



‘Abomination’: Local belief systems and international justice

EXECUTIVE SUMMARY

Local contexts must begin to better inform Western-based approaches to transitional justice; without them, external interventions often fail to resonate with the values, norms and beliefs of victims. To illustrate this point, this edition of *Field Notes* focuses on the Acholi concept of *kiir*, or abomination.¹

Kiir is a transgression of the moral order which is believed to cause serious misfortune, including disease, spiritual haunting and death. Not only has the conflict in northern Uganda created the conditions that have allowed these transgressions to occur; the conflict has also been called an abomination in and of itself. A curse on the people of Acholi and consequent mass displacement are thought to have multiplied acts of abomination as well as reduced the capacity to deal with them: a cleansing ceremony must be performed in order to rectify the impact of *kiir*.

The concept of *kiir* provides important insight into how social roles and relations of women and men, young and old are structured and reproduced. Although *kiir* is not often committed intentionally, in extreme cases it can be an act that enables the powerless to exercise agency: by cursing others, one calls for the reparation of harmed social relations. If the purpose of transitional justice is to bring about a social transformation in post-conflict societies, then the concept of *kiir* helps to unlock how such a transformation may take place.

For example, the concept of *kiir* suggests that trauma is a collective phenomenon, one that threatens the social reproduction of the clan. Individualized, psychological approaches common in the West are not entirely appropriate.

Westernized court systems may reflect international human rights standards and be considered legitimate in the eyes of both the local and international community, but fail to address the disruption of social relations caused by *kiir*. Supplementary acts such as cleansings will continue regardless of court results.

This is also the case in terms of development and the return of internally displaced persons to their villages. Persons have been reluctant to return to their villages and rebuild local economies until the spiritual dimensions of *kiir* have been addressed.

This *Field Note* attempts to bring the reader closer to an understanding of local belief systems. Gaining insight into these beliefs can aid international justice systems to better reflect the lived realities of the victim population.

¹ All research data collected on *kiir* was done in largely rural areas where the majority of the war-affected population in northern Uganda lives in internally displaced persons camps.

INTRODUCTION

*Museveni and Kony are sons of Uganda. We the mothers of Uganda are sad because these two brothers cannot reconcile. They are men, and they have never experienced labour pains. But it is we the women who suffer most as a result of their fighting. If they cannot reach an agreement, then may they be guilty for shedding the blood of the Acholi, and a curse upon them.*²

The preceding words were spoken by an Acholi *meگو* (mother) during a JRP-organized dialogue on the ongoing northern Uganda peace talks. Her frustration bubbled over as a war-affected Acholi, but also as someone recognizing that the consequences of disorder and violence have fallen disproportionately upon the women and children of Acholi-land.

Amidst the context of a 20-year-long war, Yoweri Museveni and Joseph Kony (the President of Uganda and leader of the Lord's Resistance Army, respectively) were cursed by this *meگو* in a very serious and purposeful attempt to gain power over her intolerable situation. Having no other avenue of agency, this *meگو* invoked a curse and thus called upon the spirit world to intervene. This invocation is an Acholi curse, which is also known in Luo as a type of *kiir*.

Throughout the course of several JRP research phases (2005-present), it has become evident that certain acts in Acholi are considered to be taboo and, if steps are not taken to cleanse a perpetrator of one of these abominations, misfortune is thought to result. Caused by the angered and displeased spirits of gods, ancestors, or ghosts of the dead, misfortune often befalls neither the perpetrator nor the victim, but the children of either, threatening the reproduction of the clan. Women become barren, children fall ill: sickness and death are the products of abominations that have not been appeased by sacrifice.³

² Statement by *meگو* at the JRP Dialogue on Peace Talks, Padibe, 3 November 2006.

³ Some respondents made the observation that children of perpetrators suffer greater consequences than those of victims.

The *meگو*'s words also point to the position of women and children in Acholi society and in the greater moral order. While the term *meگو* literally means 'mother,' it is specifically a term of respect granted to women once they have earned that position. Women are the bearers and caregivers of Acholi children, who in turn have the responsibility to maintain and eventually reproduce that order. But amidst a war that has been characterized by its use of kidnapped children brutally indoctrinated into lives of sexual servitude and military battles, the reproduction of the Acholi moral order has become incredibly difficult. Meanwhile, in the displacement camps across northern Uganda, mass crowding and despair have allowed incidents of *kiir* to overwhelm everyday life.

In the cosmology of those adversely affected by the war, *kiir* is a concept central to the moral order governing social roles and relationships. It should thus be seriously considered by all parties concerned with justice.

Aside from the *kiir* of the *meگو*'s curse, many abominations exist. The act of forcing someone into marriage or sex, particularly in places considered sacred,⁴ is considered a grave *kiir*. The anger of *jogi* (gods; singular *jok*), the spirit ancestors, and the ghosts of the dead can only be appeased by specific cleansing rituals. Likewise, the burning and destruction of property, fighting at water sources, and domestic disputes are all known to disrupt the cosmological balance between the living and the spirit worlds. These *kiir* and more have commonly occurred during the conflict, particularly in context of crowded internally displaced persons' camps. And as research conducted by JRP has discovered, nearly all war-affected Acholi believe that the elders must

⁴ Sacred places are where gods, or *jogi*, are thought to dwell, including *near* sources of water, under big trees and in the forest.

cleanse the vast amounts of *kiir* committed during the war, lest more death and misfortune occur.

Beyond the now relatively well-known process of *mato oput* and debates about the most appropriate avenues for justice and reconciliation in Acholi-land, little is known in the transitional justice field about what motivates Acholi to seek out local justice mechanisms or how Acholi cope with the unimaginable consequences of the conflict. This *Field Note* aims to bridge the knowledge gap by exploring the basics of Acholi morality as it relates to the conflict. How do the Acholi experience and explain everyday conflicts and misfortunes? How do the interactions of the physical and spiritual worlds influence Acholi approaches to justice and reconciliation? Why is it important to recognize the local context in the design of international human rights based approaches?

The elderly *meگو*'s curse gives us a great amount of insight into these questions of justice and reconciliation. It helps us to understand *how* the process of justice is initiated in Acholi-land, and by *whom*. It is not the elders, it is not the International Criminal Court, and it is not politicians and diplomats that initiate the restoration of relationships in Acholi-land – it is everyday people who take drastic spiritual actions in an effort to find meaning in chaos, and to make the intolerable tolerable.

In the cosmology of those adversely affected by the war, *kiir* is a concept central to the moral order governing social roles and relationships. It should thus be seriously and rigorously considered by all parties concerned with transitional justice in Acholi-land. We are particularly interested in how perceptions of *kiir* (as defined and described by Acholi elders and everyday people) have been shaped by the conflict and have provided a framework of causation: abominations have served as a tool that enables people to cope intellectually with the constant presence of illness, death, and misfortune.

METHODS

The primary research for this field note was carried out by way of in-depth structured interviews with 48 people located in 3 internally displaced persons' camps (Anaka, Amuru and Koch Goma), over the period of June and July of 2006. Respondents were asked to classify and explain the gravity of crimes. During the initial research phase, it became clear that certain abominations were themselves considered criminal and conversely criminal acts considered abominations.⁵ Following this phase, researchers asked respondents to explain their knowledge of abominations and to describe *kiir* that has occurred during or as a result of the conflict (specifically, abominations occurring in the camps). Eight interviews with local leaders, lawmakers, and NGO workers supplemented these interviews. All respondents were identified using cluster and snowballing methods. The interviews were conducted in Acholi and responses were translated into English by the research officers.

In addition, 49 local rituals were recorded by JRP focal point researchers and volunteers from the camp in Anaka, Amuru and Kalongo. These focal points reside in the camps and were given written materials and open instructions to record any rituals that occurred in the camp, why the rituals were being held, the processes and procedures involved, why specific items were used, and the consequences of not performing the rituals. The rituals took place in various locations as determined with the guidance of elders.

The data was further supplemented by interviews conducted during separate JRP research phases. An additional 5 in-depth follow-up interviews with camp residents (namely elders) was conducted in early August of 2007 to clarify key concepts.

⁵ For example, rape, arson and murder.

KIIR AND ITS CONSEQUENCES

*We were forced to walk over dead bodies. I was in fear that one time it would bring to me problems...While home for about a period of four months, I started experiencing bad dreams and thinking of what I had gone through and how I could gain a sense of control over my life.*⁶

The formerly-abducted child who uttered those words was describing one consequence of walking over dead bodies. Yet there are many more *kiir* that have been difficult to avoid in the conflict.

Respondents to the question 'Do you know of any *kiir* that has been committed?' were able to cite large lists of abominations. These include, but are not limited to: the burning and destruction of property, the breaking of vows, fighting at the well or other sources of water, fighting in the garden, having sex in the bush, rape, incest, murder, walking over corpses, mishandling corpses (or neglecting to give the deceased a proper burial), throwing food, money or feces in anger, beating one's genitals, domestic quarrels between husbands and wives, defecating in food, and eating ash. Several of these abominations were also documented during the research phase of JRP's flagship report, *Roco Wat I Acoli*.⁷

A purposeful *kiir* severs social connections and begs that they be reformed.

The consequences of these *kiir* are considered to be dangerous and are therefore taken quite seriously. The most common responses to the question: 'what happens if a *kiir* that has been committed is not addressed?' were that it would lead to the death of an infant or child, would make someone infertile or barren, or would lead

more generally to sickness and death. 'The greater portion of the punishment will befall the perpetrator and little will befall the victim,' explained one young man to a JRP researcher. 'The punishment for the *kiir* will be exacted in differing degrees of severity or enormity. There can be variations in the punishment experienced. For instance, the victim of the *kiir* may have a sickly child, while the perpetrator may be unable to bear children or lose children that are born until a ritual takes place.'⁸

It is noteworthy that these consequences seem to afflict the children of perpetrators and victims to a greater extent than the perpetrators themselves. 'If a taboo is not addressed, usually the children suffer. It can cause sickness or even death depending on the kind of abomination,'⁹ claimed one respondent. Certainly, as far as the children are concerned, a possible consequence of the *kiir* of their parents and elders was identified as disease and even death. 'If abominations are not addressed, they can cause sicknesses that come through swelling of the body,' one person explained to us. 'If a person gets diarrhea, he or she consequently dies.'¹⁰

Kiir prevalent in the conflict were often described in terms of the desecration of the dead. These include killing one's own relatives, walking over dead bodies, forcing people to eat human flesh, eat meals on corpses, and drink human blood. At massacre and ambush sites, where the sheer number of people killed made it impossible to bury every body as local custom dictates, spirits still linger and have not been put to rest. It is known that corpses have also been deliberately thrown into the bush in attempts to set angry spirits upon the perpetrators of mass murder. These very explicit abominations lend credence to the claim that the war in northern Uganda is itself a *kiir*.

⁶ Interview with formerly abducted person, Anaka Camp, 2 February 2007.

⁷ Liu Institute for Global Issues, Gulu District NGO Forum, Ker Kwaro Acholi, 2005. *Roco Wat I Acoli: Restoring Relationships in Acholi-land: Traditional Approaches to Justice and Reintegration*. 2005.

⁸ Interview with formerly abducted person, Amuru Camp, 4 July 2006.

⁹ Interview with former soldier, Anaka Camp, 20 June 2006.

¹⁰ Interview with displaced person, Anaka Camp, 21 June 2006.

Kiir is not a new concept. Based on fieldwork undertaken during the period of October 1949 to August of 1950, F.K. Girling's study of the Acholi also emphasized the strict taboo against incest in Acholi society.¹¹ Unlike Euro-American understandings of incest, in the Acholi context incest refers to relationships that occur within the same village lineage or clan. In the context of displacement camps, where a generation of young people have been raised, there have been frequent occurrences of incest due to the fact that clan lineages are no longer clearly delineated to those of marriageable age. Many respondents reported discovering that this *kiir* had occurred.

Years prior to the conflict in northern Uganda, the famous Acholi poet and anthropologist Okot p'Bitek described the curse of *kiir* as the 'deliberate act by a person who found himself or herself in an intolerable social position.'¹² While most *kiir* are not deliberate (for example, incest), uttering a curse is. P'Bitek described the purposeful *kiir* as a person's action of last resort when confronted with an intolerable social situation; committing *kiir* was seen as the only way out of a situation requiring immediate attention from others.

A purposeful *kiir* severs social connections and begs that they be reformed. Curses are uttered when the social order is disturbed, such as when a wife refuses to have sex with her husband, or when a son disobeys his parents. A serious abomination involves the exposure of a parent's genitals to his or her child; wagging a penis or striking below the belly button as if to say, in anger, 'I deny that you came from here.' 'It was believed that the anger of the parents which expressed itself in these acts affected the son immediately, causing him to become insane and impotent,' noted p'Bitek.¹³ In the intolerable social situations caused by the

war - mass abduction, rape, violence, forced displacement and the consequent life in IDP camps – *kiir* is very much a part of everyday life for war-affected Acholi.

Of the Acholi interviewed about their detailed knowledge of *kiir*, every single respondent was able to name and detail several abominations, while 84% of respondents identified *kiir* specifically linked to the conflict and life in the camps. The *kiir* of murder, of witnessing atrocities, or of mishandling dead bodies can lead to *cen*, (ghostly vengeance), a phenomenon now well-documented in Acholi-land.¹⁴ Those who have killed or been forced to kill; those who have witnessed atrocities; those who have passed by places where they have occurred – even those people related to such people - are vulnerable to relentless haunting by the ghosts of the dead. They suffer from nightmares, frightening visions and relentless anxiety.

Abominations are known to anger or displease the ancestor spirits and certain *jogi* (for example, many *jogi* reside by water, where it is forbidden to quarrel, by certain rocks, hills, forests, big trees and bushes). Known by different names in different regions, similar characters appear throughout Acholi-land: 'There are different types of *ayweya*, such as *kulu* which is associated with water (*kulu* can be used to denote the guard spirit or the *jok* as the same word is used); *lakwena* which protects or looks after combatants; and, *tipo ngur* which is a general spirit that causes miscarriages. The *jok* punishes humans, through the *ayweya*, for the *kiir* they have committed,¹⁵ explained one informant. It is these spiritual forces that bring sickness, misfortune and death upon the community when *kiir* is committed. While visiting a camp, one JRP researcher observed, 'the elders believe the high rate of death and suffering among the people of the camp is

¹¹ F.K. Girling, *The Acholi of Uganda* (Colonial Office, Colonial Research Studies No. 30), London: Her Majesty's Stationery Office, 1960, p. 65.

¹² Okot p'Bitek, *Religion of the Central Luo*, Nairobi: East African Literature Bureau, 1971, p. 145.

¹³ *ibid*, p. 150.

¹⁴ See, for example: Justice and Reconciliation Project, 'Alice's Story: Cultural and Spiritual Dimensions of Reconciliation in Northern Uganda,' *Field Notes*, no. 1, February 2006.

¹⁵ Interview with formerly abducted person, Amuru Camp, 4 July 2006.

caused by the gods, angry because of the evil acts that were occurring in the area.¹⁶

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As the elders inhabit social strata cosmologically closer to the ancestors, they may act as mediators and are therefore entrusted with the appeasement of the spirit world when an abomination has been committed. While observing the cleansing ceremony *tumu cere*, one camp resident said, 'The elected chairman of the elders holds the goat by the rope and blesses it. An elder is supposed to do this because it is an evil spirit that a young person cannot manage and the blessing of a young person cannot set off the cleansing.'¹⁷

Elderly respondents described common cases of *kiir* that they had been asked to resolve. 'After we have listened to the facts of the case, we ask for a sheep or a goat in order to carry out the cleansing. Some of these crimes include, for instance, throwing food at another person, throwing a hoe; throwing feces at a person, beating a person up until he defecates and beating a woman at the well. Others may include stealing food from a granary, deliberately burning somebody's house or somebody's garden. All these require cleansing,¹⁸ explained one elder.

Specific ceremonies exist for each act of abomination, with many requiring the sacrifice of a goat or a ram in the presence of the perpetrator and, if applicable, the

victim of the *kiir*.¹⁹ During the research period, focal point persons documented ceremonies that included *tum kulu* (for girls who fought at the well),²⁰ *tumu bedo ki wat* (for the case of incest),²¹ *tum kir cele ki cente/lim* (for people who threw money at each other),²² *tumu butu latin ma obutu pat ki mine* (cleansing a woman who had spent the night separate from her breast-feeding baby after a fight with her husband).²³ Frequent occurrences of death and accident were also prevalent at a particular spot where a massacre had happened. 'The traditional ritual for this *kiir* is *moyo cere*, which involves bringing together the clans heads of the affected area to undertake the ritual. A goat is slaughtered during the ritual,²⁴ a respondent described.

But daily survival comes first before costly feasts and sacrifices, as Finnström has noted.²⁵ Daily survival is a challenge in the displacement camps, and thus addressing *kiir* has proven extremely difficult for those who believe in its power to harm and disrupt. One elder, when asked to describe how the camp setting has affected the incidents and resolution of *kiir*, had this to say:

People used to live in their homesteads and this made it very easy to perform cleansing ceremonies since all could easily be gathered to attend such ceremonies. This camp setting has seen the people scattered all over, making it very difficult to create a forum for these issues to be settled... All those things that are to be sued to perform tumu kiir [cleansing abominations] have

¹⁹ In some circumstances, local herbs are used to cleanse abominations, particularly as people in the camps are unable to afford the animals required. This substitution is often considered to be ineffective.

²⁰ Witnessed by camp focal point, Amuru Camp, 1 February 2006.

²¹ Witnessed by camp focal point, Anaka Camp, 9 January 2006.

²² Witnessed by camp focal point, Anaka Camp, 26 February 2006.

²³ Witnessed by camp focal point, Anaka Camp, 8 May 2006.

²⁴ Interview with displaced person, Amuru Camp, 4 July 2006.

²⁵ Sverker Finnström, *Living with Bad Surroundings: War and Existential Uncertainty in Acholiland, Northern Uganda*, Uppsala: Uppsala University Press, 2003, p. 204.

¹⁶ Observed by JRP, Anaka Camp, 17 September 2005.

¹⁷ Witnessed by camp focal point, Amuru Camp, February 2006.

¹⁸ Interview with elder, Koch Goma, 8 February 2007.

*been lost. When you have been displaced, you become very helpless. We have lost all that we had like the white hens, and the black ones which are needed to perform these rituals. All these things are actually missing.*²⁶

In one case documented by a focal point person in one of the camps, a cleansing ceremony was performed for a woman who had cursed another woman and her children at the spring. After fetching water with a jerry can and a saucepan at the spring, she left the saucepan behind by accident. Another woman had taken the saucepan by the time she had walked back to retrieve it. 'She angrily cursed the person who took the saucepan and these were her words, 'she who took my sauce pan that was given to me by the donors should be harmed and even her children. The sauce pan she took should be used to cook food at the burial and funeral services of those people.' In the context of the camps, where material possessions are hard to come by, conflict can easily arise when items upon which people are dependant go missing.²⁷

SPIRITS, SEX AND MORALITY: KIIR AS AGENCY

*Barrenness is as a result of the things that were done in the bush that were kiir.*²⁸

Beliefs in the power of the supernatural world over everyday life are not unique to northern Uganda. In 1937, E.E. Evans-Pritchard's definitive *Witchcraft, Oracles and Magic Among the Azande* interpreted the notion of witchcraft as a system of beliefs that explained unfortunate events in the Azande culture of central Africa. Like *kiir*, Evans-Pritchard hypothesized that witchcraft beliefs 'embrace a system of values which

regulate human conduct.²⁹ He demystified witchcraft for a non-Zande audience by suggesting that the interaction of the supernatural and natural worlds through witchcraft 'explains *why* events are harmful to man and not *how* they happen.'³⁰ In the same way, we can approach *kiir* and its consequences as a rational phenomenon of cause and effect. In this way, those who suffer misfortune are able to employ strategies of control over their lives instead of feeling powerless to the course of sorrowful events.

For example, a formerly abducted soldier may suffer from post-traumatic stress disorder or a child may die of malaria in a displacement camp in northern Uganda. Yet for the afflicted, the *meaning* of these ailments may be found in the interaction of the spirit realm with that of the living: the soldier may be haunted by *cen* and the child may have died because of a *kiir* committed by his or her parents. These ailments may be alleviated, to some extent, by ceremony and mediation with the spirit world. In this way, Acholi, like the Zande, interpret unfortunate events through a framework that does not always mesh with medical and psychological ways of knowing. These frameworks of spirituality and medicine do not preclude each other, but instead must be considered together in any social intervention in Acholi-land.

In the communal clan system of Acholi-land an individual abomination or curse jeopardizes the well-being of the entire community, living and dead. After taboos have been breached, the brunt of the consequences is felt by mothers as their children die and they themselves become barren; women are prevented from fulfilling their roles as the bearers and nurturers of the next generation of the clan. As a result, the belief in *kiir* actively enforces the communal social and moral order and promotes good behaviour. If *kiir* is committed, social pollution results and steps must be taken to resolve the situation immediately, not only to restore the harmony

²⁶ Interview with elder, Anaka Camp, 8 August 2007.

²⁷ Witnessed by camp focal point, Anaka Camp, 1 April 2006. Unfortunately in this case, by the time the woman who had stolen the saucepan had admitted it and requested a cleansing ceremony, her child had already become ill. The child died while the elders were searching for a goat to use.

²⁸ Interview with formerly abducted person, Amuru Camp, 4 July 2006.

²⁹ E.E. Evans-Pritchard, *Witchcraft, Oracles and Magic Among the Azande*, New York: Oxford University Press, 1937, p. 63.

³⁰ *ibid*, p. 72.

of the clan, but to ensure that gods and spirits do not prevent the reproduction of the clan.

Sex and the Reproduction of Society

In Mozambique, grievances associated with the war were suppressed in a concerted effort to 'move on' through forgetfulness, as stipulated by a government-sponsored amnesty. However, social discontent has manifested through widespread spirit possession; one of the most common results of which is sexual dysfunction. Victor Igreja documented this phenomenon in Gorongosa, Mozambique. *Magamba* spirits are known to affect women far more than men, and are believed to be the spirits of soldiers who died in the war and were not properly buried.³¹ Where the war-affected are officially advised to forget the horrors of the civil war, possession by *magamba* spirits bypasses this silence because the experience of possession 'must be publicly disclosed, acknowledged and repaired. In this way, *magamba* spirits also present a potential source for a peaceful resolution of the histories of abuse, denial and concealment that prevail in Gorongosa,'³² he writes. In addition to the effect of spirit possession itself, a primary affliction resultant from *magamba* possession is, as noted above, the blockage of reproductive functions.

Similarly, it is reproduction (physiological and cultural) that is the most harmed by the act of *kiir*. The next generation of Acholi cannot exist if the primary consequences of abomination are the deaths of children, sexual impotence, and infertility amongst the adults. After recounting a story of a woman throwing food and a pot in extreme anger and frustration with her husband (this act constituting an abomination), Girling stated that 'it was believed that ill-health and other misfortune followed the act of *kiir*

immediately, resulting in deaths, especially of the children of the woman who did it.'³³

This adds yet another dimension to the war that is often described as a war fought by children. Even in the moral realm, it is the children who suffer the most for the sins of their elders.

'If a *kiir* is not addressed, then you can be possessed by evil spirits that can prevent you from having children. These spirits are called *ayweya*. They watch out for people who engage in *kiir*. These spirits will block your ability to have children,'³⁴ insisted one young man. While the Gamba spirits in Mozambique prevent sexual organs from functioning, so too the consequences of *kiir* include infertility, miscarriages, and the deaths of children. Social and physiological reproduction is thus halted by social uncleanliness, and the next generation is prevented from reaching adulthood.

Spirits ... present a potential source for a peaceful resolution of the histories of abuse, denial and concealment that prevail.

-Victor Igreja

Like the *mego* who cursed Kony and Museveni, Girling observed that Acholi taboos are related to the position of women as child-bearers and caregivers of the clan's next generation. An Acholi woman is not a woman if she has not yet had children; her social function has not yet been realised. 'I believe that the observances of both women and men are connected with the fear of barrenness and sterility, which are regarded as the greatest afflictions any person can suffer among the Acholi,' wrote Girling. 'They also reflect the sexual division of labour in the society, and are an affirmation of the adulthood of an individual...The household...is the woman's main sphere of

³¹ Victor Igreja, 'Gamba Spirits and the Homines Aperti: Soci-Cultural Approaches to Deal with Legacies of the Civil War in Gorongosa, Mozambique,' Paper presented at International conference on Building a Future on Peace and Justice, 'Workshop 10 - Alternative Approaches to Dealing with the Past., Nuremberg, 25-27 June 2007, p. 6.

³² Igreja, 2007, pg. 7.

³³ Okot p'Bitek, 1971, p. 147.

³⁴ Interview with formerly abducted person, Amuru Camp, 4 July 2006.

influence and where she attains her maximum social status.³⁵

Agency through Morality

The importance of social codes is paralleled in Mozambique and Angola. Honwana describes war as a space where social rules are routinely violated, but still result in social pollution. 'This pollution is believed to arise from contact with death and bloodshed,' she elucidates. 'Individuals who have been exposed to war, who killed or saw people being killed, are regarded as polluted. The 'wrong-doings of the war' are a dangerous form of disorder. Those people who were caught up in it are contaminated by the spirits of the dead and are potential contaminators of the social body.'³⁶ As in Mozambique and Angola, the social body must be cleansed for relationships to be restored in Acholi-land.

'She gave birth to eleven children and has only two left,'³⁷ one respondent told us about another Acholi woman. In situations of extreme social crisis, human beings draw upon beliefs in their social and spirit worlds in order to master what little they can in their own lives. During the height of the war, 90% of the Acholi population was forced to live in displacement camps where crowding, chaos and abject poverty increased the incidents of *kiir* to an unprecedented level. A *Rwot* in one of these camps lamented that acts of *kiir* had greatly increased. He explained: 'Water sources are so scarce, yet with a lot of population [that needs] to access them. This has seen for people struggling and fighting to get water; an act that is tantamount to *kiir*.'³⁸ Acholi are thus agents over the one aspect of life that they control: the moral order. In his definitive study of Acholi-land, Sverker Finnström noted that the Acholi were constantly expressing 'agency in the face of disempowering circumstances.'³⁹ Requesting the

intervention of the spirit world through the act of *kiir* is an expression of this agency.

In situations of extreme social crisis, human beings draw upon their beliefs in their social and spirit worlds in order to master what little they can of their own lives.

In Sierra Leone, Rosalind Shaw describes the methods of the so-called 'juju warriors' as an example of such agency. 'Rather than anachronistic residues of a primal past,... techniques of Darkness and Closure [shielding and concealing techniques] in the rebel war embodied both ritual memory and, for the *kamajos* [a civilian militia], and authorizing discourse,' she explains.⁴⁰ This theory differed greatly from those of other outside observers of the conflict, who were known to dismiss Sierra Leone as, simply, 'weird.'

Far from being a romanticized ideal of perfect and traditional justice, the cleansing of *kiir* belongs to the people who practice it. Extensive research and local promotion of the process of *mato oput* has been criticized by some academics as influencing the frequency and form of its practice in Acholi-land and compromising its authenticity.⁴¹ The assumption made by that criticism is not that traditional or local approaches are inadequate or bad, but that they are inherently invalid because they have been manipulated by indigenous power structures. Yet while policy-makers should of course take care to read into political rhetoric, they must remember that cultural practice is always directed by human

³⁵ Girling, 1960, p.160-161.

³⁶ Honwana, 2006, p.105.

³⁷ Interview with *meگو*, Anaka Camp, 21 June 2006.

³⁸ Interview with elder, Anaka Camp, 8 August 2007.

³⁹ Finnström, 2003, p. 15.

⁴⁰ Rosalind Shaw, 'Robert Kaplan and "Juju Journalism" in Sierra Leone: The Primitivizing of an African Conflict' in *Magic and Modernity: Interfaces of Revelation and Concealment*, edited by Birgit Meyer and Peter Pels, Stanford: Stanford University Press, 2003, p.91.

⁴¹ See, for example: Tim Allen, *Trial Justice: The International Criminal Court and the Lord's Resistance Army*, London: Zed Books, pp. 128-168.

agency. So whether or not a 'traditional' practice is historically informed or is a project imagined by elites is irrelevant: the fact remains that it exists, and if the local populace expresses agency by adopting it, then so be it. At best, this criticism supposes that the Acholi cannot make wise decisions for themselves; the outsiders must tell them what is genuine Acholi justice.

Unlike everyday secular lives in the Western world, the spirit world in Acholi is ubiquitous. Where most Westerners largely restrict their understandings of cosmology to the private sphere, most Acholi are daily surrounded by spiritual forces. As such, Acholi must take great care to ensure that the material and spiritual worlds are in balance.

KIIR AND TRANSITIONAL JUSTICE

Psycho-Social Healing and Reintegration

Alcinda Honwana's studies of Mozambique and Angola document the phenomenon of spirit possession. In Angola, it is the *kazumbi* (the spirits of the dead) that haunt people, and we can draw many parallels with the spirits of the murdered that cause *cen* in northern Uganda. 'Such spirits are believed to contaminate and threaten not only the individual soldier but also *his family, relatives, and neighbours*,'⁴² Honwana explains. As in Angola, sufferers of *cen* are often ostracized by their families, relatives and neighbours for fear that *cen* will spread.

After the 2004 tsunami that devastated much of south-east Asia, Western doctors and counsellors braced for the ensuing epidemic of mental illness. But these experts were unprepared for the onslaught of somatisation - the bodily manifestation of psychological malcontent: this phenomenon is not manifest in Western societies. As one journalist noted, 'The simple but surprising truth appears to be that symptoms of psychological trauma can be both culturally created and utterly real to the individual at

the same time.'⁴³ In fact, outside of Western culture, somatisation is a common theme. So too in Acholi-land.

Individualized psychological interventions may not prove effective when *kiir* has occurred and the spirit world disrupts the well-being of the community.

Individualized psychological interventions may not prove effective when *kiir* has occurred and the spirit world disrupts the well-being of the community. As Finnström denotes, a ceremony to 'chase away' *cen* '...is not only one of individual healing but also a process of socialization in which the victim is incorporated and reconciled with the community of both living and dead.'⁴⁴

This occurred in Sierra Leone as well, where spirit mediumship and its accompanying rituals helped externalize past violence – and it was much preferred by locals over Western psychotherapy. Reporting on the experience of the Sierra Leone truth commission, Rosalind Shaw notes that 'Western psychotherapy and truth commissions are imbued with the authority of Western science, liberal models of social and political change, and the political economy of humanitarian assistance. The case of Sierra Leone demonstrates, however, that even when a truth commission is demanded and embraced by local NGOs, its failure to take seriously and to build upon local practices of healing and reintegration can undermine its effectiveness.'⁴⁵

Despite Shaw's insight, most studies regarding the state of mental health in northern Uganda continue to be couched almost exclusively in the clinical language of Western medicine. While many of these

⁴² Alcinda Honwana, *Child Soldiers in Africa*, Philadelphia: University of Pennsylvania Press, 2006, p. 105. Emphasis added.

⁴³ Ethan Watters, 'Suffering Differently', *The New York Times*, 12 August 2007.

⁴⁴ Finnström, 2003, p. 219.

⁴⁵ Rosalind Shaw, 'Rethinking Truth and Reconciliation Commissions: Lessons from Sierra Leone,' United States Institute of Peace, February 2005, p. 7.

studies recognize the mitigating factor that culture may play in the symptoms, diagnosis and treatment of illness, explanations of how 'culture' affects experiences of suffering are vague and largely unsatisfactory. A recent study employed a 'psychologist with experience in northern Uganda [who] provided background training on PTSD and depression symptoms'⁴⁶ to interviewers conducting a study in Gulu, Kitgum, Lira and Soroti districts. The study found that 74.3% of respondents met post-traumatic stress syndrome (PTSD) symptom criteria. This is a significant number, and yet the exploration of how northern Ugandans themselves perceive their suffering is missing from the analysis. Any design for the treatment of the 74.3% of PTSD sufferers, therefore, may require a more extensive consultation with the afflicted.

Justice Mechanisms

In recent years, transitional justice has tended to interpret local justice mechanisms from schema based exclusively on international legal standards. For the war-affected persons of the societies in transition, the result has been the use of traditional justice mechanisms stripped of their meaning and lacking relevance for locals and grassroots actors.⁴⁷ Rosalind Shaw has written extensively about Sierra Leone's Truth and Reconciliation Commission, but also about truth commissions more generally. In referring to broad conversations on transitional justice in all of its forms, Shaw astutely observes, 'the question of how transitional justice mechanisms interrelate with local practices is missing from this discussion.'⁴⁸

The consequences of *kiir* have high-level implications for peace outside of the camps as well. It is alleged that a prominent elder from Gulu town displayed his penis while condemning LRA rebels, and that his wife showed her breasts. This happened after local elders apparently gave their blessing to the rebellion; a blessing that was not retractable. And according to Finnström, 'the mere rumours of the curse may indeed have encouraged the rebels to increase their violence against elders, healers and other arbitrators of Acholi cosmology.'⁴⁹

Respondents to our questions most often insisted, whether they were elders or not, that it is the role of elders and not of outsiders to address instances of abominations: 'We *atekeres* [elders in charge of cultural matters] have issues that we can handle. If, for example, a man has fought with his wife or a house has been burnt and the parties concerned wish to settle it out of court, then we the elders find a way of resolving it traditionally, like making sacrifices so that the evil deed does not bring *twoo akwota*⁵⁰ to the children. Any case that involves traditional Acholi ceremonies is usually handled by us in the community.'⁵¹

When asked if it is appropriate to address *kiir* through the court system in Uganda, 97% of respondents argued that court action is not sufficient to satisfy the anger and irritation of the spirits offended by *kiir*. Instead, they claimed, it is necessary for cleansing ceremonies to be performed by the elders. If not, death will result – regardless of any legal interference taken to address the abominations. This approach, it should be noted, does not necessarily preclude the use of other justice systems, but acts in addition to them. As we were told about a fight that happened at a local well, for example, the police addressed the legal component relating to assault, but the

⁴⁶ See, for example: Patrick Vinck, Phuong N. Pham, Eric Stover and Harvey M. Weinstein, 'Exposure to War Crimes and Implications for Peace Building in Northern Uganda,' *Journal of the American Medical Association*, Vol. 298, No. 5, 1 August 2007.

⁴⁷ For example, *gacaca* courts in Rwanda and special community courts in East Timor were radically modified in order to conform to universal standards of due process. Little to nothing is known about the spiritual or cultural relevance of either according to local cosmologies.

⁴⁸ Shaw, 2005, p. 3.

⁴⁹ Finnström, 2003, pp. 283-284.

⁵⁰ *Twoo akwota* is a sickness characterized by swelling of the body, and is believed to result from *kiir* such as burning down a house.

⁵¹ Interview with elder, Koch Goma, 11 February 2007.

traditional leaders addressed the *kiir* component.⁵²

Respondents commonly argued that while *kiir* and legally-defined crimes often overlap, they are resolved in much different ways. 'Kiir has to do with cooling down tempers through ritual,' one young man explained. Comments like this one give us insight into the needs, desires, and expectations that the war-affected have for justice mechanisms in northern Uganda. It appears that multiple mechanisms are necessary, possible, and desired. One person explained the *kiir* and crime of rape: 'Taking the case to court is not enough, because once a woman is raped in the bush she doesn't believe she can conceive. To take away the negative association, it is necessary to do a cleansing ceremony so that she will have the ability to give birth.'⁵³ Policy-makers should thus ensure that locally-owned approaches to justice and reconciliation are given equal weight in any wider-reaching post-conflict justice strategies.

The importance of ritual to respondents gives us insight into the needs, desires, and expectations that the war-affected have for justice mechanisms in northern Uganda.

The importance of redressing abomination through local means is not unique to the situation in northern Uganda. We can glean important lessons from the post-war situations in other nations. In a reflection on the Truth and Reconciliation Commission held in Sierra Leone after that country's civil war, Tim Kelsall remarked that the 'truth-telling component of the public hearings might have been more successful had they been more heavily invested with ritual practice'⁵⁴ that resonated with local beliefs in

curses and ancestor spirits. He noted that in the Tonkolili District (where he was present for TRC hearings), a number of taboos (such as stealing, sexual offences, murder, etc.) could cause death to an entire family if cleansing and purification rituals were not held to appease the spirit world. Despite these deeply ingrained beliefs and fears held by the local population (and thus their ability to compel confessions), they were not addressed to any significant extent in the local TRC hearings. He concluded that 'ritual, at its most effective, has the power to transform perceptions and emotions and therefore situations, and it is for this reason that it ought to be taken seriously by truth commissions.'⁵⁵

Return

The effects of *kiir* have recently begun to manifest themselves insofar as camp departures are concerned. As the Juba talks continue and the security situation in northern Uganda improves, some Acholi are being given return packages (typically consisting of gardening implements, iron sheeting, seeds, and mattresses) and granted leave to go home. However, returning home has proven not so easy. The inhabitants of one area close to the Sudanese border were given packages and instructed to leave the camp. But as an NGO worker discovered, they made no such move to return home. When the worker asked why they would not return to their village, the reply was simple: because the ghosts of the dead killed and improperly buried over the course of the war lingered in their villages. Thus we can begin to comprehend that development and economic concerns do not have a monopoly on the worries of Acholi people; conflict is wrought with intellectual and spiritual crises as well.

In the same area, people were afraid that any attempt at reconstruction would not bear fruit until cleansing ceremonies to remove an old curse had been conducted. The Rwot of the area cursed his people to never have schools or cattle in an attempt to gain

⁵² Interview with women's sergeant, Amuru Camp, 5 July 2006.

⁵³ Interview with elder, Amuru Camp, 20 June 2006.

⁵⁴ Tim Kelsall, 'Truth, Lies, Ritual: Preliminary Reflections on the Truth and Reconciliation

Commission in Sierra Leone,' *Human Rights Quarterly* 27 (2005), p. 385.

⁵⁵ Kelsall, 2005, p. 390.

control over the high level of cattle theft and child abduction from school yards that beleaguered the clan.

Fear of the improperly buried –a serious *kiir* in Acholi culture– has led to an increasing demand for *moyo piny* (the ceremony of cleansing the area) from NGOs to open up roads that were otherwise avoided, and to prepare land for agricultural production considered contaminated to date.

RECONCILING LOCAL AND INTERNATIONAL NORMS

The importance of recognizing *kiir* and factoring it into transitional justice policies (including policies for development and reconstruction) is that social roles and relations are guided by it. If seeking to transform social roles and relations in a way that reduces conflict and promotes equality, then *kiir* is a useful concept to understand the nuances of local dynamics.

In comparison, the Special Court of Sierra Leone has been criticized for under-appreciating the social complexity of *juju* and the importance of secret societies in the social organisation of many parts of the Sierra Leonean population.⁵⁶ James Cockayne has concluded that in order to prevent the local community from feeling alienated from the morally transformative project of the trials, it would be better for the Court ‘to accommodate the secret societies...but to soundly condemn those practices of the societies, such as ritual killing, that contribute to the violation of the ultimate values of the community.’⁵⁷

However, local norms that violate international human rights ones must be reconciled. One does not need to look deep into the consequences of abomination to see who shoulders the burden of the acts: women and children. Like the *magamba* spirits in Mozambique, Acholi ancestors, spirits of the dead and *jogi* prevent the

cultural and physiological reproduction of communities by causing barrenness and the deaths of the children, the next generation. Reproducing the moral order is not always in the interests of Acholi women. As a large number of *kiir* concern sex and gender relations, the autonomy of women is regularly compromised. As one elder told us, ‘many women are hesitant to have sex with their spouses since they fear that they will acquire AIDS from their cheating husbands...This kind of denial is *kiir* because in Acholi it is not allowed that a woman refuses sex in marriage.’⁵⁸

CONCLUSIONS: RE-THINKING RECONCILIATION

On June 29th of 2007, representatives from the Lord’s Resistance Army and the Government of Uganda signed an agreement on reconciliation and accountability with regards to the 21-year conflict in northern Uganda. The agreement resolves to hold consultations and develop proposals for mechanisms that will implement, amongst other things, traditional justice into the wider peace and justice process.

In order to develop justice recommendations in northern Uganda, it is important to understand what motivates people in seeking justice for themselves and their communities. Acholi culture, like all cultures, is a project that is constantly redefined, fluid and contested. It is particularly in times of crisis that the human resource of culture is drawn upon in order to make sense of the world and subsequently control it. If outsiders find *kiir* to be a superstitious concept laden in primitive ignorance, they might be asked to remember that myths are not fixed in meaning; they express present concerns⁵⁹

As the belief in *kiir* shows us, designing interventions through surveys and Western understandings of justice and personhood cannot always prove effective. Without cultural content, such interventions threaten to have unintended and unwanted results. It

⁵⁶ James Cockayne, ‘Hybrids or Mongrels? Internationalized War Crimes Trials as Unsuccessful Degradation Ceremonies,’ *Journal of Human Rights*, 4:455-473, 2005, p. 465.

⁵⁷ *ibid*, p. 465

⁵⁸ Interview with elder, Anaka Camp, 8 August 2007.

⁵⁹ (Finnström, 2003, p.13).

is imperative that further justice projects in the region recognize the complexities of local cosmologies of those affected most gravely by the conflict: impoverished rural persons who are least likely to be included at the tables where justice strategies are designed. Where formal justice mechanisms have been severely undermined in the rural areas by the conflict, the moral order is that resource upon which everyday people draw upon to assert power over their lives. This is not to say formal justice is not wanted or needed, but that for some, it will not be enough.

This edition of *Field Notes* asserts that cleansing too is a form of reconciliation. It is reconciliation at the highest level, for it is reconciliation initiated by the powerless to the benefit of all Acholi people, living and dead. As we witnessed in one cleansing ceremony, the elder spoke his *agat*, or blessing, and evoked the names of the local ancestors: 'You are the ones who brought us into this world. You gave us life and above all the rituals to cleanse our people. Today we come before you to do the same things you used to do when you were in this world. We cleanse your children in your presence as a deed destined to harmonize them with their brothers and sisters in the community. They were captured and forced to kill their own people. They have greatly displeased the spirit world against their own wish and therefore call for cleansing so that they return to normal. So bless and accept our ritual.' He concluded by saying '*Poto ceng otee* (let every *cen* go as the sunsets).' As the crowd pointed to the sunset, they responded, '*Otee matwal*. Let them go forever.'⁶⁰

Field Notes is a series of reports by the JRP. Each issue features a new theme related to Acholi cultural justice practices based on research carried out with war-affected persons in camps and special justice issues that arise during the course of JRP work. Drawing directly on the experiences and initiative of victims, Field Notes are intended

to inform and improve local, national and international policies and programmes on justice and reconciliation. The JRP field office is hosted by the Gulu District NGO Forum.

This issue was written by Letha Victor, with the assistance of Erin Baines. It was researched by Anyeko Ketty, Sarah Louw, and Komakech Emon with the assistance of Owor Ogora Lino, Ojok Boniface, and the focal point persons and committees in Amuru, Anaka, Kolongo, Padibe, and Pajule Camps. We are deeply grateful for your time and effort. Thanks also to Michael Otim, GDNF and Project Coordinator. In appreciation to the Catherine T. and John D. MacArthur Foundation, and the Royal Embassy of the Netherlands.

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⁶⁰ Cleansing ritual witnessed by JRP researcher, Anaka Camp, 18 September 2005.

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