

1 Introduction

Seeking Peace with the Lord's Resistance Army

Maybe Angelina Jolie's honeytrap could have been the end of Joseph Kony's existence as one of the world's most notorious warlords.

Jolie, a world-famous superstar of the screen, and the chief prosecutor of the International Criminal Court (ICC), Luis Moreno-Ocampo, had toyed with the idea of embedding Jolie with US troops in the Central African Republic (CAR). Her presence with the soldiers, so the plot went, would allow her to invite Joseph Kony for dinner. The leader of the Lord's Resistance Army (LRA) would then, to his surprise, soon learn that he was not in for a date with Jolie. Instead, she would help to arrest him. Even Jolie's then-husband Brad Pitt was to play a role – maybe as a soldier.¹

The chief prosecutor of the ICC – who had issued arrest warrants for Kony and other commanders of his Ugandan LRA a few years prior – discussed these possibilities in an email exchange with Jolie obtained by the investigative website Mediapart. Ocampo later claimed that he was the victim of a cyberattack.

Yet before Jolie could fluff the table linen and clink glasses with Kony somewhere in the bush him to the ground to hand him over to the ICC, Ocampo and Jolie stopped communicating. It seems that Ocampo's declarations of love for Jolie were not welcome. Prior to the abrupt ending, both had seemed convinced by the approach – what more could it take but dinner with a beautiful superstar to get Kony to accept his guilt and allow peace to come?

Much, much more, it turned out. More than anyone was able to offer within the setup of how peace is commonly pursued today.

1.1 Getting Ready for Peace

Peace was going to take much more than even the representatives of the LRA and its political wing, the Lord's Resistance Movement (LRM),

¹ *The Sunday Times* (8 October 2017).

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were envisioning when they were getting ready in the late morning of Friday, 14 July 2006. Delegates smoothed stray hairs and helped each other shave or adjust ties. The opening ceremony for what would become known as the Juba Peace Talks between the LRA/M and the Government of Uganda (GoU) was scheduled for 2 p.m. With an hour to go, the delegation of suited men and one woman was ready to depart. As a final preparation, a few briefly gathered in one of the prefabricated container hotel rooms of the RA International Hotel for a private prayer. At 4 p.m., the delegation was still waiting under the hotel's mango tree. Bored with hanging around, one of the delegates asked me to film him. He shouted into the camera: 'We want peace! The LRA wants peace!' Just after 5 p.m., cars sent by the Government of Southern Sudan (GoSS) arrived to take the delegation to the Southern Sudan Legislative Assembly building.

Juba, the capital of what was at the time called southern Sudan,² had at that point only been the headquarters of GoSS for a few months. The Comprehensive Peace Agreement (CPA) between the Government of Sudan in Khartoum and the former rebel Sudan People's Liberation Army and Movement (SPLA/M) had been signed in 2005, starting a six-year interim period until the referendum on independence, to be held in 2011. After years as a besieged garrison town for the Khartoum government's Sudanese Armed Forces (SAF), Juba, in July 2006, was in the early stages of reconstruction, with few stretches of paved road or permanent buildings. The Legislative Assembly was among the biggest buildings left standing after the war.

As they walked up the big staircase and across the sandy-coloured spotty carpet of the dusty lobby, nobody in the LRA/M delegation spoke. Nobody smiled. On a normal day, parliamentarians would sit in the deep brown armchairs, debating or exchanging friendly banter. On this day, the dimly lit corridors of the assembly hall were deserted. SPLA soldiers ushered the delegates into a room where representatives of the Acholi people northern Uganda's main population group, were waiting: the Ugandan Acholi Paramount Chief Rwot Achana II, accompanied by religious leaders and other delegates. The visitors hugged some delegates and patted others on the shoulder and the atmosphere instantly lightened.

Until that afternoon, I had only ever seen the parliament half-filled with newly appointed members voting on laws for newly semi-autonomous southern Sudan. Now the hall was packed with Ugandans, SPLA soldiers, South Sudanese politicians and reporters from major

² The country has been called South Sudan since its independence in 2011. I will refer to southern Sudan for the time before 2011.

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Figure 1.1 Joseph Kony and his deputy Vincent Otti, June 2006

Ugandan and international news outlets. The BBC's Khartoum correspondent Jonah Fisher was speaking into his recorder. Reuters had sent a reporter from Kampala. Al Jazeera was rolling a camera. The media presence was also a response to the shift in how the armed rebels of the LRA had dealt with public relations in the preceding weeks. Its elusive leader, Joseph Kony, had for the first time given a television interview – to me – just a few weeks earlier, announcing his interest in peace.³ He had not been heard from or seen for years before that; appearances had been scarce in twenty years of war. The LRA now seemed accessible, signalling that this new attempt at peace was going to be different from previous efforts.

The GoU delegation was already seated when the doors opened for the LRA/M. The two groups on either side of the room seemed similar – with two exceptions. Seated among the men of the LRA/M delegates was one woman: Josephine Apire, an LRA affiliate based in London. Among the representatives of the Ugandan government was one man wearing military fatigues and sunglasses: Uganda People's Defence Force (UPDF) Colonel Charles Otema, who had for years been in charge of the military operation against the LRA.⁴ LRA/M delegate Sunday Otto, who had been arrested by Otema a few times, kept staring at the army man even while bowing his head for a prayer. Speaking first, southern Sudan's President Salva Kiir Mayardit and then Gulu's Archbishop John

³ Schomerus (2010a).

⁴ Otema has since been demoted.

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Baptist Odama both invoked a spirit of hope. The leader of the GoU delegation, Interior Minister Dr Ruhakana Rugunda, reiterated the GoU's commitment to peace. Then Martin Ojul, chairman of the LRA/M delegation, walked up to the microphone to announce that he would leave the opening words to his spokesperson Obonyo Olweny. Olweny, in the first official public appearance by the LRA/M at the Juba Talks, launched into what in my scribbled notes I described as 'a symbolic RPG [rocket-propelled grenade] attack'. First, he listed the grievances the LRA/M wanted to discuss:

My delegation wishes to take this opportunity to inform the international community that the political agenda of the LRA/M is premised on the mission to address the basic issues of among others, political persecution and marginalisation, demeaning attitude designedly expressed by people in power to insult and demonise some ethnic groups in the country, deliberate imbalance and disparity in the development of our country, protection of the people's land against state-sponsored and state-backed land grabbers, respect for and protection of cultural diversity, abuse of democratic principles and good governance, genuine respect for international law and the territorial integrity of and peaceful co-existence with all countries, compensation and reparation for all the losses suffered as a result of civil strife and/or state-instigated schemes such as cattle rustling by NRA [National Resistance Army, a previous name for Uganda's army] soldiers that swept all the livestock in northern and eastern Uganda, equal opportunity for all, partisan army and other forces, peace and reconciliation, private sector-driven economy, professional and motivated civil service, zero tolerance for corruption, sectarianism and abuse of office, affirmative action for women, youth and the disadvantaged, IDP [internally displaced person] camps and protection of human dignity.⁵

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

⁵ Olweny (2006b).

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give our side of the story against extremely negative and malicious distortions, misinformation and outright lies about the role of the LRA/M in the conflict, and to a no less extent, against the people of northern Uganda ... [and] appeal to the international community to reassess its position on the LRA/M, based on prejudices and misgivings prompted by NRM's [National Resistance Movement, President Yoweri Museveni's ruling party] elaborate propaganda machinery.⁶

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

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

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

The LRA is strong and the unfolding political events in Uganda, the ever manifesting clearer dichotomy between a small clique of an ethnic-based regime and the majority of the marginalised Ugandans can only make a now focused, more pro-people and more sophisticated and committed LRA stronger. The LRA has come of age. Never shall we remain silent about the intransigent and rapacious machinery of the NRM/UPDF.⁷

The audience was noticeably taken aback. I heard someone say loudly: 'That was a bit harsh!' Such a strong statement, delivered with military verve by someone people knew to be a member of the Acholi diaspora was unexpected for some, frustrating for others. Most journalists construed the speech as an attention-grabber to counter allegations that, as a spent force, the LRA was not a credible negotiation partner. Olweny's debut also fuelled a separate discussion. Who was the LRA, really? A safe haven for an embittered but out-of-touch diaspora? Die-hard commanders with forced recruits at their mercy? Considering that the LRA was known for recruiting through abduction, were these delegates brain-washed abductees, volunteers for a cause they believed in or, as someone behind me whispered, down-on-their-luck individuals who had joined the delegation in anticipation of a generous per diem?⁸ Father Carlos Rodriguez, a longtime resident of Uganda and a significant figure in previous peace negotiations with the LRA, turned to his neighbour and asked loudly: 'When has this man last been to Uganda?'⁹

⁶ Olweny (2006b).

⁷ Olweny (2006b).

⁸ Fieldnotes, Juba: 14 July 2006.

⁹ Fieldnotes, Juba: 14 July 2006; also Rodriguez Soto (2009)

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Within the walls of the windowless Legislative Assembly, within the space of a few minutes, I had heard or overheard a whole set of issues that somehow needed to be tackled at the Juba Talks – including how the LRA/M wanted to present itself.¹⁰ Within the delegation, Olweny's speech had created dissonance. One delegate, a middle-aged man with an army rank who was now living in Europe, was concerned that the strong tone of the speech had closed down the possibilities for negotiations: 'The Government of Uganda will feel snubbed. They might withdraw The speech should have been more humble, without any inclusion of military power. Otherwise, this can be seen as a threat of war'.¹¹ Other LRA/M delegates left the opening ceremony in a visibly triumphant mood, convinced that their having voiced their anger and demands would allow the conflict to be resolved. Asked how he felt during the ceremony, one of the younger delegates with reportedly close connections to Joseph Kony said: 'I feel that I have done something good'.¹²

1.2 Understanding the Reality of Peace Negotiations

This delegate's feeling that something positive had been started in Juba was initially reflected in how the Juba Talks were perceived. Despite the doubtful whispers in the audience and the LRA/M's awkward opening speech, the Juba Talks are widely considered the most promising attempt at peace in the history of a violent conflict that has its beginnings in 1986 and, in 2021, is still not fully over yet. Yet the Juba Talks ended in 2008 when, despite several opportunities, LRA leader Kony did not sign the Final Peace Agreement (FPA) and the Ugandan army (UPDF) then dropped bombs on the camp of the LRA in the north-eastern corner of the Democratic Republic of the Congo (DRC). An international military offensive against the LRA continued for several years; more than ten years later the LRA still causes terror for civilians in the CAR. Joseph Kony remains a somewhat mystical figure – in many ways simply because he is still alive – while one of his main senior commanders, Dominic Ongwen, is prosecuted for crimes against humanity at the ICC in The Hague in a controversial and challenging trial.¹³

It is widely argued that the peace talks failed because Kony was not serious about peace, that the Juba Talks were an LRA ploy to regroup, that Kony's position on many negotiation points remained unclear,¹⁴

¹⁰ Fieldnotes, Juba: 14 July 2006.

¹¹ Fieldnotes, Juba: 14 July 2006.

¹² Fieldnotes, Juba: 15 July 2006.

¹³ Keller (2017); Branch (2017).

¹⁴ Jackson (2009).

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that the LRA was torn apart by internal strife, that the mediation set-up was not conducive to reaching an agreement, and that the international community had lacked leverage.¹⁵ Opponents of the ICC argue that the court's arrest warrants issued for LRA senior commanders in 2005 – the young court's first-ever warrants – made a peace agreement impossible,¹⁶ citing the Juba Talks as a watershed moment and reality check for international peacemaking. Supporters of the ICC claimed that it helped bring the LRA to the table but then laid bare the LRA's lack of commitment to accountability. All of these points made the Juba Talks difficult, but they do not conclusively explain the complex failure to reach a peace deal.

Most of these arguments foreground the content of the negotiated agreements, implying that the reason for the talks' failure was that simply no agreement could be found to satisfy. This interpretation is too easy – and yet, with the ICC seemingly having won the argument by getting an LRA commander to trial, it is also becoming ever more dominant. But the reality behind the failure cannot be reconstructed through the lens of victor's justice: The reasons are not clear cut and instead can be found in the experience of the peace process. Thus, a detailed account of what happened is warranted.

The Juba Talks were the first peace talks directly influenced by the ICC, constituting a watershed moment in peacemaking. They also left a sobering legacy, with a violent fall-out for civilians in South Sudan, DRC and the CAR, an unsatisfying peace for Ugandans and with lessons unlearned on the long-term impact of military intervention against armed rebellions in Africa.¹⁷ How the Juba Talks are remembered and conceptualised also has long-term implications regarding how military partnerships between the United States and Uganda are understood. It is necessary to shine a light on the complex and convoluted events that were set in motion in Juba, beyond the obvious chronology of agreements signed.

The LRA/M did not sign the FPA because of how they had experienced the peace talks, not because they simply rejected the content

¹⁵ See for example Spiegel and Prendergast (2008).

¹⁶ It is widely argued that the peace talks failed because the LRA/M was not serious about finding a negotiated solution and was focused on regrouping (Day 2017), or because the arrest warrants issued for LRA senior commanders by the International Criminal Court (ICC) in 2005 – the young court's first-ever arrest warrants – made a peace agreement impossible. More recent scholarship has nuanced this blanket interpretation and instead refines what the nature of the influence of the ICC on the negotiations was (Gissel 2017; Macdonald 2017; Kersten 2016; Clark 2010a).

¹⁷ Epstein (2017).

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outright. My endeavour is thus a nuanced analysis of the experience of this confusing and multilayered process in which many actors with often conflicting objectives played a part. The Juba Talks were unique, but they also offer broader lessons about peacemaking: they teach us that peace negotiations can entrench the structures of the conflict and that how participants experience the dynamics of the process matters more than anything else for an outcome. The Juba Talks demonstrate how difficult it is to understand these processes as they happen and to use that understanding to influence them positively. As a case study and benchmark peace process in a changed international environment, the Juba Talks can help explain why, broadly speaking, the emphasis in current peacemaking on negotiated agreements is misplaced as a measure of success – and yet, this emphasis remains. The key to making peace might instead be found in engagement with dynamics and developments that occur around the talks.

What happens on paper and what actually happens is rather disconnected; hence I am restricting my analysis to my own observations outside the negotiation room rather than focusing on the content of the peace agreements, which are accessible for everyone to analyse.¹⁸ Focusing on the experience of the LRA/M, I will demonstrate how fragmented narratives and dynamics within the group and in the encounters between the group and outside actors failed to amount to a shared understanding of what could be achieved through negotiations.

As I spent prolonged periods of time with the LRA/M during the Juba Talks to watch and ask questions, I learned that behind seemingly accepted events, a separate set of evolving dynamics and challenges called the meaning of the negotiated agreements into question for the LRA/M.¹⁹ In Juba, the LRA/M did not experience a deep peace process and instead encountered the same power patterns that had kept the conflict alive. Yet on another level, the Juba Talks brought peaceful change to Uganda, strengthening the argument that despite the failure to sign a final agreement, negotiating holds value in itself.

1.3 Overview

Following a chapter on the history of the conflict and attempts at peacemaking, this book alternates between empirical chronologies of what

¹⁸ All agreements can be found on the United Nations Peacemaker Peace Agreements Database. <https://peacemaker.un.org/document-search>

¹⁹ Clark's analysis of the gacaca courts in Rwanda starts from a similar perspective (Clark 2010b).

occurred between the opening ceremony and Kony's failure to sign the FPA by the deadline of 30 November 2008 and analytical chapters. In these chronologies, I sometimes use secondary information on events that I did not witness myself, however, the narrative of events is punctuated with insights into how what happened frustrated or elated the LRA/M. The chapters also underscore the methodological and reflective challenges of researching an ongoing process.

The first analytical chapter is a narrative enquiry into how LRA members explained the inner workings and values of the LRA, including how the amorphous and contradictory LRA identity contributed to their experience of the dynamics of the talks. Further, analytical chapters reveal the LRA/M's logic beneath the confusion, outlining ideological and systematic obstacles encountered and entrenched, and distilling the particularities of the LRA/M as a negotiation partner. The final chapter concludes on broader achievements of the Juba Talks, as well as what general insights on peacemaking can be derived.

1.4 The Challenge of Peace

Peace is often assumed to be better than war; yet solving entrenched conflicts within the existing system is extraordinarily difficult. A few days before the opening ceremony of the Juba Talks, I was writing notes on what I then considered the main challenges for the talks. The challenges to me seemed pretty straightforward: simply conducting the negotiations would be difficult, I noted. The heavily armed LRA and the LRA leaders were camped out about 300 miles away in the Congolese jungle with no intention of joining the negotiations at the table in Juba, so getting their input and feeding them would be difficult, as would be protecting the population around them. Facilitation through the young GoSS might be unreliable. There was a need to figure out how to navigate the arrest warrants issued by the ICC for LRA commanders, including the leader Joseph Kony, his deputy, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Ongwen, and with that to establish how to manage the tensions between localised conflicts and international justice frameworks. I presented these challenges to one of the LRA/M delegates. These were all good points, he said, but that he did not think that these were the biggest problems.

Peace, he explained to me, would require a lot of change, both inside and outside the LRA. Adjusting to new situations, thinking of the world they lived in as a peaceful environment in which tackling issues with violence was not an option, was going to be as difficult for the outside world as it was for the LRA. He explained that people mistook peace for

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something that was very easy and could be achieved by simply wanting to achieve it. This was not the case. It was more important that the talks be done properly. He was unsure whether the LRA would be able to get their points across; he was sceptical that the negotiations would work. Using an Acholi proverb, he put into words that how the LRA and those affected by the conflict experienced the process would be the most important part, and that getting all these things into place to reach peace was full of potential hurdles: 'Every easy thing can be very complicated', he said. 'Even something that you think is very easy and normal to do. Even eating you can bite your tongue'.²⁰

How actors experience peace talks and their dynamics determines negotiation conduct and the extent to which they can change their own behaviour. The process takes centre stage, its achievements fading into the background. For the LRA/M, the process was a contradictory experience with shifting loyalties and interests. Internal dynamics within the LRA/M were profoundly influenced by their perception that they were trapped in an established hostile system, with an uneven playing field. Yet the LRA/M also struggled to transform their internal dynamics of distrust. Instead, the Juba Talks confirmed the workings of the 'system LRA/M' that continues to function on its internal trust and distrust between actors of the LRA and the LRM, as well as in collaboration with the government as all groups continuously infiltrate each other. This permanent playing-off of loyalties and betrayals in a conflict system that connects everyone to everyone is a crucial part of why the conflict has continued for so long and why civilians continue to suffer.

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

Individuals within the LRA/M embraced the notion of peace with ambiguity. Personal stories give an insight into how LRA/M members experience the day-to-day realities of their often-shifting identities, expressing an ambiguity vis-à-vis being an actor in war and peace.

²⁰ Fieldnotes, Juba: 5 July 2006.