Transitional Justice and Political Economies of Survival in Post-conflict Northern Uganda

Anna Macdonald

ABSTRACT

This article explores the interplay between transitional justice and 'everyday' political economies of survival in post-conflict Acholiland, northern Uganda. It advances two main arguments. First, that transitional justice — as part and parcel of conventional liberal peacebuilding packages — promotes a repertoire of normatively driven policies that have little bearing on lived realities of social accountability in post-conflict settings. Second, that in transcending the epistemological and ontological boundaries of transitional justice and using concepts developed in the critical peacebuilding literature — the 'everyday' and 'hybridity' — a nuanced understanding of this dissonance emerges. Based on extensive fieldwork in Acholiland in the period 2012–14, using a range of qualitative research methods, the author examines the means through which people negotiate social and moral order in the context of post-conflict life and analyses the tensions between these forms of 'everyday' activity and current transitional justice policy and programming in the region.

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INTRODUCTION

In the last three decades, transitional justice has become a standard international response to mass atrocity. When it first emerged as an idea it was the product of a particular historical moment.[1] Military regimes in Latin America and communist regimes in Central and Eastern Europe were collapsing. These countries had different histories but they shared a key challenge: what was to be done about 'former torturers persisting in their midst'? (Lawrence Weschler quoted in Arthur, 2009: 322). Amongst the 'epistemic community' of scholar-activists instrumental in the formation of the notion, transitional justice was declared the answer (Bird, 2015). A product of post-Cold War liberalism, it seemed to strike the right short-term balance between accountability for past human rights abuses, and the aspiration for a peaceful transition from authoritarianism to liberal democracy (Arthur, 2009; Teitel, 2003). Legal-institutional reforms were narrowly conceived as the most effective way of realizing this agenda and a careful balance of prosecutions, truth commissions, lustration and compensation for harms were advocated for and implemented in Latin America, Central and Eastern Europe and South Africa in the late 1980s and early 1990s (Arthur, 2009; Kritz, 1995; Teitel, 2003).

Today, three decades after this wave of democratic transitions began, transitional justice operates in strikingly different contexts from those for which it was first designed. In part this is due to an increase in international judicial interventionism, informed by the collective security agendas and normative shifts of the 1990s (Kerr and Mobekk, 2007). But something else important happened too. As ethnic wars raged in the 1990s, the transitional justice formula was subsumed into broader liberal peacebuilding programmes. Along with other initiatives such as

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[1] There is some debate in the literature about the history and cohesiveness of transitional justice as both a normative endeavour and a field of praxis. In this article, the approach of Arthur (2009) is followed. Arthur makes the case for identifying the late 1980s to mid-1990s as the period when the field first came into existence as a coherent set of policy objectives. She argues that only by looking at the 'invention of the phrase itself' and the circumstances surrounding its emergence, can one begin to understand transitional justice as something 'distinct and meaningful' (ibid.: 328). For alternative interpretations, see Elster (2004) and Teitel (2003).

security sector reform (SSR), rule of law strengthening (RoL) and disarmament, demobilization and reintegration (DDR), transitional justice became a core component of 'routine peacebuilding' (MacGinty, 2012a), and another element of the 'common swirl of politically related "good things"' that development and aid agencies saw as central in the promotion of liberal market democracies in post-conflict states (Carothers and De Gramont, 2013: 57). While initially conceptualized as a set of processes that would engineer transitions from authoritarianism to democracy, transitional justice is now programmed in conflict and post-conflict places, sometimes in 'illiberal states with little pretension to democratic transition' (Sharp, 2013: 151), but also in regions where state institutions are largely absent (de Grieff, 2011: 17–18). From eastern DRC to East Timor, critics complained about conceptual 'expansion' and 'stretching', yet it was not evident that much conceptualizing was happening at all (ibid: 21-26).. Rather, as it became increasingly normalized and professionalized, transitional justice underwent *application* expansion — the same tools and frameworks were being used across different contexts, without adequate consideration.[2]

This article engages with this challenge for transitional justice. It focuses on a key critique: that contemporary transitional justice approaches, as part and parcel of a broader repertoire of liberal peacebuilding interventions, have failed to engage with the everyday needs of people across diverse and heterogeneous post-conflict contexts (Baines and Riaño-Alcalá, 2012; Gready and Robins, 2014; Shaw and Waldorf, 2010). This answers a broad call for research that moves beyond emphasis in the extant literature on the 'moral-philosophical and jurisprudential aspects' of transitional justice processes and a preoccupation with 'institutional design and implementation' (Backer, 2009: 60). It also pays heed to the observation that for too long, transitional justice programming has been 'faith based' rather than 'fact based' (Macdonald, 2015a; Thoms et al., 2010: 329). In response to these critiques, there has been a 'shift toward the local' in transitional justice research in recent years (Shaw and Waldorf, 2010:4). Much of this research is high quality but, with important exceptions (Anders and Zenker, 2014; Hinton, 2010; Shaw and Waldorf, 2010), scholarship has been too slow to forsake a set of binaries that dominate debate,

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[2] There remains little research exploring links between transitional justice and peacebuilding. Notable works include Lambourne (2009) and Sriram et al. (2013).

including peace versus justice; restorative justice versus retributive justice; and amnesty versus prosecution.[3] These analytical frames are used to explain or predict why certain interventions may be locally legitimate and others may not be. They tend, however, to present a dichotomized approach which posits non-Western local order against Western liberal order, producing a distorted picture of complex political realities (Moe, 2011: 151).

This article contributes to new ways of thinking about 'the local' in transitional justice. The epistemic and ontological boundaries of global transitional justice discourse and its institutions are transcended through a broader analysis, one which incorporates critical peacebuilding notions of the 'everyday' and 'hybridity'. In applying these concepts empirically to the northern Ugandan situation, I reveal the complexity of justice in transition in a place where 'transitional justice' as a set of policy prescriptions is being advanced, but where post-conflict life is regulated by exigent 'political economies of survival'.[4] These are understood as the range of customs, practices and knowledge that individuals and communities deploy to ensure the basic functioning of meaningful and productive social and economic relations, as well as cosmological and spiritual balance.[5] I argue that because of the fundamental centrality of these endeavours in highly strained post-conflict spaces, local experiences and attitudes do not fit neatly with the normative assumptions widely linked to orthodox transitional justice efforts.

In particular, I identify four key 'frictional encounters' between orthodox transitional justice and lived realities of post-conflict life in Acholiland.[6] These tensions are categorized as follows: (i) between transitional justice as an episodic response to mass violence and the 'everyday' requirement to 'self-secure' against a background of profound structural inequalities; (ii) between normative transitional

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[3] Much scholarship is geared around these dichotomies (whilst also questioning them); see for example, Buckley-Ziztel et al. (2014); Huyse and Salter (2008); Roht-Arriaza and Mariezcurrena (2006); Sriram and Pillay (2010).

[4] This term is borrowed from MacGinty (2012b: 180).

[5] A related concept is 'social harmony', developed by Porter (2013) in the context of Acholiland.

[6] The term 'frictional encounters' is borrowed from Shaw (2007), who describes the dissonances between transitional justice policy and everyday realities in post-conflict Sierra Leone.

justice ideals of justice, forgiveness and reconciliation and the pragmatic contingencies that shape whether or not post-conflict co-existence between victims, perpetrators and victim-perpetrators is possible; (iii) between the materiality of conventional transitional justice discourse and the centrality of spirituality in identifying wrongdoing and appeasing it; and finally (iv) between governable justice sites, regulated locally by acknowledged authorities, and sites of 'ungovernable' justice such as institutions promoted by transitional justice advocates — including international and domestic state-run courts — that people generally regard as distant and unfamiliar.

Findings are based on eleven months of fieldwork in Uganda in the period 2012 to 2014. The majority of time was spent in Acholiland, northern Uganda — the epicentre of the 20-year war (1987–2008) between the Government of Uganda (GoU) and the Lord's Resistance Army (LRA). Fieldwork was conducted in four rural sites (in Agago district, Gulu district, Nwoya district and Pader district) and one urban site (Gulu town). Data were gathered using a range of qualitative methods. This involved over 100 semi-structured interviews with individuals across the Ugandan political spectrum, from donors and cabinet ministers in Kampala, to local traditional and council leaders in Acholiland. In addition, 25 informal discussion groups were conducted in the five research sites. These were held at village level and explored broad questions about life since the end of the conflict. Ethnographic methods were used because they explore the subjects' 'frames of reference', remaining open to different interpretations of the world (Singer, 2009: 191) and generating data that provide insight into the 'inherently relational' and 'inherently contested' nature of the socio-legal dynamics under study (Tamanaha et al., 2012: 7;).

THE LRA WAR AND TRANSITIONAL JUSTICE IN UGANDA

The LRA rebel group emerged in northern Uganda in 1987 from remnants of other spiritualist anti-government movements in the region (Allen and Vlassenroot, 2010; Finnström, 2008). At its helm was Joseph Kony, an Acholi from northern Uganda who saw himself as a spirit medium and 'spokesperson of God' (Allen and Vlassenroot, 2010). The 20-year war between the GoU and the LRA was

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characterized by the suffering of northern Ugandan civilians who bore the brunt of violence perpetrated by both sides. It is estimated that around 66,000 individuals were abducted by the LRA during the war, roughly four-fifths of whom were under the age of 18 (Blattman and Annan, 2010: 135). From the mid-1990s, the GoU began moving civilians, often forcibly, from rural areas into camps where the Ugandan Peoples Defence Force (UPDF) could 'protect' them. By the end of the decade, the majority of the Acholi population were living in 'rural prisons', subject to what was later termed 'social torture' (Dolan, 2011).

During the war, Acholiland and its people confronted, *in extremis*, two dilemmas associated with the complexity of post-Cold War conflicts. Firstly, mass violence was often perpetrated and suffered by civilians who knew one another — neighbours and relatives — and who, in the aftermath of the war, have had to co-exist. Secondly, those who carried out violent acts as members of the LRA and those who suffered at their hands rarely fit neatly into either 'victim' or 'perpetrator' categories (Baines, 2010; Finnström, 2008). It was in this highly complex situation that different transitional justice conceptions emerged and intervened. Throughout the war, the Acholi leadership (political, religious and traditional), attempted to secure a peaceful solution to the conflict. Their most notable success was the campaign for a blanket amnesty, passed in 2000, to cover all Ugandans 'formerly or currently' engaged in rebellion against the National Resistance Movement (NRM) government since 1986. As of May 2012, 26,288 people had benefitted from the amnesty, 49 per cent of whom were members of the LRA.[7] Support for the amnesty was combined with local support for, and international interest in, reviving a range of 'traditional' reconciliation rituals — in particular *mato oput*, a process proponents said had been used before the war to reconcile perpetrator and victim clans after murder had taken place.[8]

Not long after the amnesty was signed into law and donors began funding research into the viability of 'traditional justice' as a form of conflict resolution, the Ugandan government referred the 'situation concerning the Lord's Resistance Army'

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[7] Interview, Justice Onega, Chair, Amnesty Commission, Kampala, 13 June 2012.
[8] On the debate about 'traditional justice' in Acholiland, see Allen (2006); Allen and Macdonald (2014); Baines (2005); Branch (2011).

to the newly formed International Criminal Court (ICC). In October 2005, the ICC unsealed its first ever arrest warrants, charging five LRA commanders with war crimes and crimes against humanity.[9] A year later, in 2006, peace talks between the LRA and the GoU began in Juba, the seat of the then semi-autonomous Government of South Sudan (GoSS).

At the time of the Juba talks, Uganda was *the* transitional justice case study. This was the first time anywhere that peace talks had begun against the backdrop of charges brought by the ICC against key members of one of the negotiating sides. The talks provided empirical context for major theoretical debates that had dominated the field since its emergence in the late-1980s. Was peace more important than justice? Should truth, reconciliation and amnesty be foregrounded over prosecution? Were local justice methods more appropriate than national and international ones?

As McEvoy and McConnachie (2013: 496) noted in other contexts, narrative constructions of the 'local' victim population during transitional justice debates reflect *choices* made by powerful actors 'managing the process'. For example, at Juba, justice sector donors and human rights activists argued that criminal accountability was a universalist good, essential to democratic consolidation across the region, and that it must be part of the broader transitional justice package (Webster, 2013). A common refrain was that if the Acholi did not already see this, it was down to a failure of 'outreach'; in other words, the Acholi needed to be better educated in what was best for them.[10] Meanwhile, the Acholi leadership, concerned about the impact that criminal justice might have on peacebuilding through amnesty, argued that local people preferred a form of 'restorative' justice premised on Christian forgiveness and traditional reconciliation techniques. This narrative, argued Armstrong (2014: 603), comprised a set of deliberately 'culturist claims', reliant on

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[9] For details of the arrest warrants see: http://icc-cpi.int/Menus/ICC/Situations+and+Cases/Situations/Situation+ICC+0204/ (accessed 31 January 2014).

[10] This was a common assertion of donors during fieldwork in 2012–13. Better outreach was also a key recommendation of three large-scale surveys undertaken between 2005 and 2010 in northern Uganda, conducted by the Berkeley Tulane Initiative of Vulnerable Populations in association with various partners (Pham et al., 2005). Arguably this deflected the issue of rational local objections to the role of the court in northern Uganda, prioritizing international justice per se, even in contexts where it might be inimical to local interests.

'strategic essentialism'. The Acholi leadership, along with sympathetic scholars and activists, presented over-simplified depictions of the Acholi as having a unique capacity to forgive and move on, but did so 'in order that their claims be heard' (ibid.; Cowan et al., 2001: 9). Indeed at Juba, whether it was the Acholi leadership advocating reconciliation or human rights professionals supporting the role of the ICC, those claiming to speak on behalf of 'the local' deliberately negated the complexity and heterogeneity of lived realities across the region.

While the academic and NGO discussion was hyperactive during Juba it quickly petered out when the talks failed in December 2008, at which point the LRA permanently relocated outside of Uganda. This is surprising because the Juba process left an important legacy: an Agreement on Accountability and Reconciliation (AAR), signed by the GoU and the LRA in June 2007, and an implementing protocol signed in February 2008 (from here on the 'AAR accords').[11] The accords proposed a national procedure for dealing with LRA *and* UPDF war crimes: domestic trials, in combination with other mechanisms, including formalized traditional justice processes; a 'body' to 'inquire into the past'; and reparations for victims. It also contained a clause instructing the government to amend the Amnesty Act in order to bring it into conformity with the 'principles' of the agreement. As a set of measures, the AAR accords comprised an inventory approach to transitional justice — a list of processes that could potentially satisfy all quarters, whilst also addressing the ICC impasse. Regardless of the eventual failure of the talks, the GoU committed itself to implementing the AAR framework; however, in the absence of any significant political transition, there was little impetus amongst entrenched political elites for seriously moving things forward. This was hardly surprising given the alleged role of the GoU and UPDF in war crimes committed during the conflict.

Uganda thus became a paradigmatic case of transitional justice 'without transition'. Policy formation was donor driven and incorporated into broader governance and peacebuilding programming. It was coordinated by the donor-funded Justice Law and Order Sector (JLOS) secretariat, which oversees the work of

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[11] Agreement on Accountability and Reconciliation between the Government of the Republic of Uganda and the Lords Resistance Army/Movement, 29 June 2007; Annexure to the Agreement on Accountability and Reconciliation, 19 February 2008.

seventeen government departments and employs 'technical' advisers on transitional justice. One UN official described the transitional justice content in the final JLOS Strategic Investment Plan 2012–16, as a 'cut and paste from various donor manuals',[12] the central interpretation of the AAR accords being the need to strengthen RoL across the country, through 'institution building' and bureaucratic skills development. In September 2014, JLOS circulated a 'final' draft Transitional Justice Policy amongst 'key stakeholders' for comment, but serious concerns remain about 'waning political momentum' (Otim and Kihika, 2015: 7) and its future remains uncertain. Of all the 'modalities' agreed upon in the AAR accords, only the establishment of a special division of the High Court of Uganda — later named the International Crimes Division (ICD) — has been implemented, but its only trial to date, that of former LRA fighter Thomas Kwoyelo, has been the subject of widespread controversy (Macdonald and Porter 2016).. There has been no significant progress on initiatives aimed at reparations, truth seeking or 'traditional' justice.

In the following sections I examine contemporary transitional justice practice through a broader analysis of its absorption into the liberal peacebuilding project. An understanding of this trajectory helps explain a key tension, namely that transitional justice is 'legitimated from without by its emphasis on state centric liberalism but … delegitimized within because … priorities are irrelevant to much of the population's imminent needs' (Roberts, 2011: 411). I go on to explore this tension more fully, through a close-up study of the four 'frictions' identified above, which help us understand how institutions and norms associated with the AAR accords fared in the Acholi context. Such an inquiry is greatly aided by conceptual engagement with key emerging ideas in the critical peacebuilding literature, most notably 'the everyday' and 'hybridity', which help us think critically about how the 'local' is a realm of 'activity rather than merely place' (MacGinty, 2015: 852).

TRANSITIONAL JUSTICE AND CRITICAL PEACEBUILDING

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[12] Interview, UN Official, Kampala, 30 September 2013.

Transitional justice and liberal peacebuilding share a compatible logic: both have 'faith' that 'key goods' such as democracy and justice can 'essentially stand in for and necessarily create peace' (Sriram, 2007: 579). The incorporation of transitional justice into the broader liberal peacebuilding agenda was officially realized with the launch of a landmark UN report in 2004, 'The Rule of Law and Transitional Justice in Conflict and Post Conflict Societies', which encouraged people to think of 'justice, peace, and democracy' as 'mutually reinforcing imperatives' that must be advanced in 'fragile, post-conflict settings' (UN Secretary General, 2004: 1). A 2011 follow-up report linked transitional justice to ambitious institution-building and economic development objectives: it had become an 'indispensable element of post conflict strategic planning' (UN Secretary General, 2011: 6). The World Bank noted that same year that transitional justice initiatives in post-conflict societies, 'send powerful signals about the commitment of the new government to the rule of law' (World Bank, 2011: 125). Thus in the last decade, from Iraq to Uganda, transitional justice became embedded in international top-down efforts to rebuild or consolidate the structures of governance in post-conflict states through a set of official mechanisms including international and domestic trials, truth commissions, codification of 'traditional' justice, and institutional RoL reform.

A growing critical literature argues that transitional justice, as part of broader liberal peacebuilding packages, foregrounds 'liberal paradigms of civil and political rights', prioritizing the creation of externally mapped justice institutions over discursive engagement with affected populations about the most meaningful and sustainable modes of post-conflict accountability (Gready and Robins, 2014: 341; see also Franzki and Olarte, 2014; Sharp, 2015). In practice this means that civil-political rights are privileged in contexts where persistent structural violence is of equal (and often more pressing) concern to victims as episodic acts of physical violence. In neglecting root causes of conflicts, the most ardent critics of transitional justice accuse its promoters of entrenching systemic inequalities and even constraining democracy (Franzki and Olarte, 2014: 216). Furthermore, transitional justice, like other forms of liberal intervention, is accused of promoting technocratic 'template' reforms that privilege a certain type of knowledge, mediated through remote and exclusive professional donor networks (Gready and Robins, 2014: 341–2; Richmond, 2009a: 562).

International policy makers recognize these issues as a problem. Ever since the failure of interventions in Afghanistan and Iraq, there has been a well-documented 'local turn' in peacebuilding. But this has done little to alter existing global power relations because the 'money, direction, concepts and authority' still come from the global north (MacGinty, 2015: 846). It is also important to interrogate how the 'local' is conceptualized by donors and policy makers. Too often in transitional justice programming, the culturally essentialist narratives of local civil society groups or romanticized notions of 'traditional' approaches to justice are assumed to be representative of the broader population. This ignores what Richmond calls the 'local-local', that which 'represents the local beyond the artifice of civil society' and is much harder for practitioners and researchers to capture (Richmond, 2009b: 331). Thus while the 'local turn' may have somewhat tempered the 'cold' liberal peacebuilding emphasis on Weberian institutions, critics continue to call for an approach which engages more robustly with local notions of peace, just social order and solidarity (Gready and Robins, 2014; Richmond, 2008: 109; Roberts, 2013: 67; Sharp, 2015).

In contextualizing these prescriptions empirically, critical peacebuilding concepts of 'the everyday' and 'hybridity' allow for a broader imagining of justice and transition in local spaces. The orthodox transitional justice conception is premised on the notion of a functioning or soon-to-be functioning state, but the reality in northern Uganda is that justice and security are usually mediated through local-hybrid structures conceptualized in the literature as 'arrangements that work' or 'governance without government' (Boege et al., 2008; Lund, 2007). The majority of people in conflict and post-conflict places, particularly those in rural areas, are subject to pluralistic forms of public authority, ranging from administrative systems associated with formal state government to regulatory frameworks of customary law and traditional societal authorities such as clans and spiritual healers. In attempting to understand the lived realities of post-conflict life under such complexity, the notion of the 'everyday' describes the 'social routines of daily existence that people use to get what they need when faced with extreme contingencies' (Roberts, 2013: 68). While the concept of the 'everyday' is rough-hewn, it is sufficiently formed to provide a useful counter to the ontological and epistemological limitations of the top-down,

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institutionalist liberal peace framework (Richmond, 2009b: 335; Roberts, 2013: 67). A lens on 'everyday' political and social realities also helpfully transcends many of the conventional distinctions that are found in the literature and practice of transitional justice such as between public and private, state and society and formal and informal, which are too often presented as far more absolute than they actually are.

The 'everyday' is not just a reference to static or repetitive daily life; it is a form of non-institutionalized politics, guided by 'tactical flexibility', and premised on what Darby (2009) calls 'self-securing', which 'unsettles' the understanding that important public goods such as justice and accountability are generally 'handled from "above" in the liberal tradition' (Richmond, 2009a: 572; ibid.: 701). The 'everyday' is a 'site of agency in politics' (Richmond, 2009a: 572): it is 'the medium by which agency is enabled, rather than supplemented by state institutions, or negated by "bare life"' (Richmond, 2009b: 332). An 'everyday' analysis helps to re-politicize and re-historicize the 'local' in justice and transition. Rather than focusing on governance ideals, it allows us to interrogate governance realities. It can tell us more about how people — both individually and collectively — go about securing their existence and restoring social relations in the aftermath of conflict, and against the backdrop of pluralistic forms of public authority that can either 'empower or constrain' action (Baines and Riaño-Alcalá, 2012: 386; Roberts, 2011: 413).

The risk in conceptualizing the 'everyday' as context bound, and the liberal peace as detached from context and 'hegemonic', is the suggestion that modes of local governance — including justice provision — are parochial, ossified and under continuous threat. Cognizant of the dangers of conflating the 'local' with notions of 'remoteness, marginality and circumscribed contours', the approach here is to borrow from Shaw and Waldorf's (2010: 6) description of the local as 'a standpoint based in a particular locality but not bound by it'. The concept of hybridity aids further theorization along these lines. It directs attention towards the multifarious ways in which top-down and bottom-up forces interface and produce something contextually unique (MacGinty, 2012b; Sharp, 2015). Thus, as Sharp (ibid: 165) points out, we can avoid 'romanticizing' the local and 'demonizing' the liberal West; rather the focus is on exploring the empirical reality of justice in transition as characterized by 'deep

entanglements and frictions between local, national and global spheres' (Alcala and Baines 2012: 365).

Below I employ these concepts to explore four key tensions that emerged during fieldwork in northern Uganda between orthodox transitional justice frames, as articulated and promoted in the AAR accords, and local political economies of survival in post-conflict Acholiland. Findings contribute to a better understanding of the dissonance between the normative 'oughts' of global transitional justice discourse and local realities in highly strained post-conflict settings.

SELF-SECURING

While associated concepts of accountability, truth and reconciliation are present, 'transitional justice' is not a term that people outside of the Acholi elite employ. During fieldwork, people were asked to reflect on instances during and since the war when they were *pe tero I yoo matir*: a locally recognized way of saying 'not treated in the right way'. This was followed by questions about how individuals and communities were coping with the aftermath of wrongdoing on such a vast scale.

In response, people pointed in particular to the presence of local, cooperative village groups based on systems that pre-dated the war. In three research sites, for example, farmers' groups operated informally, particularly among women, who explained that this had been an effective way of coping with poverty and with their memories of the conflict. 'In the process', said one, 'we talk in our small groups and make development decisions; such kinds of things they help us to forget. Such activities release us… they bring us together and in the process it forces unity among us'.[13]

Across all sites, *bol cup* — the Acholi term for village saving and loan schemes, which have a long history in the area — were in operation. In Agago, the

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[13] Discussion group, Gulu, 25 July 2012.

bol cup graphically named *Okony too ateda* ('help the dead who were boiled')[14] was described as a key means by which people 'live together peacefully and support each other'.[15] In Gulu district, the group was called *Awinyo Malit* ('I feel pain'); it began in 2002 as a way of enabling members 'to cope with life and become economically self reliant'.[16] Experiences of moving through post-conflict life were described without reference to what Das (2006: 7) calls 'grand gestures'. Instead people talked about the constructive ways they engaged on a personal and communal level to generate enough material and social capital to survive daily challenges.

In two sites, Atiak and Lukodi, which suffered brutal LRA massacres in 1995 and 2004 respectively, 'survivor associations' were set up by a donor-funded Gulu-based NGO, and formed from existing *bol cup*. These were established to give local people a voice on transitional justice issues and the groups were offered 'technical' training on the implications of the AAR. Atiak and Lukodi have strategic importance. Atiak is a trading centre on the road to the South Sudan border; the surrounding area has witnessed serious land disputes between the government and local populations. Lukodi is the site of an ICC investigation that has recently been re-activated.[17] Only 20 km from Gulu town, it is a popular destination for researchers and visiting officials, including from the ICC and JLOS. 'In certain areas', explained one NGO worker, 'people are more knowledgeable [about transitional justice] because they are so "researched"',[18] but while both survivor associations spoke the language of transitional justice to a greater degree than elsewhere, this was not straightforward 'mimicry' of donor and NGO agendas. Rather, the associations were a hybrid: a dialogic site where the exigencies of the everyday both informed and were informed by the various justice ideals being promoted by external parties. It was quite evident that group members had to reframe many of the lessons imparted in NGO-led 'trainings' towards local priorities. In both Lukodi and Atiak, for example, the survivor associations helped lobby for and maintain memorial sites where annual remembrance events were hosted. In Atiak, however, the survivor association

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[14] This was in reference to a 2002 LRA attack, in which victims were reportedly chopped up and boiled in cooking pots.
[15] Discussion group, Agago, 2 August 2012.
[16] Participant observation, Gulu, 23 August 2012.
[17] The investigation was re-activated after the recent arrest of Dominic Ongwen, an ICC indictee who is alleged to have committed war crimes in the area.
[18] Interview with NGO staff, Gulu, 24 July 2012.

explained that it had boycotted the event in 2011 because it did not approve of the way in which local government officials were curating the occasion. They disapproved of the use of 'exploitative' victim testimony, later requesting that this element be removed from the memorial programme on the basis that: 'we didn't want it to be like that, where someone has to tell everyone what happened to them on that day… we need scholarships for our children, we need a government school'.[19]

In Lukodi the memorial was conceptualized in a similar way: as a symbolic reference point for community demands and concessions. The survivor association was not set up for reasons conventionally associated with transitional justice, but rather to secure practical support for development purposes. In discussions with members of both associations it was stated that unless the groups could address material needs — such as the many orphans in need of financial support and the fact that people had lost their assets during the war — they served very little local purpose. The chairman of Lukodi's association explained that until he had 'trained' his community in the potential of the memorial and the survivor association to 'sort out these development issues', they saw it as 'nothing very helpful'.[20]

There exists then, a range of groups and associations — some externally supported, but more commonly not — that have been formed to address the unmet basic needs of people as they try to move through life. These resemble in their various forms the cooperative style *bol cup* and farmers' groups that pre-dated the conflict. A continuation of local methods of self-help and income generation, their function now extends to providing forms of non-material comfort too, such as the sharing of memories and the communal search for spiritual solace. In Atiak and Lukodi, where this non-material agenda was more formalized and externally choreographed (through NGO-organized memorial prayers and 'trainings' on the AAR accords) the leadership of the group still had to 'vernacularize' (Merry, 2006) donor and NGO agendas to make them meaningful to the local population. Of course, not everyone was involved in these groups, nor did they comprehensively alleviate shared deprivations overshadowing peoples' lives. Nevertheless, it was notable that when asked how people co-exist and manage in the aftermath of the 20 year war, it was these

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[19] Discussion group, Amuru, 08 August 2012.
[20] Discussion group, Gulu, 25 July 2012.

groupings, based on stated priorities of improving immediate material conditions and 'coping up' emotionally and spiritually that were emphasized.

It was striking that in discussions about how to address war-time wrongdoing and injustice, respondents made no spontaneous reference to narrow, legalistic liberal 'products' in the form of criminal justice processes or institutionalized truth-seeking. This was a pragmatic reaction to local circumstances: how, people asked, could these interventions directly address basic needs in the context of a post-conflict everyday that was both 'immanent and imminent' (Roberts, 2011: 413)? In the absence of trusted state intervention into daily life, people were preoccupied with 'self-securing' and this involved reacting quickly and creatively to hostile surroundings. Security and justice were not understood to flow from top-down institutions, rather they were goods produced locally and with urgency. The everyday should not be misconstrued as a utopian form of local governance. Rather, it is the means — often unequal — by which family, kin, traditional societal structures and local-level state auxiliaries negotiate post-conflict life in order to 'secure themselves from the pervasive threats of indirect violence' (Roberts, 2011: 414; see also Meagher, 2010). In Acholiland such modes of coping involve the kinds of 'informal welfare' systems (Ogbaharya, 2008; Roberts, 2011) described above; despite being locally produced, these often draw upon opportunities presented by external agendas and actors, as we saw in Lukodi and Atiak. As one young man in Omot sub-county explained: 'We are trying to forget the pain of the past but there is another disease which is poverty, much as you try to forget everything, you recall that those days you had cattle, you had land, but now all has gone. So the problem now is poverty. You are in poverty now'.[21]

There was in this sentiment (widely shared across research sites) a refusal to honour the historical breaks between war and peace that external analysts impose. The notion of transition was said to be too clear-cut to adequately express the structural deprivations fastening the past to the present. While transitional justice places emphasis on moments of exceptional physical violence, such as massacres, often such seemingly key events do not form the 'main axis of life' for many (Vanek, 2012: 49). Rather these are episodic instances of extreme suffering that punctuate an almost

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[21] Discussion group, Agago, 2 August 2012.

permanent state of sustained neglect, discrimination and insecurity (Arthur, 2010: 10). The 'everyday' lens allows us to think about the way in which individuals and communities develop tactics to ameliorate the routine deprivations of which most international policy makers have very little grasp (Roberts, 2011: 412).

CONTINGENT COEXISTENCE

Donor-driven government and NGO programmes on transitional justice in Uganda use normative language that assumes causal linkages between process and outcome. In donor offices in Kampala, staff emphasize that accountability for human rights violations and war crimes will strengthen rule of law across northern Uganda (see, for example, JLOS, 2012: 11; Webster, 2013). Local religious and political leaders on the other hand argue that 'forgiveness' is a core transitional justice principle in the Ugandan context and that the Amnesty Act is an expression of Acholi cultural values of mercy, which will lead to peace (Khalil and Odong, 2004). Although there are important epistemological and ontological distinctions between these different transitional justice agendas, both represent heavily mediated and sometimes coercive 'ideal-type' responses to mass atrocity and the reconstruction of social relations in northern Uganda. They emphasize forms of justice, social repair and peacebuilding as they *should* be, rather than as they *are*.

In reality, post-conflict interactions between LRA returnees and non-returnees are shaped more by political economies of survival than by normative concepts of justice, forgiveness and reconciliation. Across research sites, the most relevant issue to most people in discussions about LRA returnees was rarely the act of wrongdoing committed in the past, but behaviour in the present. Communal acceptance was conditional on an ability to exhibit what was described as 'normal' behaviour,[22] and the role of the community was to enforce a collective, post-conflict moral code.[23] People regularly made distinctions between those returnees who had settled home well and those who stole from people's gardens, refused to dig, and threatened people

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[22] Shaw (2007) and Theidon (2013) come to similar findings in studies of Sierra Leone and Peru respectively.
[23] Interview, NGO director, Gulu, 10 July 2012.

with comments like, 'if you start disturbing me, I will use the same methods as I did when I was in the bush'.[24] People explained that those who had settled 'well' exhibited two important attributes: productivity and inconspicuousness, or in the words of one Reverend in Gulu district, 'you must dig and you must stay quiet'.[25] The former would help ease the burden of your presence on conflict-affected, resource-stretched families, and the latter would reassure people that you had not picked up violent, threatening habits in the bush; that you were not infected with *cen* (bad or vengeful spirits).

The problem many returnees faced was that they lacked control over the extent to which their very presence might bring what one elderly woman called 'disharmony' to their village.[26] Particular individuals, for example, represented a significant strain on already fractured family structures and this tied into the fraught question of land and land use in post-conflict Acholiland. Despite recognized land rights in Acholi customary tenure, post-conflict disputes over land have resulted, according to Hopwood and Atkinson (2013: 16), in 'anyone with less than first rank land claims being unwelcome' or 'conspired against' by other family members. In part because of this, it has been estimated that at least 2,000 former LRA have re-settled in Gulu town to 'restart a new life', although this is most likely a very conservative figure.[27] Women who return to their villages with children 'born in captivity' face particular difficulties. The patrilineal lineage of these children is often unclear and customary payments to socially sanction the relationship between mother and father have almost never been paid. 'A common thing you hear from the community', said an Amnesty Commission worker in Gulu, is 'we want our daughters back but not these bush children'.[28]

Because a lot of stigmatization is embedded within family and community settings, and intertwined with the social and economic dynamics of post-conflict life, it becomes very difficult to determine causation. It does, however, appear that people are either accepted or stigmatized because of how life is *now* rather than what

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[24] Discussion group, Nwoya, 15 August 2012.
[25] Interview with ARLPI member, Pader, 23 July 2012.
[26] Discussion group, Pader, 27 July 2012.
[27] This figure was given by Amnesty Staff to the IOM in 2011 (McKibben and Bean, 2010).
[28] Interview, Amnesty Commission, Gulu, 13 September 2012.

happened in the bush. Current pressures on daily existence may allow people to coexist amicably or they might encourage non-returnees to instrumentalize a person's identity as a returnee and use it against him or her to protect their own status or livelihood. Social relationships that have always been strained, even before the war — for example between co-wives, or for children with unclear patrilineal descent — have become increasingly so as the deprivations people suffer daily erode what Sen (2014) calls the 'bonds of care and concern' that sustain humanity.

Transitional justice rhetoric that presents causal linkages between process and outcome obscures the everyday pressures that shape post-conflict relationships. These are not mitigated in any straightforward way by amnesty certificates,[29] criminal trials or donor-funded reconciliation rituals. The struggle to restore a sense of social order and meaningful coexistence is profound and labyrinthine and influenced by the realities of poverty and other immediate challenges linked to land and the spiritual world (explored in more detail below). People often talked about there not being enough 'time' to push for transitional justice as articulated in the AAR framework. One elderly man said that Acholiland had been like 'stagnant' water for 20 years. Relationships and social order are guided by a clear determination to 'move on' with life: to improve immediate material surroundings and to mitigate spiritual suffering. Sometimes this involved inclusive social and economic activities based on shared objectives, such as income generation; at other times it led to the marginalization of the most vulnerable or nominally culpable sections of society in order to protect particular individual or communal interests.

SPIRITUAL BALANCE

Transitional justice envisages a linear 'clock time', comprising a before and an after, so that violence is history and resolution exists in the present and future (Igreja, 2012:

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[29] The impact of the 2000 Amnesty Law on peacebuilding and reconciliation in Acholiland is unclear. Promoters of the Act including local leaders and civil society groups insist that the amnesty has encouraged LRA defections (enough!, 2013). Others highlight the inter-communal tensions that have emerged as a result of the process. A common complaint is that those who received the Amnesty certificate and the modest 'reinsertion' package (including a mattress, plastic cups and seeds) enjoyed preferential treatment (Allen, 2006; UN Human Rights, 2011).

407). This conception of time, as Igreja argues in the context of post-conflict Mozambique, contrasts with the 'multiple temporalities' that people experience in their everyday lives. For many, war-time violence is present in 'diurnal and nocturnal nightmares', intervening in both predictable and unpredictable ways through *cen*, the 'unhappy spirits', usually of people who died violently without a proper burial or who had some physical connection with a place where violent events occurred (ibid.: 408; see also Porter, 2013: 99). *Cen* and spirits of the dead transcend and dissolve the barriers of linear time, giving form to people's daily experience in Acholiland. One man in Gulu described the unburied bones vividly as 'unexploded ordinances':[30] the way in which spirits intervene can be as violent, disturbing and sudden as the violence perpetrated by living combatants during the conflict.

Ritual action is used widely — though not uniformly[31] — across Acholiland in an attempt to cleanse and appease the spirits, and to heal the cosmological legacy of the war. In discussions about spirits and *cen*, people commonly referred to the need for *tum*, described broadly as a sacrificial act, usually the cutting or 'slicing' of a sheep or a goat (see also Porter, 2013: 105). A common idea across Acholiland is the mutability and self-propagation of misfortune if cleansing does not take place (ibid.; also Finnström, 2008). People dealt with cosmological insecurity in improvised and hybrid ways, often mixing traditional and religious processes. At a school in Nwoya there was a case of spirits strangling teachers and their children in the night (the school had been a barracks during the war), so the head teacher called the executive committee of the school together. It was resolved that before turning to traditional processes, the group should pray together. According to the villagers, the prayer had successfully sorted out the problem at the school; this was good because 'money is very important to mobilize traditional activities, but you know prayer can be done at no cost'.[32] As Baker and Scheye point out, in post-conflict places people rarely rely on one form of authority to the exclusion of others in addressing transitional dilemmas: 'their choices, in as much as they have them, are based on "what is available", "what works best" and "what can I afford", more than issues of who

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[30] Discussion group, Gulu, 27 July 2012.
[31] Allen (2006) and Branch (2011) emphasize the heterogeneity of spiritual beliefs and practice in the Acholi context.
[32] Discussion group, Nwoya, 15 August 2012.

controls the agency and to whom they are accountable' (Baker and Scheye, 2007: 515).

Ritual action was not always described in positive terms as restorative or healing. For example, a group of LRA returnees in Gulu town, who had decided to settle away from home, described how elders had 'put many curses on perpetrators'.[33] One example given was that the families of victims were burying the dead with their heads facing away from the family compound (as opposed to the normal practice which was to bury the dead facing inward) and in so doing, 'the dead can send out curses and the curse goes back to the family of the perpetrator'.[34] Another example given by returnees in Nwoya District was the practice of burying the victims with spears, again to direct them to wreak vengeance.[35]

The liberal transitional justice paradigm is pooly-equipped to deal with the dynamics of cosmological and spiritual practice in contexts like northern Uganda. The kinds of approaches to transitional justice that are advocated by international aid agencies are 'distinctively secular', structured around what Jakobsen called the 'protocols of universal reason', designed to promote a vision of ideological neutrality (Jakobsen, 2010: 34, quoted in Ager and Ager 2011: 458). As Ager and Ager (2011: 460) argue, however, this form of 'functional secularism' does not provide a 'neutral framework' but instead 'bears a *decision* to assess value in material terms'. Thus, even where cultural factors are acknowledged, this is usually so that they can be modified and then harnessed in some material way to broader transitional justice agendas. The UN talks of the need to 'develop strategies to take advantage' of informal systems (Wojowska, 2006: 13), and the World Bank advocates drawing on the 'capacities of traditional community structures and to "pull" them gradually in the direction of respect for equity and international norms' (World Bank, 2011: 156).

In Acholiland this has been common practice among donors and NGOs. External support has been provided both for public rituals aimed at forgiveness, reconciliation and reintegration, and for the revival of a 'chiefly' authority structure to

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[33] Discussion group, Gulu, 25 July 2012.
[34] Interview with elder, Gulu Town, 20 August 2013.
[35] Interview with elder, Nwoya, 14 August 2012.

oversee such processes in an effort to create a more 'holistic', 'culturally embedded' transitional justice policy for Uganda (Allen, 2006; Allen and Macdonald, 2014). Critics expressed serious concern that in trying to codify such practices, donors were engaging in the 'invention of tradition' and that this would re-enforce pre-conflict modes of patriarchy (Allen 2006; Branch, 2011). In practice, external support for 'traditional' practices has failed to resonate because materialist objectives negate the profundity and complexity of spiritual life in Acholiland, which is central rather than peripheral (Macdonald, 2015b).

Spiritual processes cannot be distilled, codified and funded as add-ons to conventional transitional justice programming because they comprise entire meaning systems. They are absolutely key to the way in which most people view the problems they face, and act as prescriptions for how to heal individuals and communities and move on. Even if some people prefer religion to ritual, or priests over spirit mediums (*ajwaki*), it is rare to meet someone who does not acknowledge spiritual causation of wrongdoing or suffering in some form. Appeasing and reconciling with phenomena that cannot be empirically verified (i.e. spirits) is a post-conflict priority for many. It is linked inextricably to the reconstruction of meaningful and productive social and economic relationships and cannot be sidestepped.[36] As the Gulu district speaker explained, 'you can forgive or use these other Western methods but there are still the spirits, we are all very concerned about the spirits'.[37]

GOVERNABLE AND UNGOVERNABLE JUSTICE

Given that transitional justice is contiguous with 'ordinary' justice and the existing political settlement, this final section examines the highly contingent nature of justice decisions in post-conflict Acholiland. These are usually based on the most pragmatic and effective means by which to restore balance and meaning to social relations (Porter, 2013). Sometimes this might be a peaceful and reconciliatory endeavour, at other times it may be exclusionary or violent. Sometimes it may involve a preference

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[36] Baines (2010) also discusses this in the context of northern Uganda. Kelsall (2009) discusses it in the context of Sierra Leone.
[37] Interview, Gulu, 7 August 2012.

for state-led juridical processes such as the police and formal courts, while at other times, this will be avoided. In a socio-political landscape marked by legal pluralism and hybrid public authority structures, people move between formal, informal and semi-formal governance institutions in the search for redress (Macdonald and Allen, 2015).

Across Acholiland, resolution of disputes is a practical, utilitarian and consequentialist process in which wrongdoing and punishment are defined and determined by context and circumstance. This reality accords meaning to a range of actions that will allow or threaten what Fuller (1971: 173) called a 'programme for living together'. Disputes tend to arise in situations in which people rarely deal with 'abstract things or with abstract people, but rather with neighbours, family members and in-laws' (Scheele, 2012: 201). This is particularly the case with post-conflict land wrangles, where validity of claims depends 'less on universal truth than on neighbour's opinion' (ibid.) but is also relevant for other disputes arising from acts of wrongdoing, as Porter (2013) has shown in her study of responses to rape and gender-based violence in Acholiland.

Research in the Acholi context suggests that a decision to refer a dispute and seek redress is normally premised on (i) available information, (ii) a realistic assessment of the likelihood of a tolerable outcome, and (iii) the consequences of that outcome on moral, cosmological and social stability (Hopwood and Atkinson, 2013; Macdonald, 2015b; Porter, 2013). What are the implications of this for transitional justice processes in Acholiland? It appears to be the uncertainty relating to these three premises that complicates peoples' attitudes towards the transitional justice framework as laid out in the AAR agreements. Whether or not amnesty, trials, truth-telling or external funding for *mato oput* are sensible options, remains largely unresolved and when asked, people stressed both the complex implications of such processes, and their lack of power in shaping their direction.

An illustrative example came to light during a discussion with an elderly woman in Kalongo town. She explained how petty theft was a major security issue affecting her life and that it was being perpetrated by young men who had grown up in displacement camps and could not be bothered to work. She said that suspected

criminals should be reported to the police and punished, preferably with a prison sentence and a fine. This jarred with an earlier part of the interview where she expressed her desire to forgive LRA perpetrators for the violent crimes they had committed, even against her own family. When this apparent contradiction was explored further, she explained that:

> These are two different things. The ones who killed on a larger scale, like Joseph Kony, should his life be lost because of all the others he killed? It does not make up for the loss of life that he caused. The impression we have is that it is beyond our means… The LRA killed two of my children and my husband but one of them lives with us here in the village now. There is nothing I can do, they just come and settle down. But that other person, that thief, he came and stole my things and it is good to punish him because those thieves have taken my things three times now. Those of Kony and his group are different, but this case of mine, it is from home.[38]

When pressed further on whether she would support a trial for Joseph Kony *if* he were captured, she again emphasized that this issue was too 'far from home', metaphorically speaking:

> We are people at a household level and we do not have power over that. If it was marriage, if Kony wanted to marry one of my daughters, I would not accept it. Forgiveness I might grant him would be that he cannot marry from my home. That would be impossible and I could never accept. He can come and dig.[39]

Her response expressed her feelings towards the LRA leadership through institutions over which she had some jurisdiction and control. It also highlighted a broader tendency to make distinctions between governable and ungovernable justice spaces. A local councillor in the same village had a remarkably similar opinion on things. He explained that when a mattress was stolen from his hut recently the thief was chased into town by a mob who beat him so seriously he almost died. When asked about a transitional justice framework (including punitive accountability) for crimes committed during the war his attitude shifted and he explained 'well, my

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[38] Interview, Agago, 30 August 2012.
[39] Ibid.

opinion cannot reach to the level of government. People have just surrendered all these things'. [40]

People framed their 'powerlessness' in oppositional terms, against the agency they possessed in their immediate locales. Because of this it actually became more apparent as a strategy, well captured by two variants of MacGinty's (2012b) 'non-participation' typology, which posits a conceptual alternative to 'resistance' and 'compliance' towards international and state interventions into daily lives. Across research sites in Acholiland, two particular forms of non-participation were apparent in relation to the AAR framework. The first surfaced in discussions about crimes committed by the LRA and was a form of 'voluntary non-participation', described as a 'rational choice, utilitarian calculation that participation will bring few benefits' (ibid.: 174). Because people rarely identified a clear link between accountability for LRA war crimes and material improvements and/or greater security in their own lives, they actively disengaged from the topic on the basis that keeping a 'low profile' would better serve 'the goal of long term accommodation' (ibid.). It was not uncommon to hear people bat away suggestions of — particularly criminal — accountability for LRA perpetrators with comments like 'I have no problem with the LRA', or 'just let them come so we have peace here'.

This implies agency but was often combined with another sense of 'involuntary non-participation', which came to the fore during discussions around UPDF war crimes and accountability. This MacGinty describes as 'acculturation' (ibid.: 176): the idea that norms of non-participation are historically constructed and 'so deeply embedded' in identity and behaviour that they are difficult to shift. People expressed a strong desire to see UPDF soldiers and government officials prosecuted for war crimes and theft but these remarks were always caveated with assertions of powerlessness: they had 'no power' over these things and anyway, 'this would never happen' under current political circumstances.[41] While government and UPDF accountability was an aspirational desire, a vision of a more equitable political future, LRA prosecutions represented something far more ambiguous and destabilizing. Perhaps this was because the prospect of the latter was more real; more likely to

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[40] Interview, Agago, 30 August 2012.
[41] Field notes, June to October 2012.

unsettle the ground upon which relative peace was believed to rest; and because the likelihood of instrumentalization and manipulation by the state was more immediate.

In general, state-led transitional justice processes, as promoted by donors and JLOS and laid out in the AAR, are perplexing to most people. This was not because of a 'cultural' aversion to formal, institutionalized justice, nor was it fatalistic. It was pragmatic and based on a clear understanding of the hegemony of the NRM and its narrative about the LRA war. It was not considered practical or wise to separate the proposed processes from the deeply unequal political environment in which they would operate. To equate transitional justice with peace, accountability, reconciliation and healing would be to 'implicitly assume effective and equitable governance' (Hopwood and Atkinson, 2013: 7), and people in northern Uganda, understandably, rarely make that assumption.[42] As a senior Acholi donor staff member explained, off the record: 'resolving transitional issues is a priority for people, but not the way donors understand it… This is a key framework through which people are negotiating life. But that is not the transitional justice which is discussed in policy forums in Kampala and Gulu and if you are looking for that you are missing something'.[43]

'Ordinary' justice is not generally 'seen' by transitional justice advocates and yet it is absolutely central to the regulation of post-conflict social and moral order. 'Ordinary' justice remains deeply hybrid and because people live in a 'multi-layered' (Baker and Scheye, 2007) political and socio-legal system, their justice choices, as far as they have them, might not be consistent. Perceptions about the best mode of dispute resolution, for example, may shift over time or may depend on the intricacies of the issue at hand and its implications for the 'rest of life'. This protean approach is 'law in action': something legalistic observers feel uncomfortable with because it stands in tension with understandings of law and justice as a set of 'more or less formalized rules', presenting instead the prospect of 'improvised responses to circumstances' (Skoda, 2012: 42–4). One thing that appears certain is that local justice approaches cannot be translated neatly into 'rights discourses… legal certainties and political objectivitiy' (McEvoy, 2007: 419) in the way that the liberal

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[42] Hopwood and Atkinson make this point in relation to the land titling debate in northern Uganda but is also relevant here.
[43] Interview, Kampala, 22 May 2012.

transitional justice paradigm pre-supposes, nor can it be understood through cultural essentialism.

CONCLUSION

This article paints a complex picture of the plurality of ways that people negotiate and experience social accountability, justice and coexistence in the 'everyday' transition from war to peace in Acholiland. The dominant diagnosis of injustice was *structural* violence: the harm still being done by a set of socio-political structures depriving people of their ability to access the basic needs required to fulfill potential in life. Every transitional justice measure listed in the AAR was discussed and interpreted in these terms: how will this change our lives? Will it make our lives better, safer, more prosperous or even less secure? These were not just theoretical questions: it was understood that transitional justice processes would necessarily exist in a symbiotic and fragile relationship with the political economy of survival in post-conflict Acholiland, shaped by the four themes discussed above: self-securing, contingent co-existence, spiritual balance and recourse to forms of 'governable' justice.

Too often the transitional justice literature addresses dissonances between the day-to-day functioning of post-conflict communities and bold schemes of justice writ large through calls for procedural pluralism. In other words, it is not transitional justice per se that is the problem — it is the fact that we need more of it. This explains the popularity of the idea of a more 'holistic' transitional justice, in which 'retributive' measures such as criminal prosecutions exist alongside 'restorative' measures such as 'traditional' ritual. Arguably this represents a form of 'epistemic closure' (MacGinty, 2012a: 288), whereby problems are conceived as autonomous and freestanding and thus exist within a delimited framework of possible solutions. By anachronistically enveloping communal and individual calls for attention to basic needs, non-violent co-existence and spiritual security into the normatively loaded transitional justice template we risk misrepresenting entire societies (Donnelly, 2007: 286; Richmond, 2009b: 328).

In promoting the idea that 'political relationships can be altered', and optimal liberalizing settlements arrived at through the 'ideology of method' or the 'application of particular practices' (MacGinty, 2012a: 290-1) there has been little space for genuine debate about the needs of affected communities in post-conflict Acholiland. This discredits the normative endeavour of propagating liberalist ideals of due process, rule of law and accountability. A widespread justification for transitional justice promotion is that it will gradually open up dialogic space on accountability, and that ultimately this will cross over into positive governance reform. There are, however, very real 'moral hazards' (Richmond, 2009a: 569) in such a rationale that are neglected. For example, affected communities remain bewildered that donors thought it prudent to support a sitting government, whose own security apparatus was implicated in major international crimes against citizens in the north, to develop the AAR accords into policy. Rather than strengthening the social contract between the state and its citizens, such clumsy interventions are widely regarded as a hindrance in the complex search for an equitable and just post-conflict settlement.

Transitional justice conceptions may carry a degree of meaning in Acholiland but they lack bearing and make too little sense to people who understand the political and social constraints within which they exist much better than external observers, policy makers and civil society activists do. It is difficult to imagine how these broad ideas and 'grand gestures' might be anchored to everyday political economies of survival in a way that would help people in their immediate context. Given that transitional justice policy in Uganda claims to be 'victim-centred', and makes explicit links between transitional justice, peacebuilding and democratic consolidation, this is a problem. As Okello (2010: 277) argues, 'simply pointing out that transitional justice ought to place more emphasis on "the local" does not in itself represent a shift in the underlying assumptions of the field'. The northern Uganda case demonstrates a clear need to pay more serious attention to dissonances between transitional justice conceptions kept in stasis by their epistemic boundaries and the kinds of pragmatic, fluid and variable approaches that states, communities and individuals adopt in response to the concrete, quotidian challenges of post-conflict life.

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Anna Macdonald is a Fellow in the Department of International Development at the London School of Economics and Political Science, Houghton Street, London WC21 2AE (a.macdonald1@lse.ac.uk). She has published on various aspects of transitional justice and her current research interests include public authority and the provision of justice in conflict-affected places in central Africa.