack of national integration and promotion of national interest	• Little opportunities for ousted soldiers from the North, thus making them vulnerable to manipulations and situations • Unnecessarily high rate of loss of lives (killings, murders) and grievances
2. Ethnicity, Identity and Politics	▪ Lack of spirit of nationalism as Ugandans ▪ Collective punishment, revenge and mistrust along ethnic and tribal lines ▪ Establishments of internal territorial confinements ▪ Bureaucratic and consent-based political authority in the traditional sense of eliminating Acholi people ▪ The failure of Uganda as a state in observing the principles of protection of its citizens and democratic human rights ▪ Obsession to hold power forever, failure of regimes to address tribalism, nepotism, corruption, and decay of the public sector Physical, structural and cultural violence	▪ The Internally Displaced People, Exiles and refugees ▪ Establishment of Concentration Camps ▪ Loss of lives through killings ▪ Plundering and stripping people off their possessions ▪ Mistrusts and hatred ▪ Ineffective government officials, oppression, and opportunism for self-enrichments. ▪ Dictatorship, lack of democracy and the associated consequences of discontents

3. Socio-economic exclusion of Northern Uganda from the mainstream of national activities	▪ Policies of social sanctions and intentional economic injustices ▪ Lack of opportunities for socio-economic development in the North ▪ Lack of physical infrastructure in the North ▪ Lack of social and institutional infrastructure in the North	▪ Prevalent poverty ▪ Poor quality of life ▪ Poor health and high rate of mortality ▪ Low standards in education and low level of literacy ▪ Diversion of development projects in physical infrastructures intended for the North to other parts of Uganda ▪ Corrupt judicial system, and poor law enforcement / policing ▪ Widespread corruption, greed and opportunistic behaviours within the government

4. Whose War?

Over the years and centuries, many wars have been fought worldwide with many and varied underlying causes. These causes may be summarised under the following: Ideology, Resources, Ethnicity and Identity, Autonomy and Separation. No group or groups of people choose to be what they are wherever they may find themselves. The refusal to understand or recognise these issues would only renew and exacerbate discontents that inflate the causes of the conflicts.

The war in Northern Uganda follows from the root causes mentioned earlier on. It has as main root causes drawing from ethnicity, identity and resources. The persistent hostile contention by means of armed forces in Northern Uganda is mainly due to the failure of the state[1], over a long period of time, to address properly the root causes of the war. This is relevant in understanding whose war is being fought in Northern Uganda.

The one party rule that was introduced by Yoweri Museveni after taking over power in 1986 enforced a new political atmosphere. The former traditional political parties like Obote's Uganda People's Congress and Democratic Party have been considerably reduced in their sphere of influence. The national politics which were affiliated to religious sense of belonging have been reduced. New political parties like the Forum for Democratic Change led by Kizza Besigye emerged from within to challenge Museveni. Political parties have therefore taken ethnic lines and block voting for and against has been much dominating in the last presidential and local elections. Some political analysts call it the politics of war based on, personal merits, ethnic and elitists power holders in Uganda.

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1 United Kingdom, Parliamentary Group Report (2007) Conflict and Development: Peacebuilding and Post-conflict Reconstruction: Government Response to the Committee's Sixth Report of Session 2005-06: First Special Report of Session 2006–07

The various rebel movements in the country, like the defeated Holly Spirit Movement (HSM) led by the late Alice Auma Lakwena (RIP) fought spiritual led-wars. This was not a war ever known to many. The Uganda People's Democratic Army (UPDA) had signed peace deals with Uganda Government in 1988.

The Lord's Resistance Army (LRA) led by Joseph Kony continues to fight the government borrowing heavily the spirit led-war. He has poorly defined or even undefined the political objectives. It is alleged that LRA has abducted an estimated 20,000 children in northern Uganda to serve as soldiers or sex slaves.

The Government of Uganda's military option, notably the "Operation Iron Fist" in 2002 is an example of the politics of war. The government believe the "stick and chariot" tactics is one way of ending the war. For 20 years, the Ugandan government created internally displaced people's camps baptised as "protected villages". Protected villages are conglomerated huts built very close to each other, over-crowded, unsanitary, and dangerous to live in. There has been a reported 2 millions people as are living in internally displaced persons' camps in northern Ugandans. Abduction continued to happen in protected camps.

The war in Southern Sudan has hugely played a role in the Northern Ugandan conflict. The LRA support by Sudan, where it received sanctuary and supplies, in retaliation for Uganda's support of a rebel movement in Southern Sudan, the Sudan People's Liberation Army designated a regional dynamics to the conflict.

With the new type of spiritual led-war that abducts and kills her own people, the political lobbyists have therefore asserted that the politics of war in Northern Uganda is the war of Acholi people and should be for them.

It is therefore imperative that the war fought in Northern Uganda offers no clear answer to whose war is being fought really. Northern Uganda is a political playing field that encompasses political and economic benefits. I want to argue that, because the war embarked on behavioural, attitudinal and systematic suppression on not only civil population, the national, regional and international politics and economics are systematised and structured to prolong it. It could also be suffocated by it.

"The culture of war and its violent act in Northern Uganda is a result of the interpreted long term phenomenon, with a formulated pattern of thoughts, expressions using fear. It has been the day to day, public and private rhetoric which is used to promote the politics of hatred on Acholi, and the prevailing emotional climate within which politicians operate. Many have been made to believe that the Northerners, the Acholi people are killers". (An elder from Unyama Camp - 2007).

According to (Johan Galtung; 1990), violence can be thought of in three triangular categories or spheres for thinking: cultural, structural and direct (behavioural). And yet all the spheres are inter-related and affect and influence each other.

To move away from a situation characterised by direct violence to one in which normal political life was possible would necessitate attention to all three spheres. Galtung's category of structures offers the longer term solutions.

This has left the Acholi community to analyse the war as the chickens and eggs which are inseparable and indistinguishable.

4.1 Challenges

4.2 Sustaining the culture of violence

The lenses through which we see the world, and the minds with which we interpret it, are culturally formed and will colour and shape the way we perceive and think about anything. (See, for instance, Salem 1993). The war in Northern Uganda was sustained and left to drag on over a long period of time.

According to Miall, Ramsbotham and Woodhouse (1999, p.115), one of the important functions of democratic systems and structures is to 'institutionalise and regulate political conflict' and to provide 'rule-based methods of settling disputes, eg. majority voting, consensus decision-making etc.'. (See also Hampshire 2000.) This is to make possible the establishment of what Francis and Ropers (1997) call a 'civilised conflict culture' – one in which conflict is regarded as a civil matter and dealt with through constitutionally established processes.

Northern Uganda has inadequate, social, political and legal systems which can successfully manage the structural, cultural and behaviour-based conflicts within the society. In which case, land disputes, as one example are the forthcoming conflict, a challenge to the post war reconstruction programmes.

4.3 Uganda's Politics and Identity

Diana Francis argues that "organising party politics around identity, while it transfers antagonisms from the military to the political arena, is to perpetuate divisions which have already proved deadly, making political victory or loss a potentially explosive matter". In Uganda's politics, the 'winner takes it all' and after all, the route to state politics has also been through military means – the politics of war. Where the major opposition prevails now, it is still unlikely to be other than disastrous. Where the winning party represents majority from one particular tribe or clan (see Assefa 1993) and the leader so elected is honour bound to employ people from that group in every post over which he (or she, but 'he' it is likely to be) has jurisdiction.

LRA have failed to clearly demonstrate any politically strong challenge to the central regime; leave alone the military capacity to have captured any city in the history of their struggle. It therefore, remains a tribal or ethnic division which continues to follow clear geographical lines and that the war is perceived as an Acholi war.

A choice remains to be made between an emphasis on individual rights and responsibilities on the one hand, and collective identities and group representation on the other.

4.4 Gains from the War

Coupled with corruption in Uganda, the war fought in Northern Uganda is a complicated phenomenon. The social, political and economic chaos that accompanied the war enlarged the space in which spoilers, corruption and crime have become common and widespread. Despite the current development in Uganda, corruption on the one end has made its way into the social and political fabric. This is making it hard to understand whose war is fought and how to end it. People, institutions and departments are benefiting from the war. Majority begin to view corruption as normality rather than accountability issues. Knowing whose war is fought in Northern Uganda would mean knowing who is corrupt and such exposure may lead many to be held accountable. Ugandan Government spending has been huge on military spending over the years.

4.5 Methods being Used to Stop the War

Conflict prevention is not necessarily the best option to stop a war which is hard to understand neither is the military option a viable one.

5. Whose Peace?

The definition of peace is a contested topic because it has to be built and it is a process. It is linked to reconstruction and sustainable development.

My view of peace is a process which embraces justice and in which conflict is the means of constructive change, rather than the occasion for more cruelty and destruction. It is best conceived not as a single or simple good, such as an absence of war[2] or violent conflict, but instead as a complex and dynamic process. No peace achieves complete closure as violence cannot be completely eradicated. In most instances it will merely evolve/mutate into a different form of conflict.

According to (Boutros Boutros-Ghali, An Agenda for Peace, 1995: 46), peacebuilding is an "… action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict … Peacemaking and peacekeeping are required to halt conflicts and preserve peace once it is attained. If successful, they strengthen the opportunities for post-conflict peacebuilding, which can prevent the recurrence of violence among nations and people."

The Juba Peace talks that sparked off between the Government of Uganda and the Lord's Resistance Army by mid July 2006 derived the following agendas for the talks.
(i) Cessation of Hostilities; (ii) Root Causes of the War and Comprehensive Solutions; (iii) Accountability and Reconciliation; (iv) Formal Cease-fire; and (v) Demilitarisation, Disarmament, Demobilisation, Rehabilitation and Reconstruction.

However, it becomes important to review whose peace is being discussed and pursued therein. Following from the root causes of the conflict in northern Uganda in table one; there remains a lot to analyse. Is the peace, Southern Sudanese, LRA's, Government of Uganda's or Acholi communities' who had borne the burden of the suffering?

5.1 Agendas for Peace

5.1.1 The cessation of hostility agreement

The cessation of hostility agreement which was signed between the LRA and Ugandan Government in Juba marks the first step towards achieving peace. Ideally, the cessation of hostility agreement was signed on a negotiated and agreed terms. According to (Diana, 2000), she argues that "if the terms for ending hostilities are imposed through the outright victory of one side, or dictated by one side because of its overwhelming superiority in terms of power; or if they are imposed by an outside power, according to its own interests and judgements, the commitment of those who consider themselves to be adversely affected by the settlement, to living in accordance with its terms, is likely to be limited".

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[2] See Galtung, Johan. *Cultural Violence.* Journal of Peace Research, vol. 27, no. 3, 1990, pp. 291 – 305.

The best alternative to a negotiated agreement (BATNA) or worst alternative to a negotiated agreement (WATNA) denotes whose peace is being sought. The LRA and the Government of Uganda had not weighted what the worse or best alternatives to the negotiated agreement would entail in Juba. The Government of Uganda had hoped for a negotiation for the LRA surrender and the alternatives were to be a soft landing approach to be given to the LRA. The LRA had hoped for a long going negotiation while digging deep into the root causes of this war, but above all to talk on behalf of Acholi people.

In my view, none of them was right. Acholi community said in the Juba conference that LRA as an organisation does not represent Acholi people and views. The Government of Uganda on the other hand, had their biggest share of the blame in terms of security issues. The Government of Uganda therefore had to strategise again and talk from a point of constitutional bargain and international imaging.

This is why the role of the Government of Southern Sudan is crucial so that, unduly rewarding selfish violence, or relying for the reestablishment of politics on clearly despotic and unreliable people is not achieved as a quick fix nor dragged on endlessly.

5.1.2 Socio-economic Development

The strong disparity and disproportionate representations in socio-economic development between Northern Uganda and the other parts of Uganda is one of the main (if not the main) causes of discontent, conflicts and war.

In any society, the lack of physical infrastructure like, water supply, road transport, air transport, electricity power development and supply, development of information technology and international telecommunication systems can be a potential source of conflict.

Over the years, the quality of relative peace over the country compared to Northern Uganda can be seen in the level of education and literacy.

According to a combined NGO report of 50 international and local agencies who conducted the study in Northern Uganda, says that the rate of violent deaths in war-ravaged northern Uganda is three times higher than in Iraq and the 20-year-long insurgency has cost $1.7b (£980m). It continues reporting that the violent death rate for northern Uganda is 146 deaths a week, or 0.17 violent deaths per 10,000 per day. This is three times higher than in Iraq, where the incidence of violent death was 0.052 per 10,000 people per day, says the report published by the Independent on-line, a British newspaper.[3]

People's peace is envisaged in the health of that community. Accessing major health centres, hospitals, dispensaries and structures and equipments that are readily available with sufficiently supplied medicines must be available.

Land and environment issues have become tangible issues. This has rendered the people to be very poor. It is estimated that, the task of social transformation has reduced poverty level from 56% in 1990 to 38% to 1st October 2006.[4] Contrary to the national figures, 60% of the people of Northern Uganda are far below the poverty line. Therefore, an equitable distribution of economic development is necessary. On the world scale, one cannot see such a gulf, and within Acholi society it is visible, if not so glaringly obvious.

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[3] By the New Vision Reporter NGO and Agencies

[4] Uganda Heroes Magazine, Issue 1 – October 2006, Uganda Heroes Limited p.20: See also website: www.ugnadaheroes.com

5.1.3 Social Exclusion

Strengthening of social interactions and respect for all communities in Uganda must be a national issue designed under a special programme of action that includes development of relevant institutional infrastructure. Provision should be made for equal opportunities, including access to assets, resources, jobs and services, as well as equal sharing of burdens and benefits.

Social exclusion and marginalisation in Northern Uganda is largely at the political level. It is where decisions are taken which promote or reduce exclusion and inclusion. Like many conflicts which bear the experience of exclusion, political power of decision-making and effect social and economic deprivation. In Northern Uganda the major population are excluded from decent education, health services, membership of influential organisations, and many more. To a greater extent, marginalisation in Northern Uganda has caused resentment and created a potential breeding ground for 'direct' violence; in itself it constituted a form of violence – a violation of the humanity and dignity of those so excluded and diminished.

There are growing demands for the respect of values and ideals for the observation of the society in Uganda. It is impossible for ideal political structures, processes and attitudes to be established over night. (Berlin, 1998) argues that every value that is cherished has to be held in tension with another (peace and justice, freedom and security), and given that societies are not static in their constitution, aspirations or needs; given also the fallibility of even the best motivated human beings, perfect democracy will never exist. What is possible and necessary for the maintenance of relatively peaceful and just relationships in Uganda is the aspiration towards a participatory, fair society and inclusive, accountable and transparent processes.

5.1.4 The role of civil society

It is worth noting that the conference organised by the Traditional Chief Rwot David Onen II, in Juba from 2nd – 4th February 2007 drawing on 120 delegates across the world was a good starting point. The role of civil society is important in many ways. It provides a continuous thread of decency in the worst of circumstances, advocating and protecting human rights, providing a voice, and services, for disempowered groups, providing education and training for political involvement and conflict management and pursuing particular goals through public pressure and the political system. The development of such organisations and activities promote a culture of social and political involvement, as well as having the power to influence public opinion.

The first fruits of a negotiated settlement should be the ending of large-scale violence and an immediate increase in physical and psychological security on all sides. Without these, many people who have suffered in any way from the war will be left out.

The changing culture and gender determine the direction and the prices of peace for the community. There can be no peace while women are treated as chattels, raped, beaten for 'disobedience', traded and abused, excluded against their will from life outside the home, denied legal and economic rights, or generally treated as less than human. The conflict over the relative rights of men and women has never been surfaced in such a concerted way as to be recognised in the way that 'interethnic' or international conflicts have, (Dianna, 2000).

5.1.5 Internally displaced people/Refugees status

Addressing the status of refugees and internally displaced people is one aspect of violent conflict which is clearly a result rather than a cause of it (though related to causes). Any forthcoming political agreement to end violent conflict will need to address the status and rights of refugees and IDPs. In most conflicts that focuses on ethnic identity, the return of refugees is likely to be difficult, not only for security reasons, as in Northern Uganda, but because it may tip the demographic balance against those who remain.

5.1.6 Pressure Groups

The development of a strong constituencies and pressure groups to support the negotiated settlement of the conflict is required for the successful implementation of such settlement. Therefore, outside monitors, peace-keepers or peace-enforcers may have a role to play in preventing a return to violence and in helping build confidence and increasing the security of groups who are, or perceive themselves to be, particularly vulnerable.

It is vital that the process of social recovery is as little as possible disrupted and set back by renewed outbreaks of violence. At the same time, the relaxation of social tension will reduce the likelihood of such outbreaks, or aid in their containment. To establish 'trouble-shooting' bodies and mechanisms at the local level could be an important contribution in this. (See Howard Clark, 1999)

6. Whose Justice?

I earlier on argued that peace needs justice and that just peace is a precondition for reconciliation. Just peace does embrace truth, mercy, peace and thereafter reconciliation, (see John Paul Lederach, 2000).

There is an outcry from the International Community that Uganda Government should not give Amnesty to LRA commanders but should arrest the top leadership and hand them over to The Hague for trial.

While I agree with this, I hold three issues at heart.
One is being impunity issues, secondly, the issues of amnesty and thirdly the issues of which justice leave alone whose justice is being exercised herein.

Military option in the new political game in Uganda and the region has been one viable opportunity for Uganda to convince the world that LRA can be defeated militarily. But, along the line, Ugandan government military officers have also committed serious crimes that can be investigated by the ICC. This is not the case.
My fears for impunity go back to the definition and some examples around the world. "Impunity may be defined as exemption from punishment, or from injurious consequences of an action. As a noun, impunity means, among other things, dispensation, escape, exemption from judgment, penalty or punishment. It also means to condone, to grant immunity, non-liability, non-prosecution, pardon, prerogative, privilege, protection and reprieve", (See Odora Obote, 1998).

Secondly, granting of amnesty to the top LRA leadership by its very nature is controversial. Some legal scholars consider it objectionable in principle. This is primarily because of the

difficulty of balancing the rights of the victims of crimes and the stability of the State. I envision reconciliation as the main objective behind Amnesty. The grant of amnesty, in many cases around the world has caused more problems than solutions. South Africa, Chile, Argentina and El Salvador are some of the States where the grant of amnesty to former leaders and security personnel have been greatly criticised, from the legal point of view not withstanding that at the political level it is often welcomed, particularly by the beneficiaries of Amnesty.

Thirdly, which justice is being chosen as a viable one is still a challenge. It is a challenge not only to the fighters, indicted, government of Uganda, and the civil population but also to the traditional restorative justice. I will look at some of the contentious issues below.

6.1   International Criminal Court (ICC)

In contrast, the statements released by ICC Chief Prosecutor and the visiting Delegation of Acholi leaders from Northern Uganda at The Hague on 18 March 2005; No.: ICC-OTP 2005.042-EN states in two parts that;

- The Acholi Leaders Delegates realised the position, mandates, independence and also the limitations of the chief prosecutor. It also realised what the ICC Chief Prosecutor can do and what he has no control over. What came from that meeting was that, the Prosecutor was asked to address the following: (i) that he is mindful of the traditional justice and reconciliation process; (ii) that he is also mindful of the ongoing peace process and dialogue. (iii) that, whoever has already benefited from amnesty will not be investigated or prosecuted by the ICC.

- The ICC Chief Prosecutor stated that Under the Rome Statute, the Prosecutor has the responsibility to investigate and prosecute serious international crimes, taking into account the interests of victims and justice. However, he remained mindful of traditional justice and reconciliation processes and sensitive to the leaders' efforts to promote dialogue between different actors in order to achieve peace. He continues saying that he has a clear policy to focus on those who bear the greatest responsibility for the atrocities committed. He recognised the vital role to be played by national and local leaders to achieve peace, justice and reconciliation.

These two statements inform us about how far away the two justice systems are from each others' aspirations. The traditional restorative justice and the International Criminal Court justice run parallel to each other.
The ICC is ratified by member states, the traditional are not, but bound by culture, belief and practice over centuries. The traditional justice systems is limited to only one particular group of people, the Acholi. The challenge would be both in the process and timing of ICC intervention. ICC can only investigate and prosecute crimes committed from 1st July 2001. What are the challenges to the truth seeking approaches by ICC and the local community especially when war was still active? How far can ICC continue to uncover the truth that may implicate the entire NRM political class and LRA alike? Can the crimes committed in Northern Uganda be limited only to the terms as is dictated by ICC birthday? The war in Northern Uganda dates as far back as 1986 if not beyond.
It has become clear that ICC does not have an army of its won except depend on the member states. This allows for lack of guidelines on how to end armed conflicts. ICC can easily be

battering away justice. In fact others can take political gain purportedly done in the name of peace.

This is what is happening because in order to obtain peace, negotiations must be conducted with the very leaders who committed, ordered or aided and abetted these massive and systematic violations to occur. These 'criminal' leaders are found on both sides of the conflict: government and rebel forces and their respective leaders or commanders alike.

"Whose justice" remains under serious challenge, but it still lies in the perception of peace. To the combatants, peace may be a tactical manoeuvre, and thus peace ranges from cessation or absence of hostilities to popular reconciliation and forgiveness between social groups previously in conflict with one another. In other words, peace means different things to different parties in armed conflicts. As a result, the concept of peace sometimes shifts as negotiation proceeds. Thus, the pre-conflict and post-conflict peace is not necessarily viewed as the same by belligerents.

6.2 Traditional Restorative Justice System *(Mato Oput)* in Northern Uganda

The traditional restorative justice of Northern Uganda is a long process comprising of truth seeking, mercy, peacebuilding and reconciliation as its end result.[5] Mato-Oput, or drinking the bitter herb as it is known of, entails a long process coupled with rituals and events. It is now the most preferred justice by majority population in Northern Uganda and the Government of Uganda to that of ICC. "Whose justice" is a challenge in its own definition of justice and elements constituting it. Justice needs truth, peace, mercy and reconciliation.

While attempting to deal with the past, the settling of scores is not only a private matter. It can be argued that where atrocities have been committed (beyond, that is, the 'acceptable' atrocities of which war is composed), those who should be held most responsible are those at the top of the line of command. Yet it is usually these very people who are needed to sign up for the peace, or at least to acquiesce in it. This is a very poisonous nettle to grasp, representing both a practical and a moral dilemma. It is often asserted that there can be no peace without justice, but it is equally true that there can be very little justice without peace and that to some degree one is often bought at the price of the other.

The notion of 'restorative justice' (Kraybill, 1996; Rigby 2000) seems to offer some help here, with its emphasis on the need to repair lives and the relationships which make society workable. The idea of retribution seems to carry an energy which runs counter to peace; yet it is what many victims and their relatives long for. Although there is clearly no easy or comfortable answer to these questions, there do seem to be identifiable elements of what can help individuals and societies to move forward in spite of them.

6.2.1 Knowing and acknowledgement

Knowing as far as possible what has happened, for instance to the dead or disappeared relatives, so that it does not feel as if the truth is sometimes being disguised, denied or withheld, and having what is known publicly acknowledged, is one such element. Accounts from South Africa and Chile illustrate how hard it is to accept that in return for 'truth', the perpetrators of crimes have been granted impunity. Apology in the traditional restorative justice of Acholi acts as a lubricant for repentance and act of reparation or restitution.

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[5] See Angoma, S. Okello, (2005) Analysing Northern Ugandan Conflict Based on Acholi Traditional Restorative Justice, Masters Thesis, Coventry University, UK.

6.2.2 Reparation and Compensation

Reparations in the traditional restorative justice system entail practical service, rituals or even financial where victims are accounted for. Rituals in the Acholi traditional reconciliation system are the remaking of community by amending relationships that has been broken. The process caters for the dead as well as the living. There could be no going forward without their being acknowledged and in some way restored to their rightful place in society.

However, Northern Uganda has experience a massive number of perpetration and victims. Some victims are also perpetrators (See Angoma, 2005). Financial compensation from government, in the form of special funds, for instance, may provide the means of support for victims, and is therefore important; but it is unlikely to feel like justice (see Roberta Bacic, 2000). (For governments to make the kind of payments that might begin to feel as if they measured up a little to the immensity of what people have suffered would be beyond the means of most governments, especially in countries suffering the after-effects of war.)

6.2.3 Punishment

The punishment of those identified as particularly responsible can act as a sign of public acknowledgement, at the national or international level, that certain behaviours are intolerable, and may assuage the feelings of those who have suffered most. There can be unease (injustice) about the selection of people to punish in situations where it is known to be inevitable that those who committed crimes will remain unpunished.

The restorative justice of Acholi does not punish, rather tries to amend broken relationship and reinstitute the perpetrators. The social impact of the personal scarring occasioned by war remains as is evidenced in many societies. Although this may not be seen as the most urgent question to address – not necessary for getting from violence to politics – the long-term stability of social and political life will be affected by it. The restorative justice deals with it as a collected social issue. What becomes most helpful to most people, in returning to 'normal' life and relationships, is to get on with the business of it: reconstructing homes, planting crops, starting to trade again, re-opening schools. There are astonishing will in the people of Acholi to go on living their lives and coping with the impossible, to find a measure of contentment even after this most terrible cataclysms.

6.2.4 (Re) integration of refugees/ displaced people

The internally displaced people who live in camps in Northern Uganda is still a fragile issue as they remain displaced and excluded from 'normal' life without hope, peace or justice.

In both human and political terms the status and needs of refugees are of great significance, this is one of the most difficult aspects of implementation in any post-settlement context. After extreme violence, the fear and loathing surrounding the question of return are likely to be intense, and after any considerable time has elapsed, conflicts over property and land, which would be hard to handle in any situation, are potential dynamite. The reintegration of internally displaced people and refugees requires provision at the top political level, at the level of local authorities, police etc. and at the level of neighbours and families.

6.2.5 Role of education and the media for community relations work

The return to any tolerable ease in relationships after widespread violence will be a long process. It has already been indicated that the public rhetoric of politicians and of the media can do much to nurture or damage growing trust. NGOs that work through and with the public media can play

a vital role in recreating communication and confidence. Outside support from the Diaspora (Acholi people living abroad) for such efforts, both moral and financial, can be important.

Abdullah A. Mohamoud, cited in Tongereen et al, 2005, p.339) argues that, "the debate on the role of exile communities often focuses disproportionately on potential threats and negative aspects. However, diasporas can-and do-make significant contributions to peacebuilding, conflict transformation, and post-conflict reconstruction activities in their countries. To maximise this immense potential, it should be tapped in a more creative and effective manner".
There is need to have media work which can challenge stereotypes and political hegemony. It is important, however, that the will for these activities, and judgements about what is possible, come from inside the situation rather than from outside. Outsiders, namely Diaspora can make a good and vital contribution – thus in the name of adding value.

7. Conclusion

A shift from the politics of war to politics of peace must be recognised from both Southern Sudan state boundaries and Uganda. It will provide the overall structure for intra and inter-state civil politics. It would mean therefore that representatives of the major population groups from both Sudan and Uganda work diligently together. The Government of Southern Sudan is not an absolutely an independent and free-standing state. She has to situate herself within the unitary political organisation for stable structures in the regional politics.

Although peace and justice may be competing goods, they are also interdependent and indeed inextricable. Just as security and democracy need each other, equitable and inclusive economic development needs them both. Human beings manage to keep themselves together in extraordinarily adverse circumstances, but to thrive both individually and communally they need a reasonably secure and hospitable space in which to do so. The two aspects of human existence are not really separable.

Peace is far more than the absence of physical violence – or indeed, than a return to civil politics. The ongoing efforts of oppressed people to uplift themselves are essential to the work of conflict transformation. It entails perpetuating conflict at some level and in some form. If we are in the business of supporting conflict transformation, we should see support for self-empowerment and advocacy as part of that remit. Given the price of conflict violently waged, and the fragility of post-war relationships, to act constructively for change in such contexts is a precarious business, but it is essential that the work of justice should go on.

The issue of socio-economic development of Northern Uganda is a huge challenge that does not require only national resources and efforts but more crucially the contributions from the international community. This calls for the need to have an international donor conference to support the task of socio-economic development in Northern Uganda, with one of the prime objectives being "investment to realise sustainable and durable peace in Uganda and the region at large". The pledges from Uganda Government for the development of Northern Uganda are inadequate and the financial resources are meagre.

I end by restating the poem extracted from the work of Diana Francis who in turn, heard it narrated that,

> 'Say no to peace
> If what they mean by peace
> Is the quiet misery of hunger
> The frozen stillness of fear
> The silence of broken spirits
> The unborn hopes of the oppressed.
>
> Tell them that peace
> Is the shouting of children at play
> The babble of tongues set free
> The thunder of dancing feet
> And a father's voice singing.'

I dearly dedicate this presentation to the peace for in Northern Uganda and the region at large,

> Thank you very much
> God Bless You All

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