'YOU ARE BEATEN IF YOU ARE BAD…YOU WOMAN YOU HAVE MADE YOUR HUSBAND TIRED': INVESTIGATING GENDER VIOLENCE IN NORTHERN UGANDA

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ABSTRACT

This thesis explores gender violence in contemporary Northern Uganda. It examines different perceptions of the causes of gender violence and contextualises gender violence in an analysis of Northern Uganda's social and gender relations. Starting with the forced marriages that occurred within the Lord's Resistance Army (LRA), the thesis investigates how we can interpret this violence in the context of gender relations in the region. The extreme violence that occurred within LRA marriages is often seen as an isolated phenomenon, but is this accurate? To what extent was it influenced by pre-existing attitudes towards gender violence in society? Moreover, did the high levels of gender violence present in the LRA impact violence in post-conflict society? This thesis shows that high levels of violence against women exist in society, and women's experiences of violence differ. Formerly abducted women face stigmatisation which limits their choice of partners, potentially resulting in further marginalisation and vulnerability. It contributes to debates on the gendered consequences of the LRA conflict, Sex and Gender Based Violence (SGBV) in Africa, and the tension between international law and local approaches to justice.

DEDICATION

This thesis is dedicated to my family. It is especially dedicated to my dear Nanny Hilda Seymour who continuously told me how proud she was of me and how convinced she was that I could complete it.

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CHAPTER 1: INTRODUCTION

'My Grandfather would keep a cane in the corner of the hut so that my Grandmother knew that at any moment he could beat her.'
Paul, 50, Human Rights Commission Employee.

'A woman was beaten to death with a goat by her husband; her husband held the goat's back legs and used it to batter her…she crawled away from him and died in a nearby ditch.'
Local Councillor, Community Update Meeting.

'that man was bad - he liked canes.'
Sylvia, 35, formerly abducted woman.

'he beat me with the metal bar from a car - you can see the scar here.'
Julie, reporting husband at the police station.

'they are like brothers of the same blood.'
Justine, 38, formerly abducted woman.

1.1: Introduction

Northern Uganda has experienced conflict for decades, with lasting consequences for the affected communities. The most recent conflict has been the civil war engendered by an armed movement known as the Lord's Resistance Army (LRA) which occurred from approximately 1987 to 2006 and was characterized by high levels of violence against women. The pervasiveness and brutality of the conflict meant that everybody in Northern Uganda has either been directly affected by the LRA conflict or knows someone who has. One particular feature of the conflict was the forced recruitment including the large-scale abduction of women who were then distributed as forced wives by commanders. These women were beaten severely as a form of initiation into the movement and continued being beaten recurrently by their forced husbands for any small infraction. At certain times during the LRA insurgency, procreation was encouraged and women gave birth to children, not all of whom survived. Many women never came back from 'the bush' (*lum*), a term that refers to both a

physical and moral space, situated spatially outside of towns and perceived to be subject to moral standards different from those that governed village life.[1]

Most of the women who did return resided temporarily in Internally Displaced People (IDP) camps. During their time in captivity, the home they had been abducted from had often changed beyond recognition. Some found that their parents and relatives were no longer alive. A large number of women returned with their Children Born of War (CBOW), children born in captivity. After returning to civilian life, women faced fear, stigma, and pity from the communities which they had once been a part of. It is through the lens of this difficult past that present day Northern Uganda must be viewed.

The violence that occurred within the LRA was brutal and constant, well beyond levels considered acceptable by civilian communities in peace-time. How can we interpret this violence? This thesis argues that it is not possible to make sense of LRA violence against abducted women without considering social attitudes towards gender violence outside the conflict situation. In turn, the intensity of Sex and Gender Based Violence targeting women in the LRA influenced post-conflict attitudes. Wartime violence was not a unique event, but a climax in a continuum of violence against women.[2] This thesis does not develop a moral assessment of the events, positions and actions it describes. Rather, it asks what can be learned by examining attitudes toward gender violence in Northern Uganda during and after the LRA conflict. It investigates how gender violence in Northern Uganda is understood, by

[1] Holly Porter, "Moral Spaces and Sexual Transgression: Understanding Rape in War and Post Conflict," *Development and Change* 50, no. 4 (2019).
[2] See Liz Kelly, *Surviving Sexual Violence* (Minneapolis: University of Minnesota Press 1988). Lucy Fiske & Rita Shackel, "Gender, Poverty and Violence: Transitional Justice Responses to Converging Processes of Domination of Women in Eastern DRC, Northern Uganda and Kenya," *Women's Studies International Forum* 51 (2015).

whom, why, and with what consequences. It shows that marriage – as an institution that took shape through both local (specific to Luo social organization) and supra-local (e.g. Christian) influences – can legitimise gender violence. While gender violence generally can victimise both men and women, the "patriarchal baggage" of marriage (or other stable intimate heterosexual partnerships) can legitimise a husband's violence against a wife. If in peacetime what counts as legitimate violence is monitored by persons and institutions charged with overseeing the interest of both husband (or male partner) and wife (or female partner), in wartime the absence of such moderation exposes those most vulnerable to extreme violence and coercion. But both in times of peace or conflict, marriages (or stable unions recognised as analogous to marriages) make possible (indeed, are predicated upon) non-reciprocal roles that allow, and sometimes prescribe, a husband's physical chastisement of a wife.

The starting quotes describe instances of violence against women both within and outside the LRA conflict. The last quotation is particularly important; the speaker is comparing her LRA forced husband with her post-conflict husband. She argues that they were both equally violent, in her words, 'like brothers of the same blood'. This echoes Cynthia Cockburn's argument that women "…experience coercion by men in disturbingly similar forms in war and so-called peace".[3] Gaelle Breton-Le Goff has also argued that violence against women does not originate in wars and instead emerges from prior social, economic, and cultural discrimination that fuel sexual violence when conflict erupts.[4] In contemporary Northern Uganda differently positioned actors – NGOs, elders, married men and women,

[3] Cynthia Cockburn, "Gender Relations as Causal in Militarization and War," *International Feminist Journal of Politics* 12, no. 2 (2010).
[4] Gaelle Breton-Le Goff, "Ending Sexual Violence in the Democratic Republic of the Congo," *The Fletcher Forum of World Affairs* 34, no. 1 (2010).

community leaders, local councillors, the clergy, the police, and formerly abducted women – provide distinct interpretations of gender-based violence directed against women. This thesis explores the rationales and actions of these actors. While it focuses on contemporary practices and discourses, it includes an analysis of how the events of the last thirty-forty years may have influenced the present.

The horrors of the LRA war cannot be understated; women were abducted, abused, sexually enslaved, and forced to carry out the duties of a 'wife'. The context of war meant that women had no recourse against the violence they experienced; they could not raise objections with their husband's clan or request that their own clan intervene on their behalf. Normal negotiating practices between husband and wife were all but impossible with LRA 'husbands'. But where did the LRA ideology of gender relations originate? Prior to the LRA war, a husband 'correcting' his wife was considered socially acceptable as well as morally legitimate. The idea that 'if he corrects you, it is because he cares for you' persists, and many women in Northern Uganda consider mild forms of domestic violence to be a sign of love. The rationales that made a certain level of gender violence socially acceptable in the pre-war period shaped women's attitudes toward violence within LRA 'marriages'. Women who were previously abducted by the LRA and forced into these unions frequently describe scenarios where they burned food and were beaten by LRA-husbands or their delegates aiming to discipline them and correct their behaviour. Although the forms, levels, and frequency of violence differed in LRA camps and village communities, the conceptualisation of a husband's (or male partner's) violence against a wife (or female partner) as 'correction' is an element of continuity prior to, during, and after the LRA war.

The conflict had consequences for former abductees who had been exposed to high levels of violence within their LRA forced marriages and were thus less likely to complain about violence and abuse after their reintegration, not only because they had become partially habituated to high levels of violence, but also due to fear of stigmatisation from the community. After the conflict, Northern Uganda witnessed an unprecedented growth in the number of non-governmental organizations (NGOs) focusing on gender issues. These NGOs' activities exposed high levels of gender based violence that characterise everyday relations in post-conflict Northern Uganda. They expanded our insights into these phenomena, and stimulated the development of debate and reflection at the local, national, and international levels. Research for this thesis happened at a time when many in Northern Uganda were trying to make sense of LRA gendered violence and its consequences.

The thesis is based on fieldwork in Lira, Northern Uganda, during 2016 and 2017 which included participant observation and semi-structured interviews.[5] I was part of a Marie Skłodowska-Curie Horizon 2020 Innovative Training Network (ITN). One of the requirements of the ITN was to engage in non-academic placements. In order to fulfil this obligation, two such placements were undertaken in Lira; one placement was an internship with the Child and Family Protection Unit at Facilitation for Peace and Development (FAPAD), a local NGO in Lira. The second placement involved teaching a class on Gender and Development at All Saints University Lango (ASUL), a private Church of Uganda Diocesan University in Lira. These placements allowed me to engage in participant observation and gain additional insights on gender relations in Lira.

[5] Specifically, an initial trip in April 2016 (one month), followed by another trip in October 2016 (until December 2016) and a final trip in February 2017 (until late-May 2017).

1.2: Violence Against Women

Towards a Re-Examination of Rape

The threat of sexual and gender based violence is known to be a common experience of women in patriarchal societies. One of the most pervasive ways that violence against women is performed is through the act of rape. Holly Porter cites a woman in Northern Uganda who, asked if she had been raped, replied "not yet" implying, Porter argues, that the female body is inherently rape-able and that in Northern Ugandan society, many women perceive it to be merely a matter of time before they are raped.[6] Rape has existed for centuries and was typically thought to be a result of men's lack of control over their sexual desire, which was often depicted as a natural instinct that they could not resist. Susan Brownmiller's ground-breaking book 'Against Our Will' contests this idea and argues that men who commit rape do so for more insidious reasons than simple desire.[7] Brownmiller states that rape is an act of violence and aggression and is fundamental to patriarchy as it keeps women in a constant state of fear, which prevents them from challenging men's authority.[8] Carrie L. Yodanis agrees with Brownmiller and argues that when men dominate domestic, political, economic, and other social institutions, these institutions are likely to replicate and legitimise male domination over women. Men's power, too, is thus perceived as 'natural'.[9] Yodanis also cites

[6] Holly Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda* (Cambridge: Cambridge University Press, 2016). 49.
[7] Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: Ballantine Books 1975).
[8] Ibid. Also see: Silvia Federici, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (New York: Autonomedia, 2004).
[9] Carrie L. Yodanis, "Gender Inequality, Violence against Women, and Fear: A Cross-National Test of the Feminist Theory of Violence against Women," *Journal of Interpersonal Violence* 19, no. 6 (2004).

violence as a tool that is used to keep women subordinate to men and maintain male power and control.

Ugandan men often described to me how sex was as necessary to them as food for survival. This idea can be found in Maria Eriksson-Baaz and Maria Stern's research on conflict related rape in the DRC where they analyse how Congolese male soldiers differentiate between 'lust rape' and 'evil rape'. They conclude that lust rape is considered more acceptable than evil rape based on the premise that men physically need sex to survive.[10] Also in my research so called 'evil rape' (rape involving purposeful humiliation and an intention to harm and cause pain) was considered less acceptable and seen as having a vengeful element. What Baaz and Stern identify as 'lust rape' is similar, too, to the Ugandan's tendency to perceive men's sexual drive as natural and uncontrollable, which partly takes responsibility away from individual rapists. Porter notes that rape within the LRA war was often characterised in terms reminiscent of 'lust rape', even though some women described stories more akin to 'evil rape' where the rape violated a cultural norm adhered to even within the LRA.[11] Interpretations and moral connotations of rape differ within any one society and across different societies and groups. The people I talked to in Lira often portrayed marital rape as happening because of a husband's natural 'lust' and did not consider it a major infraction of moral and societal norms.

[10] Maria Stern Maria Eriksson Baaz, "Why Do Soldiers Rape? Gender, Violence and Sexuality in the Armed Forces in the Congo (DRC)," *International Studies Quarterly* 53, no. 2 (2009).
[11] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 200.

War Rape

Women are thought to constitute a significant element of the 'war booty' that victorious armies claim after the cessation of hostilities. Within the LRA war, women were assigned to commander 'husbands' who reportedly raped them regularly and threatened to punish them if they did not perform their role to his satisfaction. Although the rape of women in war is often considered inevitable[12], Elisabeth Wood disputes this on grounds that it is not universal.[13] Wood also argues that if rape in war is a choice, then there are stronger grounds for holding groups who commit sexual violence in war accountable.[14]. In her history of rape, Joanne Bourke places the rapist at the centre of her analysis and turns the familiar trope "a woman was raped" into "a man raped a woman". Doing so narratively attributes responsibility for rape to the perpetrator rather than the victim. With Wood, Bourke contends that rape is not timeless, universal, or inevitable, and that representing it as such encouraged passivity and inaction.[15] These approaches to rape suggest that researchers should contextualise rape in prevalent practices and discourses of gender violence. Contextualization, however, should also take the complex positionality of different actors into account. Eriksson Baaz and Stern asked: 'who and what is silenced or dehumanized and what stories can we hear and not hear?'[16] Calls for accountability are complicated within the LRA context, where it is difficult to determine whom to hold accountable as most members of the LRA held a dual position of victim and perpetrator. The ability of male militants to refuse a

[12] Brownmiller, *Against Our Will: Men, Women, and Rape*.
[13] Elisabeth Jean Wood, "Armed Groups and Sexual Violence: When Is Wartime Rape Rare? ," *Politics and Society* 37, no. 1 (2009). 132.
[14] Ibid.
[15] Joanne Bourke, *Rape: A History from 1860 to the Present* (London: Virago, 2007). 385.
[16] Maria Stern Maria Eriksson Baaz, Sexual Violence as a Weapon of War?: Perceptions, Prescriptions, Problems in the Congo and Beyond, (Zed Books, 2013).

wife is questionable in contexts marked by the constant threat of violence and steep military hierarchies.[17]

The abundance of research on women within the LRA has broadened our understanding of the power dynamics within the movement. Sophie Kramer asked why there was no gang rape within the LRA and investigated various reasons behind this.[18] If the LRA successfully imposed rules to prevent gang rape then they would have had the power to enforce rules to prevent rape *entirely*. However, preventing rape entirely was not necessarily in the interest of LRA commanders, as Stacey Hynd argues that forced marriage is utilised as a tool to encourage soldiers to be loyal.[19] Dara Kay Cohen has also asserted that violence (including sexual violence) is an important avenue to group cohesion.[20] Erin Baines has highlighted the political nature of forced marriage within the LRA.[21] Eunice Apio contributes to the growing understanding of the intricacies of forced marriage within the LRA and explains that the LRA camps replicated – in their spatial structure and functioning - village settings.[22] In these settlements marriage inspired loyalty among militias, and provided domestic and reproductive labour in the camps. Rape was not an unfortunate by-product of war; it was allowed to happen because it served the interests of those in decision making positions.

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[17] See: Bridgette A. Toy-Cronin, "What Is Forced Marriage? Towards a Definition of Forced Marriage as a Crime against Humanity," *Columbia Journal of Gender and Law* 19, no. 2 (2010).

[18] Sophie Kramer, "Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the Lord's Resistance Army in Northern Uganda," *Journal of Politics and Society* 23, no. 1 (2012).

[19] Stacey Hynd, "'"To Be Taken as a Wife Is a Form of Death": The Social, Military, and Humanitarian Dynamics of Forced Marriage and Girl Soldiers in African Conflicts, C. 1990-2010," in *Marriage by Force? Contestation over Consent and Coercion in Africa*, ed. Annie Bunting; Benjamin N Lawrance; Richard L. Roberts (Ohio: Ohio University Press, 2016).

[20] Dara Kay Cohen, "Explaining Rape During Civil War: Cross-National Evidence (1980-2009)," *American Political Science Review* 107, no. 3 (2013). 462.

[21] Erin Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army," *Journal of Peace Research* 51, no. 3 (2014).

[22] Apio Eunice Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society" (University of Birmingham, 2016).

Most LRA rapes happened in the bush, and this mattered.[23] Porter explains that the marriage would not have been considered socially legitimate in the village. Women who were raped by the LRA frequently desired those responsible to be killed or imprisoned, contrary to the preferred outcomes of victims in civilian rape cases. This could imply that the rapes that occurred within the LRA are considered worse than those perpetrated in everyday Northern Ugandan society. But in my research previously abducted women described their LRA forced marriage as normal. This coincides with Porter's finding that women characterised LRA marriages as normal 'for that context', meaning that it was normal compared to other marriages within the LRA, but not to peace-time marriages. Women formerly abducted by the LRA would refer to their LRA husband simply as their 'husband' within interviews, but would frequently specify during the interview that the marriage was not legitimate because they had been forced into it. This elucidates the divide between regular life and 'bush life'. Within the LRA, the husband fulfilled all of the necessary duties of an LRA husband but these obligations were not aligned with those of a peace-time husband. For example, an LRA husband could be considered 'good' for only ordering his soldiers to beat his wives infrequently-something that would be admonished entirely in peace-time society where a husband must beat his wife/wives himself. There was also a lack of clan involvement which was a significant reason why LRA marriages were not considered legitimate within the context of peace-time society as the necessary rituals and procedures had not been followed. Context mattered to the actors' assessment of gender relations.

[23] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.

Violence in Marriage

Much of the gender violence that is described within this thesis happened within marriages. The thesis shows that marriage is a space where gender violence acquires a legitimacy that it would not have outside this institution. Not all actors condone wife beating and allow it to happen, but some do, and base their assessment on broadly accepted sources of moral authority, such as religious texts and institutions. Men's authority over women is seen as God-given. If a woman does not submit to her husband and is beaten, such behaviour is often seen as justified. In the words of a community leader in Lira, "Bible says a woman must submit to a man".[24] The bible's position that stipulates men's authority over women is frequently mentioned to justify domestic violence. Religious justifications for masculine domination go back to colonial missionary education policies. As Oyèrónkẹ́ Oyèwùmí states, "Colonization, besides being a racist process, was also a process by which male hegemony was instituted and legitimized in African societies".[25] Missionaries were instrumental in consolidating ideas about men's God given superiority over women.

Colonialism may have influenced gender violence within marriage in multiple ways. But Obioma Nnaemeka cautions against creating a dichotomy: "In discussions of African women's power and/or powerlessness, it is misleading to argue along precolonial and postcolonial lines by exaggerating women's power in either of the two time periods."[26] What

[24] Fieldwork notes, Lango, Uganda. April 2016.

[25] Oyèrónkẹ́ Oyèwùmí, The Invention of Women: Making an African Sense of Western Gender Discourses, (London: University of Minnesota Press, 1997). 156.

[26] Obioma Nnaemeka, "Introduction: Reading the Rainbow," ed. Obioma Nnaemeka, *Sisterhood, Feminisms & Power: From Africa to the Diaspora* (New Jersey: Africa World Press, 1998). 36.

factors contribute to the legitimacy of gender violence within marriage today? Although culture is an ambiguous notion, many people in Northern Uganda cite 'traditional culture' as a factor in the endurance of domestic violence.[27] For example, an officer at the Ugandan Human Rights Commission in Lira stated that the majority of women feel that their husband is entitled to beat them and they have conveyed to him that, 'our culture demands that we be beaten as a form of love and a corrective measure'.[28] Patriarchy shapes many institutions. *Nyom* (often translated as marriage) is negotiated between the male leaders of the spouses' clans. Women often do not participate in these negotiations. A female elder stated, "You only pray that the person who takes your daughter takes care of her".[29] Lango and Acholi institutions – like institutions everywhere in the world - have been shaped by both exogenous and endogenous processes and dynamics. It is impossible to attribute a single, supposedly culturally bounded, genealogy to recent forms of gender violence in marriage. Many factors are at stake in the reproduction of legitimating discourse for male gender-based violence against women.

The LRA conflict deeply affected northern Ugandan society. There is often a surge of violence in post-conflict societies and McWilliams and Ni Aolain state:

> For many women, the relationship between the public 'conflict-related' physical violence experienced during conflict and the experience of intimate violence are not discontinuous realities but, rather, part of one singular experience that is not compartmentalized. Furthermore, recent work suggests that violence against women not only persists but 'even increases beyond pre-war levels and sometimes even beyond wartime levels'[30]

[27] This will be discussed in further detail in section 1.3: A Problem of Culture.

[28] Fieldwork notes, Lango, Uganda. November 2016.

[29] Interview with Dorothy, Lango, 6 April, 2017.

[30] Monica McWilliams and Fionnuala Ni Aolain, ""There Is a War Going on You Know": Addressing the Complexity of Violence against Women in Conflicted and Post-Conflict Societies," *Transitional Justice Review* 1, no. 2 (2013). 19.

McWilliams and Ni Aolain comment on the complexity of violence in post-conflict societies by arguing that there is a desire to bring a sense of normality back to society after conflict but this normality is gender coded.[31] However, a return to 'tradition' often requires women to forfeit some of the gains they may have acquired during the conflict. The LRA insurgency did not introduce domestic violence to society. As Anasuya Sengupta and Muriel Calo unequivocally argue, "One must bear in mind that violence against women existed prior to the war; what changed are the safety nets and coping strategies available to women".[32] My findings confirm that in the post-conflict period women had fewer coping strategies in some regards (for example, in terms of their reduced ability to rely on the protection of clan elders), but perhaps more coping strategies in other areas. There was an influx of NGOs after the LRA conflict which offered support for women experiencing violence; they created empowerment programs that encouraged economic independence and this enabled at least some women to leave abusive marriages.

Domestic Violence

Not all gender violence occurs between husband and wife. Violence justified as 'correction' frequently involves a man beating a woman that he cohabitates with. Acceptable limits are constantly negotiated and fluctuating, but generally conform to specific parameters. Violence deemed excessive is denounced by members of the community such as clan leaders, Local

[31] Ibid. 21.

[32] Anasuya Sengupta and Muriel Calo, "Shifting Gender Roles: An Analysis of Violence against Women in Post-Conflict Uganda," *Development in Practice* 26, no. 3 (2016). 291.

councillors, and religious leaders making it more visible. This includes violence that prevents the beaten woman from carrying out domestic duties; requires medical attention; results in fractured bones; or attracts the attention of the community (either due to the woman's screaming or visible bruises).[33] Norms invoked to justify violence against women are broadly accepted by men and women alike. Women might be beaten for burning food, questioning their husband, or having an affair. These have been commonly adduced reasons for wife beating beyond the Ugandan context, and are well attested since colonial times. In many ways, gender violence in LRA forced marriages were specific manifestations of old practices, and mobilised ideological justifications with deep historical roots.

Illene Speizer showed that over half of the men and three quarters of the women in the 2006 Uganda Demographic and Health Survey (UDHS) displayed attitudes supportive of wife beating.[34] She found that more than half of the married women interviewed reported having experienced domestic violence and over forty percent of married men reported perpetrating violence.[35] The UDHS included questions relating to the acceptability of domestic violence. Importantly, Speizer highlights the inter-generational aspect of domestic violence and found that women and men who witnessed their fathers beating their mothers were more likely to report domestic violence victimisation (if women) and perpetration (if men). Interestingly,

[33]There is extensive comparative literature on this point not only in Uganda but also other regions and time periods. See: Emily Burrill and Richard Roberts, "Domestic Violence, Colonial Courts, and the End of Slavery in French Soudan, 1905-12," in *Domestic Violence and the Law in Colonial and Postcolonial Africa*, ed. Emily Burrill; Richard Roberts; Elizabeth Thornberry (Ohio: Ohio University Press, 2010)., Rachel Jean-Baptiste, *Conjugal Rights: Marriage, Sexuality, and Urban Life in Colonial Libreville, Gabon* (Ohio: Ohio University Press, 2014)., Stacey Hynd, "Fatal Families: Narratives of Spousal Killing and Domestic Violence in Murder Trials in Kenya and Nyasaland, C. 1930-56," in *Domestic Violence and the Law in Colonial and Postcolonial Africa*, ed. Emily Burrill; Richard Roberts; Elizabeth Thornberry (Ohio Ohio University Press, 2010).

[34] Ilene S Speizer, "Intimate Partner Violence Attitudes and Experiences among Women and Men in Uganda," *Journal of Interpersonal Violence* 25, no. 7 (2010).

[35] Ibid.

she states that women were more likely to justify wife beating than men.[36] This is perhaps less surprising than it initially appears as women in interviews would state that men had the authority to 'correct' them in certain situations. The threshold for when and how much violence is acceptable is not fixed and can be influenced by a multitude of factors such as men's jealousy of women's post-conflict gains.

The experience of conflict and post-conflict is highly gendered.[37] I found that men exhibited envy in relation to the post-conflict opportunities available to women, and fear that their roles and authority would be displaced. This was also discussed by Marjoke Oosterom who indicated that NGOs encouraged gender equality, but this led men to fear that women would take over power rather than gain equal power.[38] Chris Dolan's research in Northern Uganda corroborates this finding: Dolan and his collaborators at the RLP Centre showed that high levels of domestic violence resulted from men feeling emasculated from the war. Moses Chrispus Okello and Lucy Hovil, who investigated gender-based violence (GBV) in IDP camps, found that GBV in the camps was linked to men's loss of power and women's attempts to exercise choice over sex in their relationships.[39] Unlike in villages, in IDP camps women had opportunities to report domestic violence and leave abusive marriages. In some respects, relations in IDP camps resembled relations in LRA camps: lineage institutions were largely absent from both contexts.[40] The IDP camps also displayed some of the characteristics

[36] Ibid.
[37] Marjoke Oosterom, "Gender and Fragile Citizenship in Uganda: The Case of Acholi Women," *Gender and Development* 19, no. 3 (2011).
[38] Ibid.
[39] Moses Chrispus Okello and Lucy Hovil, "Confronting the Reality of Gender-Based Violence in Northern Uganda," *The International Journal of Transitional Justice* 1 (2007).
[40] Carolyn Nordstrom, *A Different Kind of War Story* (Philadelphia University of Pennsylvania Press, 1997).

highlighted by Meredeth Turshen, namely, a high tolerance of violence in the aftermath of war.[41]

Domestic Violence and Formerly Abducted Women

Women who returned from the LRA were heavily stigmatised resulting in increased domestic violence, economic insecurity, and family rejection. Tim Allen and Mareike Schomerus encourage us to recognise that women's experiences upon return were not homogenous; there was a broad range of different experiences and attitudes that also changed over time.[42] For example, a study by Christopher Blattman and Jeannie Annan in 2008 found that family acceptance was reportedly high but in later studies such as those conducted by Allen Kiconco and Martin Nthakomwa in 2018, girls often faced family rejection.[43] My research indicates that these changes in community acceptance could be due to the death of parents (who may have been the original reason for community acceptance) or as a method of scapegoating women when conflicts arise or negative events happen within the community. Blattman and Annan explain the causes of the returnees' stigmatisation.[44] They argue that much of the stigma is due to a fear of *cen* in the community, which according to Grace Akello is based on a misunderstanding of trauma.[45] *Cen* is a Luo word that refers to a polluting spirit. Sverker

[41] Meredeth Turshen, *Gender and the Political Economy of Conflict in Africa* (London: Routledge, 2016). 4.
[42]Tim Allen and Mareike Schomerus, "A Hard Homecoming: Lessons Learned from the Reception Center Process in Northern Uganda," in *LSE Research Online* (The London School of Economics and Political Science, 2006).
[43] Jeannie Annan Christopher Blattman, "Child Combatants in Northern Uganda: Reintegration Myths and Realities," in *Security and Post-Conflict Reconstruction: Dealing with Fighters in the Aftermath of War.* , ed. Robert Muggah (Routledge, 2008)., Allen Kiconco and Martin Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda," *Women's Studies International Forum* 68 (2018).
[44] Christopher Blattman, "Child Combatants in Northern Uganda: Reintegration Myths and Realities."
[45] Grace Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability," *Intervention* 4, no. 3 (2006).

Finnstrom also indicates that there is a fear that *cen* may have an effect on future children.[46] Former LRA women are perceived to be morally compromised, dangerous, sexually impure, and unsuitable for marriage.[47] Re-insertion packages were distributed by the Ugandan Government to LRA returnees who applied and received an amnesty certificate from the amnesty commission. The package consisted of 263, 000 UGX, a mattress, blanket, hoe, basin, jerrycan, cups, plates, and five kilograms of maize and bean seeds. The re-insertion packages created resentment towards returnees due to the belief by the community that the perpetrators were being rewarded while the victims received nothing.[48] Consequently, returnees experienced insults from the community and were stigmatised.[49]

Children were important to the LRA and within certain time-periods were highly desired within the movement. This meant that many women returned with children which influenced their post-conflict experience. Women who return with children fare worse when re-integrating than those who return without children.[50] The presence of children makes it impossible for women to deny the sexual violations they suffered while in captivity.[51] The children may also serve as a reminder to the community of their inability to protect the girls from being abducted.[52] Another claim is that sexual violence is correlated with stigma which

[46] Sverker Finnstrom, *Living with Bad Surroundings: War, History, and Everyday Moments in Northern Uganda.* (London: Duke University Press, 2008).
[47] Ibid.
[48] Jeannie Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II," in *Survey of War-Affected Youth* (Feinstein International Center, 2008).
[49] Christopher Blattman, "Child Combatants in Northern Uganda: Reintegration Myths and Realities."
[50] See: Susan McKay, "Reconstructing Fragile Lives: Girls' Social Reintegration in Northern Uganda and Sierra Leone," *Gender and Development* 12, no. 3 (2004)., Teddy Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda," *Disasters* 42, no. 1 (2018)., Grace Akello, "Experiences of Forced Mothers in Northern Uganda: The Legacy of War," *Intervention* 11, no. 2 (2013).
[51] McKay, "Reconstructing Fragile Lives: Girls' Social Reintegration in Northern Uganda and Sierra Leone." Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda."
[52] Beth Stewart, "'I Feel out of Place': Children Born into the Lord's Resistance Army and the Politics of Belonging" (University of British Columbia, 2017).

is associated with sex and bearing of children occurring outside cultural norms.[53] Studies have demonstrated that if a girl's parents are dead it is much more difficult for her to reintegrate than if they are alive which indicates the importance of family for reintegration.[54] If a woman's parents are deceased, she can be chased away by their remaining relatives or the community and forced to live in the towns.[55] Women who returned from the LRA with CBOW stated in interviews that they were called *Otongtong* (killer) and their children were called *Ogwangogwang* (wild cat) which is a derogatory term that denotes their 'outsider' status. Child mothers are also stigmatised because they are perceived to be directly linked to the killers which was reflected in my own research with women being labelled 'rebel wives'.[56] There are multiple and often overlapping layers of stigma that women experience when returning from the LRA and this stigma is exacerbated if the woman returns with a CBOW.

Women who were previously abducted by the LRA may experience higher levels and more frequent episodes of domestic violence than women who were not abducted. [57] In a collective study, Regina Saile and Frank Neuner found that eighty-six percent of women in post-conflict Northern Uganda reported at least one type of abusive behaviour by their partners in the past year and seventy-two percent stipulated that sexual or physical abuse had occurred, with one in five women stating they had experienced marital rape.[58] The 2016

[53] Kennedy Amone-P'Olak; Tiholego Moleman Lekhutile; Emilio Ovuga; Rosemary Ann Abbott; Richard Meiser-Stedman; David Gage Stewart; Peter Brian Jones, "Sexual Violence and General Functioning among Formerly Abducted Girls in Northern Uganda: The Mediating Roles of Stigma and Community Relations-the Ways Study," *BMC Public Health* 16, no. 64 (2016).
[54] McKay, "Reconstructing Fragile Lives: Girls' Social Reintegration in Northern Uganda and Sierra Leone."
[55] Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability."
[56] See: "Experiences of Forced Mothers in Northern Uganda: The Legacy of War."
[57] Regina Saile & Frank Neuner & Verena Ertl & Claudia Catani, "Prevalence and Predictors of Partner Violence against Women in the Aftermath of War: A Survey among Couples in Northern Uganda," *Social Science and Medicine* 86 (2013).
[58] Ibid.

UDHS confirms this showing 60.2% of Lango and 52.8% of Acholi women had experienced violence at some point in their life and 21.5% of Lango women and 10.2% of Acholi women have experienced sexual violence.[59] The study by Saile and Neuner included twenty-five female participants who had been abducted for longer than one month out of a total of 235 female participants. A limitation of the study is that it did not distinguish the rates of violence committed against women formerly abducted by the LRA from those committed against women who had never been abducted.

Annan and Brier also link exposure to violence from armed groups with increased rates of domestic violence.[60] They state that two out of six women in their study described being beaten so severely they were taken to the hospital.[61] Thomas and Tiessen found that domestic violence continues after conflict has ended; rather than from combatants, the violence comes from husbands, fathers, and community members known to the victim.[62] Annan and Brier assert that alcohol is stated as a contributing factor for every case of domestic violence. They argue that women who returned from the LRA were more likely to become second wives.[63] Both Annan and Brier and Kiconco and Nthakomwa argue that elements of their new relationship mirror that of their forced marriage. There is a strong link between stigmatisation and poor marriages or relationships for returnees.[64] Marriage is

[59] "Uganda Demographic and Health Survey 2016," (Kampala, Uganda: Uganda Bureau of Statistics 2018).
[60] Jeannie Annan & Moriah Brier, "The Risk of Return: Intimate Partner Violence in Northern Uganda's Armed Conflict," *Social Science and Medicine* 70 (2010).
[61] Ibid.
[62] Rebecca Tiessen; Lahoma Thomas, "Gendered Insecurity and the Enduring Impacts of Sexual and Gender-Based Violence (SGBV) in Northern Uganda," in *Sexual Violence in Conflict and Post-Conflict Societies: International Agendas and African Contexts*, ed. Doris Buss; Joanne Lebert; Blaire Rutherford; Donna Sharkey; Obijiofor Aginam (London: Routledge, 2014).
[63] Brier, "The Risk of Return: Intimate Partner Violence in Northern Uganda's Armed Conflict."
[64] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda."

crucial to re-integration, but myths about the women and their experiences with the LRA mean that formerly abducted women are seen as unmarriageable. Veale and Stavrou contribute to this argument and contend that even male returnees do not want to marry female returnees.[65] Kiconco and Nthakomwa state that returnees end up with poor, uneducated, violent, and alcoholic men.[66] Atim also describes the difficulty that women experience with new partners; especially women with CBOW.[67]

1.3: A Problem of 'Culture'?

Gender violence is often attributed to the patriarchal culture of Lango and this argument must be evaluated. Turshen criticised tendencies to blame violence as a fundamental part of 'African culture', and argued instead that it is the policies of Western powers, the interests of transnational corporations, and the demands of international financial institutions that play the bigger role in the development of conflicts in Africa.[68] Along these lines, Dorothy Hodgson states that NGOs usually blame culture for gender based violence. She suggests however, that due to colonial influence, it is difficult to determine what 'traditional culture' is.[69] In the case of Tanzania, she states that it was colonial rule and corruption rather than Maasai 'culture' that led to women's decreased agency within society. Northern Uganda was colonised by the British, and influenced by missionary ideas and education. Hodgson's research resonates with

[65] Angela Veale and Aki Stavrou, *Violence, Reconciliation, and Identity: The Reintegration of Lord's Resistance Army Child Abductees in Northern Uganda*, Institute for Security Studies (Pretoria 2003).
[66] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda."
[67] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda."
[68] Meredith Turshen, "Women's War Stories," in *What Women Do in Wartime*, ed. Meredith Turshen and Clotilde Twagiramariya (London: Zed Books, 1998). 4.
[69] Dorothy L. Hodgson, *Gender, Justice, and the Problem of Culture: From Customary Law to Human Rights in Tanzania* (Bloomington: Indiana University Press, 2017).

many aspects of the complexity of gender and culture in Lira, Uganda and the difficulty of applying gender policies universally. It must be emphasized that culture is fluid; Arati Rao rightly criticized some commentators for rigid, ahistorical, and selective notions of 'culture'.[70] In Northern Uganda, patriarchal culture is often blamed for gender based violence within society. This framing is unhelpful as it is impossible to distinguish 'traditional culture' from external influences.

A number of authors, sometimes identified with the 'decolonial' approach[71], have emphasized the legacies of colonial rule, and in particular the influence of ideas about gender and African marriage introduced in the period of colonial domination. In 1976 Josephine Beoku-Betts challenged western perceptions of African women as misconceptions that were shaped by prevailing ideas in European society that influenced observers of Africa.[72] For example, she rejected depictions of African women as peculiarly subservient and argued that African women had methods to exercise their agency within marriage. One such method-refusing to prepare food for your husband when slighted-is also used within marriages in Northern Uganda.[73] First published in 1987 (a critical time in Feminist anthropology), Ifi Amadiume furthers this argument with her book *Male Daughters and Female Husbands.*[74] She contends that prior to colonization in Igboland (today's Nigeria), gender was separate

[70] Arati Rao, "The Politics of Gender and Culture in International Human Rights Discourse," in *Women's Rights, Human Rights: International Feminist Perspectives*, ed. Julie Peters and Andrea Wolper (London: Routledge, 1995).
[71] This refers to acknowledging the colonial influence on gender and actively resisting/overcoming this influence. See: Maria Lugones, "Toward a Decolonial Feminism," *Hypatia* 25, no. 4 (2010).
[72] Josephine Beoku-Betts, "Western Perceptions of African Women in the 19th and Early 20th Centuries " *Africana Research Bulletin* 6, no. 4 (1976).
[73] See: Evelyn Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*, ed. Erin Baines (Madison: University of Wisconsin Press, 2015).
[74] Ifi Amadiume, Male Daughters, Female Husbands: Gender and Sex in African Society, (London: Zed Books, 2015).

from biological sex and the roles were not as rigidly defined as in European society. The current lack of women's authority in Igboland therefore, Amadiume argues, is a direct result of western policies that relegated women to the domestic sphere. Oyèrónkẹ́ Oyèwùmí builds upon Amadiume's theory by suggesting that gender is a social construction but also a historically and culturally contingent phenomenon.[75] Oyèwùmí argues that the concept of women did not exist in Yorubaland and instead, social organization was based on seniority which was based on chronological age.[76] These debates are significant as they demonstrate that gender relations in Africa are not 'only' African but have been influenced also by colonial rule. Seeing 'African culture' as responsible for gender violence amounts to missing an important part of the global factors that shaped current circumstances.

Amina Mama cautions against a hegemonic narrative that excludes different experiences as contributing to shape African women's agency.[77] Obiome Nnaemeka furthers this discussion by introducing the concept of 'Nego-feminism' which she defines as the feminism of negotiation which is based around family and complementarity rather than individual interests.[78] Nnaemeka argues for the inclusion of maternal politics as a central tenet of African feminism. These discussions are also occurring within Uganda. In 1999, Barbara Mbire-Barungi argued that there were debates about what was culturally valuable and what should be discarded.[79] Mbire-Barungi provides some insightful perspectives on the relationship between culture and domestic violence that are still relevant today. The debates

[75] Oyèwùmí, *The Invention of Women: Making an African Sense of Western Gender Discourses*.
[76] Ibid. 13.
[77] Amina Mama, *Beyond the Masks: Race, Gender and Subjectivity* (London: Routledge, 1995).
[78] Nnaemeka, "Introduction: Reading the Rainbow."
[79] Barbara Mbire-Barungi, "Ugandan Feminism: Political Rhetoric or Reality?," *Women's Studies International Forum* 22, no. 4 (1999).

that she describes are ongoing, with the Government, NGOs (both local and international) and women themselves having diverse viewpoints.

Mbire-Barungi argues that despite the differences between African feminism and western feminism, international principles of women's rights must be upheld. The fact that women cannot inherit land in Uganda is problematic as it means that they can quickly become homeless and without any means of supporting themselves.[80] An interesting and extremely relevant point that Mbire-Barungi makes is that traditionally, men are highly dependent upon women's support for their day-to-day existence. Women in Northern Uganda collect water, harvest crops, produce and cook food, wash clothes, clean, and look after children. Men own the land that the women work on and participate in more strenuous but less time consuming manual labour.[81] While much research has focused preponderantly on women, women's roles cannot be analysed in isolation. Notions of masculinity contribute to shaping patriarchy. Chris Dolan noted that violence allowed men to fulfil social expectations of successful masculinity.[82] Furthermore, militarised masculinities can be an exaggerated version of masculine ideals that encourage violence.[83] Outside of the LRA war, Jessica Anderson and Antonia Porter state that domestic violence is linked to men's failure to live up to masculine ideals after the conflict.

[80] Ibid.
[81] Mbire-Barungi cites Ester Boserup's work which emphasizes that economic burdens disproportionately fall on women within society. See: Ester Boserup, *Woman's Role in Economic Development* (London: George Allen & Unwin, 1970).
[82] Ibid.
[83] Chris Dolan, *Social Torture: The Case of Northern Uganda, 1986-2006* (Oxford: Berghahn Books, 2009).

Acting violently is integral to masculine domination.[84] To some extent male violence is socially justified. During my research in Lira I was told by a Local Councillor that when husbands and wives came to him for mediation, he would tell the wife to be a good wife and submit to her husband. Women were constrained in their choices of whether to report acts of violence against them, as patriarchal ideals were frequently upheld by officials. One of the justifications for upholding these ideals was the payment of bridewealth from the man's clan to the woman's clan during the marriage process. Bridewealth is an old practice which has been indicated in the perpetration of GBV in marriage. There is an ongoing debate surrounding the meaning and purpose of bridewealth that explores the concept of bridewealth in correlation with the duties and obligations of a wife. For example, my research suggests that women do not feel that they have the right to refuse their husband and instead must be sexually available to him regardless of their own desires. A wife's refusal to have sex with her husband is seen as a severe provocation.[85] My thesis shows that women are not always compliant; sometimes they respond to violence with violence. But husbands can rely on widespread tolerance for wife-beating occasioned by a wife's denial of sex to her husband.

Many community members believed that bridewealth indebted a woman to her husband's clan and encouraged her submission to his requests. A number of Ugandan NGOs

[84] Jessica L. Anderson, "Gender, Local Justice, and Ownership: Confronting Masculinities and Femininities in Northern Uganda " *Peace Research* 41, no. 2 (2009)., Antonia Porter, "'What Is Constructed Can Be Transformed': Masculinities in Post-Conflict Societies in Africa," *International Peacekeeping* 20, no. 4 (2013)., Ann-Dorte Christensen; Palle Rasmussen, "War, Violence and Masculinities: Introduction and Perspectives," *NORMA: International Journal for Masculinity Studies* 10, no. 3-4 (2015).

[85] Hynd explores the reasons behind the social acceptability of wife-beating in Kenya and Nyasaland in 1930-1956. Although she focused on an earlier historical period, here too, the failure of a wife to cook meals, her unwillingness to provide hospitality, or her answering back to her husband or threatening to leave him for another man featured as common reasons for wife-beating. Hynd, "Fatal Families: Narratives of Spousal Killing and Domestic Violence in Murder Trials in Kenya and Nyasaland, C. 1930-56.", Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.

state that bridewealth makes marriage appear as akin to slavery.[86] Bridewealth has been connected to both domestic violence and inequality.[87] Jamil Ddamulira Mujuzi argues that many Ugandans would like bridewealth to remain only as a symbolic token rather than a source of wealth.[88] Peter Atekyereza[89] and Eunice Apio write about the important role that bridewealth played in marriage customs historically.[90] To many women, bridewealth provides a degree of stability in their marriage and they argue that a man who paid bridewealth will not abandon them as he has invested in them.[91] While bridewealth may offer a certain amount of stability, it is also used by both husbands and officials to encourage the obedience of women.

Bridewealth is not static and both the meaning and purpose of bridewealth in Northern Uganda has changed due to economic insecurity amongst other factors.[92] The debate surrounding bridwealth is not limited to NGOs and scholarly discourse: ordinary people care about these issues and discuss them frequently. In 2015, a landmark ruling was made by Uganda's Supreme Court stating that husbands can no longer demand the return of bridewealth should a marriage fail.[93] This was perceived to be a victory by many NGOs who argued that demanding the return of bridewealth after the dissolution of a marriage caused

[86] Kulsum Wakabi, "Bride Price and Domestic Violence Briefing Paper," (MIFUMI Project, 2000).
[87] Ibid. And, Gill Hague; Ravi Thiara, "Bride-Price, Poverty and Domestic Violence in Uganda," (Violence Against Women Research Group, University of Bristol; Centre for the Study of Safety and Well-being, University of Warwick, 2009).
[88] Jamil Ddamulira Mujuzi, "Bride Wealth (Price) and Women's Marriage-Related Rights in Uganda: A Historical Constitutional Perspective and Current Developments," *International Journal of Law, Policy and the Family* 24, no. 3 (2010).
[89] Peter R Atekyereza, "Bride Wealth in Uganda: A Reality of Contradictions," *Uganda Journal* 47 (2001).
[90] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[91] Thiara, "Bride-Price, Poverty and Domestic Violence in Uganda."
[92] Atekyereza, "Bride Wealth in Uganda: A Reality of Contradictions."
[93] Alon Mwesigwa, "Uganda Court Rules against Refund of 'Bride Price' after Divorce," *The Guardian*, 17 August 2015. And, Michael Wambi, "Ugandan Women Hail Partial Success over "Bride Price" System," *Inter Press Service*, 7 August 2015.

women to stay in abusive marriages if their parents could not return the bridewealth.[94] However, the law's effects are limited in rural Northern Uganda, where laws often remain a dead letter and women, police officers, and district officers are frequently unaware that certain laws exist.[95] There is a disjuncture between policy and practice: what is officially presented as a consensual view is often divergent from what occurs within the community. Bridewealth is simultaneously represented as causing violence while also protecting women in some ways. The thesis does not attempt to take sides in this debate, but analyses the struggle over interpretations of bridewealth to inform our understanding of gender violence.

A further highly contested institution that is attributed to the ambiguous notion of 'culture' is polygamy. Polygamy is common within certain villages and societies in Northern Uganda and many participants spoke about violence erupting in their household with the introduction of another wife. Emily Burrill and Richard Roberts, and Elizabeth Thornberry found that polygamy has the potential to increase violence in various African contexts.[96] In polygamous households, a wife can accuse a co-wife of bad behaviour, which could result in the co-wife being beaten. This is sometimes done by wives seeking to advance their position within the household.[97] This is supported by Tibatemwa-Ekirikubinza who explored the reasons behind women's violent crime and discovered that physical abuse, alcohol, and polygamy are all contributing factors. She found that in polygamous marriages the violence could be directed either towards the husband or the co-wives and that junior co-wives are

[94] Thiara, "Bride-Price, Poverty and Domestic Violence in Uganda."
[95] International Federation for Human Rights, "Women's Rights in Uganda: Gaps between Policy and Practice," (2012).
[96] Emily S. Burrill, Richard L. Roberts, and Elizabeth Thornberry, eds., *Domestic Violence and the Law in Colonial and Postcolonial Africa*, New African Histories Series (Ohio: Ohio University Press, 2010).
[97] See: Deniz Kandiyoti, "Bargaining with Patriarchy," *Gender and Society* 2, no. 3 (1988).

more likely to be victims.[98] This is consistent with findings within the thesis regarding the potential for violence between co-wives and a husband and wife in polygamous relationships. Bridewealth and polygamy can increase violence within marriage but to equate these practices with the 'culture' of a society and thus attribute the violence to a 'problem of culture' is unhelpful and we are at risk of essentializing culture if we do this. 'Culture' does not commit violence; specifically positioned individuals do. To understand gender violence, we need to understand the agency of those involved in such violence, beginning with women.

1.4: Agency of Women

Women's agency must be investigated as it is intricately linked to gender violence. Children are a fundamental expression of a woman's agency. In Northern Uganda, a woman's fertility is essential to the marriage process and infertility is a source of deep shame and can result in violence.[99] Porter argues that a woman's position in the household is considered unstable until she has children. This is also supported by Eunice Apio who describes traditional marriage practices and thoroughly explains family, lineage, and the clan.[100] Apio emphasizes the importance of reproduction to the marriage process and argues that it is not considered to be complete or perceived as a valid contract between clans until the birth of a child.[101] She states that men are considered strong and women weak and, 'marriage transfers the rights of control over a woman's sexuality and eventually her offspring from her patriclan to her

[98] Tibatemwa-Ekirikubinza, *Women's Violent Crime in Uganda: More Sinned against Than Sinning*.
[99] Fertility struggles are typically attributed to the woman in a marriage and not the man.
[100] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[101] Ibid.

husband's clan'.[102] If a woman suffers fertility problems, her husband may choose to take a second wife in order to have children. Alternatively, a man may beat a first wife he does not desire, but who was imposed on him by elders in his clan, to push her to leave him. Men sometimes act violently to effect changes in their relation to their wives, or to precipitate separation. A similar strategy would not be as easily accessible to unhappily married women.

Agency within Conflict

Women's agency within the LRA conflict was distinct from peace-time manifestations. The question of agency has been introduced in other studies of African wars such as works by Myriam Denov and Christine Gervais and Mats Utas that focus on the war in Sierra Leone and argue that women have some agency within conflict but that this agency is limited and is characterised by constrained choices. Girls' roles within conflict are multi-dimensional and contradictory and girls exhibit strategic forms of resistance.[103] Limited choices and strategic forms of resistance can be found within the LRA war as women would attempt to negotiate their various positions. Utas further argues that both men and women committed atrocities and invites us to view women as active agents.[104] He also explores the idea that women may present themselves strictly as victims in order to gain aid.

[102] Ibid.
[103] Myriam Denov; Christine Gervais, "Negotiating (in)Security: Agency, Resistance, and Resourcefulness among Girls Formerly Associated with Sierra Leone's Revolutionary United Front " *Signs: Journal of Women in Culture and Society* 32, no. 4 (2007).
[104] Mats Utas, "Victimcy, Girlfriending, Soldiering: Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone," *Anthropological Quarterly* 78, no. 2 (2005).

Chris Coulter does not fully agree with Utas and instead stresses the limited choices of women in conflict situations. However, Coulter also notes that it is impossible for women in war to be victims all of the time.[105] Some women tactically hide their role as perpetrators of violence as the image of fighter is inconsistent with dominant gender stereotypes that position women as docile. Women's war-time experiences are not homogenous.[106] Within the LRA, women's experiences were varied and influenced by factors such as age, rank, clan, time of abduction, forced-husband's status, and education level. Agency cannot be separated from a concern with role and positionality. Jeannie Annan, Christopher Blattman, Dyan Mazurana, and Khristopher Carlson provide extensive details on women's roles within the LRA, the gendered positions that they performed, and the forced marriages that they typically experienced.[107] Women had roles such as fighting, looting, carrying heavy loads, caring for children, producing children, cooking, cleaning, farming, and sexual labour. More recently, researchers have emphasized women's roles as militants as well as forced wives.[108] Forced marriage within the LRA was systemic with rules and aims that were integral to the success of the movement. In spite of this rigid system, women actively attempted to exercise their agency.[109] Women in the LRA made strategic choices and also committed acts of violence.[110] The research focus has shifted from thinking of women solely as victims in the LRA to exploring their level of agency.

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[105] Chris Coulter, *Bush Wives and Girl Soldiers: Women's Lives through War and Peace in Sierra Leone,* (Cornell University Press, 2009).
[106] Hilary Matfess, *Women and the War on Boko Haram: Wives, Weapons, Witnesses* (London: Zed Books, 2017).
[107] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (SWAY) Phase II."
[108] Dyan Mazurana et al., "Girls in Fighting Forces and Groups: Their Recruitment, Participation, Demobilization, and Reintegration," *Peace and Conflict: Journal of Peace Psychology* 8, no. 2 (2002).
[109] Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army."
[110] Thomas, "Gendered Insecurity and the Enduring Impacts of Sexual and Gender-Based Violence (SGBV) in Northern Uganda."

Women occupied multiple roles within the LRA but their role as fighters, the violence that was committed within this role, and the level of agency concerning the perpetration of violence is under-emphasized within the literature. An interesting argument that Akello advances is that returnees carried guilt and did not themselves feel like innocent victims.[111] She refers to women who state in some instances, they had the opportunity to let a captive go and instead chose to kill them.[112] Akello argues that women were encouraged to forgive themselves in reception centres and were told they were forced.[113] This clearly does not correspond to these women's feelings about the events and yet they are incentivized to minimize their agency in order to successfully re-integrate and receive aid.[114] This important research raises the issue of whether we underestimate women's agency within conflict because of the incentives women have to represent themselves as 'pure' victims - a point that is also raised by Utas. Akello also contributes to a difficult question; how should returnees with children be viewed? Akello argues that these women should not be viewed as children who need to be re-settled with their mothers as neither their family nor their community view them this way. Instead, we should entertain the idea of reuniting the women and their CBOW with the child's father (the LRA husband).[115] This is controversial and inconsistent with the evidence. In fact, Atim warns against this and Carlson and Mazurana found that women

[111] Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability."
[112] Ibid.
[113] Ibid.
[114] This may contrast to men's experiences of reintegration centres.
[115] Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability."

who returned to their LRA husband after the conflict experienced gender violence and many left their marriages.[116]

Narratives from Women in the LRA

Former LRA forced wives have detailed their experiences in memoirs that provide us with a unique opportunity to read the words of the women themselves and learn about the LRA from their perspective. Evelyn Amony was one of Kony's forced wives and she explains how she was first abducted and kept as a Ting-Ting.[117] Amony describes the fighting that occurred between co-wives and provides an account of her acts of resistance. Interestingly, she details her initial refusal of Kony's demands that she become his wife and further acts of resistance such as refusing to fulfil her 'wifely duties' when Kony has angered her by failing to help their sick child. Amony's memoire most importantly exhibits agency and contributes to the debates surrounding limited choices within contexts where there is a constant threat of violence. Amony's book was edited by Baines and she explains in the introduction that Amony wished to write the book to reclaim her life as her own. Evelyn Amony is currently the chairperson of the Women's Advocacy Network in Gulu which is part of the Justice and Reconciliation Project and aims 'to seek reintegration, reconciliation, and justice for war affected women in Northern Uganda'.[118] This association with an NGO does not decrease the value of Amony's testimony, but demonstrates that Evelyn re-interpreted her experiences from a position of

[116] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." Khristopher Carlson & Dyan Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda," (Feinstein International Center, 2008).
[117] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.
[118] "Women's Advocacy Network," http://www.justiceandreconciliation.org/initiatives/womens-advocacy-network/.

engaged activism. The memoire provides a first-person narrative that allows us to understand what events within the LRA Evelyn deemed significant. For example, her refusal of Kony and determination that he should care for their children. Also, the tenacity that she exhibited after the difficulties she encountered in her post-conflict life.

Grace Acan was abducted from St Mary's College in Aboke, a boarding school in Northern Uganda, and her book details the story of her abduction and her experiences as a forced wife to a much older commander.[119] Acan explains the hierarchy of wives and argues that there was jealousy between co-wives that was encouraged to prevent the women from forming alliances. Acan also describes the violence that she was exposed to and states that she successfully used strategies to avoid being beaten. Similar to Amony, Acan also discusses her faith in God throughout the book. An editor is not specified on the book but Acan cites both Erin Baines and Ketty Anyeko[120] as providing guidance throughout the writing process. As with Evelyn Amony, this shows that following reintegration Grace joined networks that included NGOs and academics and actively tried to influence the living conditions of others whose lives have been deeply affected by war.

Grace Akallo was also abducted from St Mary's college Aboke and she provides an account of her experience of abduction, forced marriage, and her eventual escape.[121] Akallo invites us to understand the resilience of returnees as she explains that although her escape

[119] Grace Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity* (Kampala: Fountain Publishers, 2017).
[120] Ketty Anyeko is a PhD student at the University of British Columbia and was previously the Gender Justice team leader at the Justice and Reconciliation Project.
[121] Faith J. H. McDonnell and Grace Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children* (Michigan: Chosen, 2007).

was difficult, she could survive it as she had already experienced hell in the bush. Akallo's book, *Girl Soldier*, is written in collaboration with Faith J.H. McDonnell a Religious Liberty Programs Director at the Institute on Religion and Democracy in Washington. Within the book, Akallo tells part of her story in one chapter followed by McDonnell interpreting and expanding on the testimony from a religious (Anglican) perspective. Akallo and McDonnell's book is unmistakeably attempting to inspire activism and the front of the book reads, "Why it matters and what you can do". The religious and activist undertone that accompanies Amony, Acan, and Akallo's books deserves attention: the authors' interpretations and motivations should be seen as integral to their humanitarian struggles. How they represent themselves and others has tangible repercussions in their communities, drawing some people to them and rising opposition and obstructionism among others.

Watye Ki Gen and CAP International produced an extensive report on the forced wife system within the LRA from the perspective of many of the forced wives.[122] Watye Ki Gen is composed of formerly abducted women who are advocating collectively for justice for women abducted by the LRA and children born of war. CAP International is the Coalition for the Abolition of Prostitution, an international charity that seeks to prevent sexual violence. Within the report the women explain the hierarchy of wives and their perception of the 'originals' who they believe occupied an exalted position and had more power than the other wives. There was jealousy towards educated wives within the LRA who were favoured by commander husbands and the report suggests that this jealousy had a strategic element - to encourage discord and prevent the co-wives from uniting. The women who contributed to

[122] Watye Ki Gen and CAP International, "The Lord's Resistance Army's Forced Wife System."

this report make it clear that there was a constant threat of violence. As an important contribution to the sexual slavery debate and the agency literature they state that they were enslaved but 'were not slaves'. For the sake of anonymity, the report does not state the sources of the information, however, there are some notable similarities between the books of Grace Acan and Evelyn Amony and parts of the report. It is also interesting to see that the so-called 'originals' are unanimously portrayed negatively within the report and are obviously excluded from participating in it. What seems clear is that after the war's end social tensions over the interpretation of the war lingered. Some of these tensions were about the roles of men and women in society.

Children Born of War

The LRA policy of 'creating the new Acholi race' meant that many women returned with children born of war (CBOW). Children play a fundamental role in the agency of women. The existence of CBOW impacts on the experiences of women and thus the two are inextricably inter-connected. CBOW can affect a woman's marriage prospects and if the woman does succeed in marrying, the CBOW can be vulnerable to abuse from their step-father. CBOW can often be an added source of stigma for the mother; as Akello states they are often referred to as mothers of the rebels' children.[123] Due to their father, Norman Mukasa states that the children can be subjected to cruel nicknames such as 'bastard' or 'from the bush'.[124] The experience of women who return with CBOW is different from that of those who do not;

[123] Akello, "Experiences of Forced Mothers in Northern Uganda: The Legacy of War."
[124] Norman Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy," *Development in Practice* 27, no. 3 (2017).

specifically, those with CBOW experience more and different challenges.[125] Marriage is a significant part of fulfilling gender roles in Northern Uganda and many women who returned, wished to marry. Marriage was a method of re-integration.[126] However, their past experiences with the LRA and their CBOW acted as a barrier to fulfilling this desire.[127] CBOW represent a challenge to the clan and the lineage, especially male children as boys generally have a claim to land and resources but this is complicated for CBOW as they are not considered to be part of the lineage of either their mother or their step-father when their mother re-marries. This is due to the circumstances of their conception and birth.[128] Atim, Shanahan and Veale, Kiconco and Nthakomwa, Apio, and Akello all conclude that CBOW can act as a barrier to new relationships and can create tensions between the woman and her new partner or the partner's family.[129] Despite the difficulties that mothers face due to the family and community reaction to their CBOW, they still express love and care for them.

The plight of children born of war was first investigated by Charli Carpenter, Ingvill C. Mochmann, and Sabine Lee. Carpenter advocates strongly for addressing the needs of children in her book and states that they represent a largely ignored population.[130] Mothers

[125] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda."
[126] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda."
[127] Ibid.
[128] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[129] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda.", Fiona Shanahan; Angela Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord's Resistance Army," *Child Abuse and Neglect* 51 (2016)., Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda.", Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society.", Akello, "Experiences of Forced Mothers in Northern Uganda: The Legacy of War."
[130] Charli Carpenter, *Born of War: Protecting Children of Sexual Violence Survivors in Conflict Zones* (Bloomfield, CT: Kumarian Press 2007).

and children who returned from the LRA have distinct needs in the post-conflict context. Children's and mothers' interests differ and because of this, the children's voices are often drowned out.[131] Mochmann and Lee expanded on this research and investigated and analysed the rights of CBOW under the Convention of the Right of the Child (CRC), especially in regard to contemporary conflict and post-conflict situations.[132] CBOW in Northern Uganda can be heavily stigmatised by both their family and their community due to their origin and are frequently negatively described as being 'from the bush'. This is a regular occurrence for CBOW who can grow up in a difficult environment due to their biological origins and can experience stigma, lack of parental care, and blame for the acts of their fathers.[133] This is reflective of Heide Glaesmer's model of communalities of experiences of CBOW across time and space; she states that childhood adversities, stigma, and identity are conflated for CBOW.[134]

Eunice Apio conducted a study in 2007 that focused on the impact of captivity on CBOW and evaluated the programming that was commonly used for reintegrating CBOW into society.[135] She later addressed CBOW in her PhD thesis, already mentioned, where she showed that their marginalisation was due to the circumstances of their conception.[136] The

[131] *Forgetting Children Born of War: Setting the Human Rights Agenda in Bosnia and Beyond* (New York: Columbia University Press, 2010).
[132] Ingvill C. Mochmann; Sabine Lee, "The Human Rights of Children Born of War: Case Analyses of Past and Present Conflicts," *Historical Social Research* 35, no. 3 (2010).
[133] Ibid.
[134] Heide Glaesmer; Marie Kaiser; Freyberger HJ; Braehler E; Kuwert P., "Die Kinder Des Krieges in Deutschland - Ein Rahmenmodell FüR Die Psychosoziale Forschung.
[Children Born of War in Germany—a Conceptual Frame for Psychosocial Research]," *Traume and Gewalt* 6 (2012).
[135] Eunice Apio, "Challenges of Integrating Children Born in Armed Conflict; a Study of Children Born of the Lord's Resistance Army, Gulu Municipality, 1990-2003" (Makerere University, 2007).
[136] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."

identity of CBOW within the community is common knowledge and people can identify which children are CBOW upon their mother's return.[137] Mothers would often try to hide their child's identity from them but children were influenced by other adults' behaviour.[138] A patrilineal descent system is practised in Northern Uganda which has important implications for CBOW as they are prevented from inheriting their step-father's land. CBOW know this and understand their position within the clan with boy children aware that they cannot make any claims on their step-father's land.[139] Apio further nuances the debate and emphasizes that female children are treated differently than males. This is also supported by Ochen who states that child mothers with male children face rejection more frequently than those with female children as there is a fear they will compete with the other clan children for family resources.[140] Land inheritance for male CBOW is an ongoing issue in Northern Uganda which has severe repercussions for the child's future. If a man does not have land or access to his father's land, it may prevent him from marrying as he may be unable to provide for himself or his family.

CBOW can be heavily stigmatised within the community and Denov and Lakor explain that CBOW experience stigma from family, step-fathers, step-siblings, neighbours, teachers, and peers.[141] They found that CBOW frequently experience violence from their step-fathers, particularly when the latter are drunk.[142] They further argue that CBOW suffer economic

[137] Ibid.
[138] Ibid.
[139] Ibid.
[140] Eric Awich Ochen, "Children and Young Mothers' Agency in the Context of Conflict: A Review of the Experiences of Formerly Abducted Young People in Northern Uganda," *Child Abuse and Neglect* 42 (2015).
[141] Myriam Denov; Atim Angela Lakor, "When War Is Better Than Peace: The Post-Conflict Realities of Children Born of Wartime Rape in Northern Uganda," ibid.65 (2017).
[142] Ibid.

uncertainty and have no sense of belonging whereas in captivity they often had caring fathers, increased status, and protection.[143] The significant levels of stigmatisation and economic disadvantage that they experience, lead the CBOW to conclude that perhaps their situation during the war was preferable to their post-war circumstances. This is a controversial argument and it is difficult to determine how widespread this sentiment is, but the difficulties that women and their CBOW face upon post-conflict reintegration are well-reported. Much of the recent advocacy from formerly abducted women in groups such as the Women's Advocacy Network have emphasized how CBOW feel disenfranchised and frustrated. Mothers of CBOW report that they are desperately worried for their child's future due to the lack of options available to them. Shanahan and Veale discuss the reintegration methods of women and their CBOW and found that women negotiate their status and that of their CBOW in various ways such as by participating in community rituals and changing the name of their CBOW from that given in captivity to one that reflects their clan's identity.[144] They also discuss that a man will show preferential treatment to his biological children and children can be initially welcomed but later rejected due to economic hardships.[145]

CBOW represent an important aspect of the wider agency of women. Women would frequently state that they were motivated to exercise their agency within the LRA by the existence of their CBOW. For example, they would choose to attempt escape for the sake of their CBOW, or as Amony recounted, would resist fulfilling their 'wifely duties' if their CBOW were not adequately cared for. Women were able to exercise agency in a limited capacity and

[143] Ibid.
[144] Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord's Resistance Army."
[145] Ibid.

the reasons why they decided to demonstrate their agency, such as for their CBOW, inform research about what was important to them while in the LRA. Women's reactions to violence are integral to understanding violence against women in Northern Uganda from the women's perspectives: they developed strategies to avoid violence when they could. But they also resorted to accommodation, when living with violence allowed them to advance projects that mattered more them than their own suffering. But women's reactions to violence were influenced by multiple factors, both local and global. This becomes clear when investigating the Dominic Ongwen trial at the International Criminal Court.

1.5: The Trial of Dominic Ongwen

Dominic Ongwen was a brigade commander in the LRA and is currently on trial at the International Criminal Court in The Hague for multiple crimes against humanity including sexual slavery and forced marriage. The trial has gained a tremendous amount of attention and grapples with difficult questions as Ongwen was abducted by the LRA at ten years of age.[146] The question of whether the ICC should have the authority to pursue this trial and what sort of justice the ICC actually represents has been frequently debated.[147] More relevant to this thesis, however, is the debate on the relation between forced marriage and sexual slavery that this trial exemplifies and the complicated status of the accused, Dominic Ongwen, as both a victim and perpetrator of sexual and gender based crimes. How the community in

[146] The culpability of child soldiers is frequently debated in international law and there are controversies around how child soldiers should be viewed. See: Mariane Ferme, *Out of War: Violence, Trauma, and the Political Imaginaion in Sierra Leone* (California: University of California Press, 2018). 210, 213.
[147] See: Kamari Maxine Clarke, *Fictions of Justice: The International Criminal Court and the Challenge of Legal Pluralism in Sub-Saharan Africa* (New York: Cambridge, 2009). Adam Branch, "Dominic Ongwen on Trial: The Icc's African Dilemmas," *International Journal of Transitional Justice* 11 (2017).

Northern Uganda interpret Ongwen's crimes informs us about perceptions of gender violence more broadly.

Dominic Ongwen is accused of both sexual slavery and forced marriage and this is interesting as both are areas of intense scholarly debate. Janet Halley takes considerable issue with the International Humanitarian Law (IHL) and International Criminal Law's (ICL) descriptions and prosecutions of rape within conflict.[148] She argues that not only is it unlikely that these legal rulings would have an effect on a perpetrator's decision on whether or not to aggress a woman, but that the consequences could be dire if they did. Halley states that gang rape within war is brutal and an exclusive sexual relationship could be preferable to women. She further argues that the IHL and ICL ruling could deter combatants from engaging in these exclusive 'relationships' which could negatively affect women's security within conflict. While Halley raises some important considerations, the reality of the brutality of forced marriages must be taken into consideration with an emphasis on the fact that a forced husband is a *lesser* evil selected within the context of a constrained choice and laws are not determined by their potential enforceability.

One of the key debates within the forced marriage literature is whether to place forced marriage under the umbrella of sexual slavery and whether forced marriage constitutes slavery.[149] Relevant to the Northern Ugandan context, Allain differentiates between forced marriage in peace-time (traditional forced marriages) and forced marriages

[148] Janet Halley, "Rape at Rome: Feminist Interventions in the Criminalization of Sex-Related Violence in Positive International Criminal Law," *Michigan Journal of International Law* 30, no. 1 (2008). 41.
[149] Jean Allain argues that we should look not to the form - that is, what it is called, but rather the substance meaning the evidence of control tantamount to possession. See: Jean Allain, "When Forced Marriage Is Slavery," in *International Conference on Forced Marriage in Conflict Situations* (Sierra Leone 2015).

in the context of war.[150] Within peace-time Northern Uganda, reports suggest that parents who are experiencing periods of poverty or famine may force their young daughters into an early marriage.[151] Within war-time, Allain states that if all of the elements of slavery are present, then forced marriage should be identified as slavery as there is an exercise of the powers attaching to the rights of ownership, and the women are treated as property. Women within the LRA commonly referred to the abduction and 'distribution' process whereby they were assigned a husband and thus this thesis agrees with Allain that the women were sexual slaves while also acknowledging that the term sexual slavery does not quite encompass the extensive harms of the 'forced wives' system.

The term 'forced marriage' is useful when describing what occurred within the LRA but also has its limitations. Valerie Oosterveld concurs with Allain that forced marriage of the type that occurred during the LRA conflict is slavery.[152] Oosterveld states that the term conjugal slavery captures sexual slavery as well as the forced domestic labour.[153] She also raises the issue of the psychological harm that the status of marriage can have on the victim. She agrees with many of Bridget Toy-Cronin's arguments that we must avoid labels such as 'forced marriage' and the charge of forced marriage should only include the marriage itself - a point which is debated by both Allain and Benjamin Lawrance who state that it should not be designated as 'marriage' at all. Although, Toy-Cronin does stipulate that associated acts

[150] Also see: Mariane Ferme, "Consent, Custom, and the Law in Debates around Forced Marriage at the Special Court for Sierra Leone," in *Marriage by Force? Contestation over Coercion in Africa*, ed. Annie Bunting (Ohio University Press, 2002).
[151] Patrick Ebong, "Parents Trading Daughters for Cows in Lira Markets," *Daily Monitor* 2018.
[152] She uses the Charles Taylor case to investigate this. See: Valerie Oosterveld, "Gender and the Charles Taylor Case at the Special Court for Sierra Leone," *William and Mary Journal of Women and the Law* 19, no. 7 (2012).
[153] See: Benjamin N. Lawrance, "Asylum Courts and the "Forced Marriage Paradox": Gender-Based Harm and Contemporary Slavery in Forced Conjugal Associations," in *Contemporary Slavery: Popular Rhetoric and Political Practice*, ed. Annie Bunting; Joel Quirk (Vancouver: UBC Press, 2017).

such as rape, slavery, and domestic labour should not be encompassed within the forced marriage charge, otherwise, there is a risk that the various crimes will be hidden behind the word 'marriage'.[154] This field of debate deepens our understanding of what is meant by the term forced marriage and how it should be defined.

By using the category 'forced wife' the woman is referred to as a wife, but she would not be considered a wife by the community.[155] Using the term 'marriage' to describe what occurred in the LRA can act as a linguistic camouflage.[156] Forced marriages may mimic peace-time marriages in terms of gender relations and a lack of consent from the woman, but they are not the same and within the LRA there was an absence of rituals and lack of consent from both the woman and her family.[157] The logic of forced marriage was shaped by the normalization of gender violence, sexual abuse, and the exploitation of labour.[158] Recent research on forced marriage has focused on men's level of agency.[159] Although this research area is making interesting new developments possible, it also emphasizes that women's experiences of violence and rape were more widespread, severe and specific to local ideas of femininity. Indeed, men who were in a position to gain a wife were not exposed to violence and rape and instead a typical complaint was that they may have been given a wife that they

[154] Toy-Cronin states that the forced marriage and the violence that occurred within the marriage are separate offenses that require separate recognition. Toy-Cronin, "What Is Forced Marriage? Towards a Definition of Forced Marriage as a Crime against Humanity."
[155] Annie Bunting, "'Forced Marriage' in Conflict Situations: Researching and Prosecuting Old Harms and New Crimes," *Canadian Journal of Human Rights* 1, no. 1 (2012).
[156] Ibid.
[157] Annie Bunting; Benjamin N. Lawrance; Richard L. Roberts, "Something Old, Something New? Conceptualizing Forced Marriage in Africa," in *Marriage by Force? Contestation over Consent and Coercion in Africa*, ed. Annie Bunting; Benjamin N. Lawrance; Richard L. Roberts (Ohio: Ohio University Press, 2016).
[158] See: Hynd, "'"To Be Taken as a Wife Is a Form of Death": The Social, Military, and Humanitarian Dynamics of Forced Marriage and Girl Soldiers in African Conflicts, C. 1990-2010."
[159] For example, by questioning who exactly was forced in a forced marriage- were men equally victimised by forced marriage? See: Omer Aijazi and Erin Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage," *International Journal of Transitional Justice* 11 (2017).

did not find attractive. Irrespective of debates on the legal classification of crimes, the substance of the crime remains the same. The difficulty in determining who was forced in a forced 'marriage' in which both the perpetrator and the target of particular violent acts were coerced in different ways is considerable. While these questions belong, ultimately, to the legal specialists charged with establishing accountability on a case-by-case basis, the rationales followed by all the actors involved in these trials – directly or as external observers – give us insights into how gender violence is perceived, why, and by whom.

Dominic Ongwen is representative of the difficulty in holding soldiers who were abducted as children accountable for their crimes. Ongwen was both a victim of the LRA and a perpetrator. Baines explores this predicament and terms Ongwen a 'complex political perpetrator'.[160] She states that Ongwen is in a moral grey zone as he is charged with crimes that he himself was once a victim of. Baines contends that Dominic Ongwen was in a state of chronic crisis that influenced his decisions but that he still made choices that others in similar circumstances did not.[161] This invites us to reflect on the context in which Ongwen made choices.[162] In order to empathise with Ongwen and other male militants who found themselves in a similar position, it is important to investigate the predicament of men as victims, not only as perpetrators. The defence argued that Ongwen should be considered a victim of forced marriage rather than just a perpetrator. Ongwen was undoubtedly a child soldier but excelled in the LRA and became a powerful commander with multiple forced

[160] Erin Baines, "Complex Political Perpetrators: Reflections on Dominic Ongwen," *Journal of Modern African Studies* 47, no. 2 (2009).
[161] "Gender, Responsibility, and the Grey Zone: Considerations for Transitional Justice," *Journal of Human Rights* 10, no. 4 (2011).
[162] A similar point is also made by Maria Eriksson Baaz, *Sexual Violence as a Weapon of War?: Perceptions, Prescriptions, Problems in the Congo and Beyond*.

wives. He perpetrated crimes of sexual slavery and forced marriage. Chapter 6 of this thesis explores how these actions were assessed by international actors, Ugandan men and women, and particularly by some of his 'wives' and by other former abductees who knew him, or who knew militants in similar positions, and who suffered acts of violence at their hands.

The sections above have argued that the LRA's violence against women must be analysed from the perspective of broader societal attitudes to gender violence in Northern Uganda. The prominence of certain perspectives and narratives has overcome others and this thesis attempts to consider the voices that have been least discussed and the experiences of those actors who have been least present in public debates. It argues that the marginalisation of certain perspectives and the dominance of others requires contextualisation. The thesis does not attempt to take sides. But it contextualises different actors' experiences and perceptions of gender violence in both forced and consensual 'marriages', and in both wartime and peacetime.

1.6: Methodology of the Thesis

In April 2016, I went to Lira, Northern Uganda for three weeks to engage in preliminary fieldwork. Lira is the third largest city in Northern Uganda with a population of approximately 290,600.[163] Lira was chosen for two main reasons: because it was less extensively studied than Gulu and Kitgum, and because of the work placements that were associated with the

[163] Uganda Bureau of Statistics, "National Population Census " (2002).

European Union funding. The placements were carried out simultaneously from October 2016 until December 2016.

While conducting field research in Lira, I stayed with a family that consisted of a married couple and their son. The wife – Betty – worked at the NGO that I interned with and was an integral part of my research experience. Betty acted as a cultural interpreter and was also a trusted source with whom I could discuss my research findings. My understanding and interpretation of events were frequently deepened after conversations with her. I would often recount the day's events to Betty and she would give her interpretation based on her experience of Lango society, where she had grown up. Almost every day, Betty and I would watch the news together and she would provide me with background information to many of the current news stories. If I had been told something in an interview and was not sure how to interpret it, I could discuss it with Betty and she would tell me everything she knew about the topic. She would also discussed her work with me and this provided me with new knowledge and potential 'leads' to pursue. Betty in many ways was central to my research experience and informed my interpretation of several events.

The gender class that I taught was held every Monday from 9am until 12pm in a white tent within the ASUL compound. I would generally walk to the University in the morning from my accommodation in Ojwina[164]. Along the way, I would talk to the women selling fruit by the roadside and try to practice the few words of Luo I had learned. When I arrived on the campus, I would go to the staff room and talk to colleagues within the department. The class itself was

[164] Ojwina is a subcounty located in Lira district.

comprised of five men and two women. ASUL is a religious university and the men were either ordained ministers or studying theology. The two women in the class were studying hospitality. Certain men in the class would frequently debate the gendered concepts being presented such as that men were equal to women or women were not innately suited to caregiving responsibilities. These discussions provided me with insights about gender relations.

After the class, I would have lunch with the social sciences department, socialise, and discuss how the class was going. The department consisted of three men and one woman. I would often discuss class debates with them. Following lunch, I would walk to FAPAD and spend the other half of the day there. FAPAD is a well-respected NGO that tackles a variety of social issues and confronts government corruption. I was located in the social and family protection unit. The NGO was very busy and workers would be coming and going with many collecting data in the field. A major research grant on gender violence and child abuse was ending and the unit was going to the community to provide updates and findings from the research. I would attend these meetings and gain some insight on how gender violence and child abuse were perceived within local communities. What were people's reactions to the high rates of gender violence? FAPAD was also invited to many local government meetings and during these meetings community members would discuss issues that mattered to them, many of which were centred around violence, alcohol, the emergence of gambling houses, and famine. Through these two placements, I was able to slowly immerse myself in Lira and learn about the social issues that were important to specific groups, the debates that were occurring, and people's everyday lives. The placements were also highly relevant to my research as the NGO dealt with many of the issues that I was investigating. While working at

ASUL I was able to become immersed in a community whose views of gender relations were influenced by Christian ethics and epistemology. This gave me access to some ideas widespread among the Christian majority of the Northern Ugandan population.

On 16- 20 January 2017, I attended the Dominic Ongwen trial at The Hague. This trial has important implications for how gender violence is represented and perceived in Northern Uganda. Phones, laptops, and recording devices are not allowed in the visitor's gallery and therefore I observed the trial and took hand-written field notes. I witnessed the prosecution present their case; the questioning focused on radio recordings of Dominic Ongwen. The court would frequently go into 'closed session' meaning that the audience could not see or hear what was being discussed. The testimony of the forced wives was heavily redacted and the prosecution stated that this was due to necessary protection measures for the women. Nevertheless, my experience of the trial and research on related documents provided important insights into gender violence and its perceptions during and after the LRA conflict.

I returned to Uganda in February 2017 to conduct focused interviews. Although I had completed my placement with FAPAD, they kindly allowed me to use their facilities while conducting my research. In order to maintain some distance and not immediately be associated with the NGO, I hired a research assistant from outside the organization. My research assistant was the wife of one of the lecturers in the ASUL social sciences department. Due to her previous work experience, she knew the local councillors and community leaders and was able to negotiate access to the community and available participants with them. The research assistant was thirty-four years old, married with three children, and had a degree from a local Ugandan University. The research assistant would discuss her interpretations of

events with me based on her knowledge of Lira's society and her close acquaintance with the society. My aim was to gain a broad understanding of gender violence and in order to fulfil this aim, I attempted to interview women, men, NGOs, Police officers, prisoners, and other diversely positioned actors. An interview with someone would often give me contacts of other persons I could talk to (this was an element of snowball sampling). Another approach I pursued was to walk through the town and try and find organizations that helped women as part of their mandate. I wished to understand what would be immediately available to a woman in crisis. Through this method, I found the Ugandan Human Rights Commission, Lira branch, and the Gender Based Violence Shelter in Lira.

The interviews I conducted were semi-structured. Questions tended to be broad and rather general, in order to allow respondents to provide information they were comfortable conveying. In some instances, the women would request that I ask further specific questions and give them more direction. By conducting semi-structured interviews, I both reduced researcher bias and allowed interviewees to discuss any violence that they may have experienced, if and as they wished to. I first interviewed female elders in order to gain an understanding of their experiences of marriage. After approximately fifteen interviews with female elders I began interviewing middle-aged women. I eventually interviewed younger married women. This gave me an understanding of marriage perspectives across different age groups and insight into how marriage had changed throughout the generations.

Interviews were conducted privately with the participant, the research assistant, and the researcher (myself). I would ask a broad question which was then translated and asked by the research assistant. The answer was then translated back to me. Interviews were

recorded. The transcription process allowed for verification of the translations in order to ensure accuracy. Two transcribers were used who spoke both English and Luo fluently and had University degrees. The interviews were recorded and the transcribers were asked to transcribe and translate the interview verbatim. Approximately five interviews were translated and transcribed by both transcribers to ensure continuity and accuracy of the translations. The transcribers were requested to translate the question that the researcher asked, how the research assistant translated the question, the participant's answer, and what the research assistant translated the answer as. The transcription-translation process was useful as it gave me a better sense of what the response was in the person's own words. In the process of transcribing-translating the information, the transcriber-translator can unconsciously alter the meaning of the text.[165] It is impossible to translate from one language to another without losing some of the meaning of the words that were spoken.[166] Moreover, as Bogusia Temple and Rosalind Edwards discuss, the context is important for the transcriber to decide what words would carry the equivalence of meaning.[167] To mitigate these concerns, the transcriber took time to explain to me the original meanings of words, especially when she thought there was no direct translation.

Thirty-nine formal interviews took place (formal meaning recorded and transcribed). Other interviews occurred 'off the record' and within informal settings. Several participants requested for their interview not to be recorded. Interviews were analysed thematically. Recurrent themes were noted and verified between several interviews. When a major theme

[165] Ibid. 3.
[166] Linda Hantrais; Stephen P. Mangen, "Cross-National Research," *International Journal of Social Research Methodology: Theory and Practice* 2, no. 2 (1999).
[167] Bogusia Temple; Rosalind Edwards, "Interpreters/Translators and Cross-Language Research: Reflexiviy and Border Crossings," *International Journal of Qualitative Methods* 1, no. 2 (2002).

arose, the researcher would try and cross-reference it against other published research on the same topic. For example, by researching the high levels of gender violence present in post-conflict African societies. Recurring themes were discussed with 'insiders' within the community who explained to me the relevance and moral connotations of some of the interviews' passages.

Navigating the ethics of the UK, Uganda, and the EU proved to be a difficult process. Ethical approval was granted for the project from the University of Birmingham ERN 16-0496. Approval from the Ugandan ethical board in Lacor hospital, Gulu, was then sought and granted. The researcher then applied for a research permit from the Ugandan National Council for Science and Technology which was also granted. An ethical review process by both an internal and external advisor was required by the European Union as part of the ITN and suggestions resulting from these reviews were utilised. I also adhered to a personal code of ethics and would frequently discuss with my supervisors how to interview as sensitively as possible. These reviews and discussions made me conscious of the ethical implications of my research and although difficult to navigate, they allowed me to thoroughly consider the harmful effect the research might have on participants and ways to best mitigate these effects. The ethical review process is not without its problems and a prominent critique of ethics boards is cited by Charles Bosk who argues that there is "…a mismatch between the bureaucratic requirements that concern prospective review and the ethical dilemmas that are part of our lived experience".[168] For this research, feedback from four ethics bodies was sought. The most relevant feedback was context specific and supplied by the Ugandan ethical

[168]Charles Bosk, "The New Bureaucracies of Virtue or When Form Fails to Follow Function," *PoLAR: Political and Legal Anthropology Review* 30, no. 2 (2007).

boards as well as the researcher's supervisors who had experience supervising similar research projects in Northern Uganda.

I am an educated white woman from a foreign country and when I conducted the field research, I was twenty-six years old. I am not married, nor do I have children, which was unique as most other women my age in Lira were married with children. When entering the field, I was met with an overwhelming realisation of my privileged position; I have never known hunger and my parents never had an inability to pay my school fees. I was confronted with what exactly this privilege translated to by way of unequal power relations. Recognizing or being sensitive to these unequal power relations does not remove them.[169] However, there was also an assumed privilege that people imagined, but that was not based on reality – such as the presupposition that I was particularly wealthy, when in fact in the UK I am only a graduate student, or that I was working with an NGO. When I self-identified as a researcher, people would frequently launch into a discussion of the war to the exclusion of other topics. It took multiple meetings with the same participants to convince them that I was interested in their personal experiences and marriages both before, during, and after the war. Perhaps research and therefore researchers thus far have focused exclusively on the LRA war. Or is it possible that this is a central focus of these participants lives and they wish to speak about it?

Formerly abducted women constitute a particularly vulnerable group and they have often been interviewed numerous times. At first I was determined to avoid this particular group as I felt they had been subjected to countless interviews and were at risk of re-

[169] Kim V. L. England, "Getting Personal: Reflexivity, Positionality, and Feminist Research," *The Professional Geographer* 46, no. 1 (1994). 249.

traumatisation. As the research progressed, I decided that this was not possible as female former abductees were integral to understanding gender violence and constituted a substantial proportion of the population. These women actively construct their identity and what narrative they present to researchers. Annie Bunting argues that there is a "script of the innocent victim" that is frequently adhered to.[170] This script is followed because it is associated with the woman's survival. If women reduce their experiences within the LRA to that of a passive victim, they are unquestionably regarded as 'deserving' of aid and other support. Some women chose to speak openly about the violence committed against them, but not disclose the violence that they perpetrated against others.[171] This is partially a survival mechanism, as women who admit to killing while in the LRA are frequently accused of being infected with '*cen*' which could lead to their ostracization from the family and community. Aid and support from NGOs also plays an important role in women's decisions surrounding what parts of their story to tell: 'pure' victims are deserving of aid. The strategic use of women's victimhood is discussed by Utas who terms it 'victimcy'.[172] As well as determining what parts of their story to tell, women decide whom to tell their story to. As Dolan argued, 'there has to be a benefit to disclosure; a cost/benefit analysis is performed'.[173] This construction of the narrative influences the interpretation of the data as it does not reveal the entirety of the experience and instead can promote a specific version of events. I could

[170] Annie Bunting, "Narrating Wartime Enslavement. Forced Marriage, and Modern Slavery," in *Contemporary Slavery: Popular Rhetoric and Political Practice*, ed. Joel Quirk Annie Bunting (Toronto: UBC Press, 2017). 134.
[171] See Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability."
[172] Utas, "Victimcy, Girlfriending, Soldiering: Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone."
[173] This is paraphrased from a comment that Chris Dolan made at a workshop, 'Men's and Women's Relations in Coercive Settings' Summer Institute: Conjugal Slavery in War, May 17-19, 2017.

not control most aspects of the interactions that yielded the data for this thesis. Faced with this realization, the best I can do is acknowledge unavoidable biases.

There is a dedicated group of LRA survivors who are trying to make visible the experiences of abductees during conflict and in post-conflict society. These women have produced books and collaborated with researchers on papers as well as advocating for the needs of survivors and their children through NGOs. This creates a dominant set of narratives where particular perspectives are visible while others are not, or less so. As Hodgkin and Radstone state, "Our understanding of the past has strategic, political, and ethical consequences".[174] Accounts can be compressed into concise and complete packages by using repeated terminology and phrasing which creates self-perpetuating narrative boundaries.[175] This has the capacity to limit the narrative so that it conforms to a uniform story with clear objectives and limits. A survivor's trepidation to implicate herself in violence is a potential result of the strategic element in narrative production. The LRA survivors, like everybody else, are not a neutral group and have their own motivations and ambitions. They are attempting to establish their 'truth'. This is not to say that the women are being dishonest, or that their accounts should be dismissed, but rather that certain stories and voices are emphasised more than others and we need to question, "…who or what is entitled to speak for that past in the present".[176] Silences are as meaningful as statements, and must be investigated in order to understand the multitude of experiences of women within the LRA.

[174] Katharine Hodgkin; Susannah Radstone, ed. *Contested Pasts: The Politics of Memory* (New York: Routledge, 2003). 1.
[175] Nicki Kindersley, "Southern Sudanese Narratives of Displacement, and the Ambiguity of "Voice"," *History in Africa* 42 (2015). 205.
[176] Radstone, *Contested Pasts: The Politics of Memory*. 1.

1.7: Summary of Chapters

The thesis starts by examining marriage in Lango. It engages with historical sources as well as female elders in order to understand traditional marriage and contextualise violence within marriages. Chapter 3 focuses on how gender violence worked within the LRA forced marriages. It examines the performance of patriarchy within the LRA which was similar to peace-time patriarchy with some interesting differences. In the LRA camps infidelity was condemned for both men and women; violence was delegated to guards or escorts and was often not carried out by the husband himself. Polygamy was frequent and was reportedly instrumentally used by LRA husbands to encourage fighting between co-wives in the household and prevent them from uniting against the forced husband. The perception of rape within the LRA also deserves special attention; rape was not thought to occur as a woman's forced husband could not rape her as he was her 'husband' which highlights some interesting connections to the perception of marital rape in post-conflict Northern Uganda.

Gender violence in post-conflict marriages for women who were never abducted by the LRA is then investigated in Chapter 4. These women describe high levels of violence within their marriages and this suggests that violence is a regular occurrence in many marriages. Gender violence within marriage is considered necessary as long as it is exercised within specific parameters. Women are expected to submit to their husband and refrain from questioning their authority. Failure to conform to this expectation, or any of their other expected gender norms (such as child-bearing), frequently resulted in violence. When violence was perceived as excessive or unreasonable, the woman would often discuss the issue with her husband's clan and/or her clan before pursuing other options. Alternative

options included approaching the Local Councillor or the police. Different women reported varying levels of success in their attempts to obtain support in the face of domestic violence. Their struggles provide insights into how marital violence is perceived in society.

Then the thesis moves to an investigation of the post-conflict experiences of women who had formerly been abducted by the LRA. These women are thought to have violated several established gender norms in society including the expectation of women's passivity. Chapter 5 exposes the stereotypes that surround former female abductees. They are considered undesirable marriage partners. This narrows their choice of husbands down to a section of men who – like them – are marginalised and seen as 'undesirable' spouses, such as alcoholics or men known to be excessively violent. Thus, many women who remarried following post-conflict reintegration describe their LRA 'marriage' as comparable to their post-conflict relationships in terms of violence and barriers to leaving their husband. They also argue that in the LRA they could often anticipate what they might be punished for and thus mitigate the violence. By contrast, in their post-conflict relationship it is difficult to anticipate when the violence might occur as their partner may be drunk or frustrated and beat them for no apparent reason. For previously abducted women, violence is inextricably connected to their experiences within the LRA and how these experiences are interpreted and perceived by the community. These women compare the violence that they experienced in the LRA with their continued exposure to it in post-conflict relationships. They recognize that the violence changes, but does not disappear, and is instead perpetrated by different actors and perpetuated in different ways.

The sixth chapter in this thesis examines the trial of Dominic Ongwen that is currently taking place at the International Criminal Court in The Hague. This case is important as Dominic Ongwen is charged with both sexual slavery and forced marriage, with significant implications for gender justice as it may establish a precedent for future cases. But what does this case tell us about perceptions of gender violence in Uganda? The international dimension of the case allows us to explore divergent views from the international community to the local community. While the international community appears determined not to let Ongwen's gender crimes go unpunished, many Northern Ugandans are ambivalent. Despite mitigating circumstances, such as Dominic Ongwen's age at abduction, there are further complexities such as the fact that some of Ongwen's wives may have chosen him (in their views, freely) as their husband. The Dominic Ongwen trial allows us to compare international legal perspectives on gender violence in the LRA with the interpretations of differently positioned 'locals' in Northern Ugandan society.

The final chapter provides some concluding thoughts for consideration.

APPENDIX A: A NOTE ON LANGUAGE

Language in this thesis cannot be used unproblematically as many of the international organizations' definitions that are used are Eurocentric in nature. For example, as Porter argued, there is no one word equivalent to rape in Luo but there are certain phrases or words used to describe the term.[177] Debates are ongoing within Northern Uganda regarding which words to use and how to best describe events; specifically relating to the sexual violence within the LRA. Many NGOs in Northern Uganda will refer to what occurred within the LRA as forced marriages whereas others prefer to use the term sexual slavery. Others will use the terms interchangeably or emphasize the fact that the marriage occurred in the LRA (the moral space of the bush). This made decisions regarding what language and terminology to use difficult. Language is important in framing and interpreting events and without a common understanding of what definitions are used and what meanings are assigned to these definitions it can be impossible to delineate clear boundaries and analyse gender violence. Bearing this in mind, I will now discuss the language used within the thesis.

The World Health Organization (WHO) provides a definition for violence that will be used. It states,

> The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation.[178]

[177] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 44.

[178] EG Krug, "World Report on Violence and Health," (Geneva: World Health Organization, 2002). 5.

The report on violence where this definition can be found further stipulates the intentionality of the violence, that is, violence cannot be used to describe unintentional accidents such as traffic accidents. The word 'power' within the definition is emphasized to describe the unequal power relations that can lead to different types and severities of violence.

Both Sexual and Gender-Based Violence (SGBV) and Domestic Violence (DV) will be used within this thesis as both terms are useful when describing the type of violence that women experience within Northern Ugandan society. I relied on the definition for SGBV of the United Nations Refugee Agency (UNHCR),

> Sexual and gender-based violence (SGBV) refers to any act that is perpetrated against a person's will and is based on gender norms and unequal power relations. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of a denial of resources or access to services. It inflicts harm on women, girls, men and boys.[179]

This definition encompasses many of the abusive experiences of women in Northern Uganda that are not specifically physical, for example, the 'denial of resources'. Domestic violence offers a more precise description of events that often occur within marriage. The concept of domestic violence used in the thesis is based on the definition of the Istanbul Convention and is as follows,

> Domestic violence shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current

[179] United Nations Refugee Agency UK, "Sexual and Gender Based Violence," UNHCR, https://www.unhcr.org/uk/sexual-and-gender-based-violence.html.

> spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.[180]

This definition emphasizes the familial aspect of the violence and specifies the violence as transpiring between current or former spouses. This is important when exploring violence within marriage as it adds a layer of definitional clarity.

The WHO and UN definitions can appear as rather distinct from terms used within Lango, however, there are often places of overlap and local NGOs frequently use UN definitions when discussing violence. Uganda is a signatory to many UN and African Union conventions and therefore it cannot be assumed that these definitions are 'foreign' to Ugandan actors professionally concerned with these phenomena. Yet participants during interviews tended to use other terms to describe their experiences.

As previously indicated, women in interviews would not use the term rape but the term *butu tek tek* (*tek* means hard) and this refers to the fact that someone has forcefully had sex with a woman. Alternatively, *butu anywar* or *butu alany* also indicate that someone has violated the sexual norm by sleeping with another in a humiliating fashion such as through *tek gungu* (term suggests the raping of men) or sex with a minor (described as defilement in Ugandan laws). Within my interviews, women would specifically state, *obura* meaning 'he has coerced me' or *oburuwa* meaning 'they have coerced me' to express that they had been raped or that the sex was not entirely consensual. Married women would frequently use *obura* to

[180] "Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence," (Istanbul 2011).

describe that the sex was not illegitimate in the sense that it was their husband but that there was an element of force or pressure present.

Marriage requires completion of a traditional ceremony known as *nyom*. A Luo marriage relationship is contracted when the man or his clan pay the bridewealth to the parents/clan of the woman. The bridewealth is usually paid by the man's parents during the marriage ceremony. *Nyomo* refers to marrying. Within interviews, women would indicate whether they had participated in *nyom* by stating that their husband had 'paid cows' (meaning bridewealth). If a couple did not go through the traditional marriage process it was said that they had eloped and this was called *otingere*. A woman would still personally refer to her husband using the traditional term for husband if they eloped but culturally he would be considered an illegitimate husband until he fulfils the marriage rites by paying bride price. An illegitimate husband would be referred to as *Ico otingo dak'* and an illegitimate wife would be *Dako atinga*. A man who has entered a marriage relationship with a woman would be called a *chuo* or *cwara* for 'my husband'. Divorce was referred to as *poke ikin lachuo ki dako* which means the separation between a husband and wife. This typically entails the family of the girl returning some of the bridewealth to the family of the boy (this shall be explored in detail in Chapter 3). The term frequently used to convey that people have divorced or separated is *opokere* or *okwere* in Lango.

As will be discussed throughout the thesis but most comprehensively in Chapter Three, certain forms and levels of violence were considered to be legitimate within marriage. This violence would often follow an argument or act by the woman that was forbidden or 'bad'. Within interviews, women would indicate when violence was considered legitimate by

stating that their husband, clan, or the community would use the phrase *ogoyi kakare* which means 'you were beaten rightly' or you deserved the beating. Older women would use the phrase 'she's used to canes' to state that the woman was a bad woman who was beaten often for her behaviour.

Women would often state that there was violence within their marriage because their husband would 'love other women' and take resources from the household to spend on or give to other women. The term used for a promiscuous man within interviews was *Ico obedo alaya* or *Ico amito mon apol* a man who loves many women (people). A promiscuous woman was less commonly discussed but would be referred to as *dako obedo alaya* meaning a woman who loves many men (people).

During interviews with formerly abducted women, they would frequently indicate that they had experienced stigmatisation by the community after their return. Many of these women had been called mentally unwell. The community would say that they were '*wiye lit*' or '*twoo two wic'* which refers to a person who is mentally ill. It also however, is used to refer to those whose behaviour is considered abnormal. For example, those who returned from the LRA and who are believed to be afflicted with *Cen*.

Forced Marriage Vs Sexual Slavery

As I had to choose which terminology to use I felt as if I was stepping into a minefield. Terms are not neutral and are heavily loaded with normative assumptions. When a woman is called a forced wife, this label has the potential to obscure the individual crimes that were

committed against her and the overall harm she experienced. It might also obscure moments of free choice within the overall coerced experience. There is also the possibility that her other roles such as that of a soldier are concealed. Moreover, in the community, she may be described as a 'rebel' wife which insinuates that the relationship was consensual and ascribes an element of blame to the woman. Far from abstracted terms debated by scholars, these terms have tangible implications for men and women in their everyday life.

The debate about whether forced marriage or sexual slavery is the correct term to use to describe what these women experienced is ongoing. When deliberating about which terms to use scholars such as Jain, Lawrance, Allain, Bunting, and Carlson and Mazurana were consulted. Ultimately however, I was interested in what language the women themselves use to describe their experiences. Women clearly emphasise the forced element of their 'marriage'. Sylvia was abducted by the LRA from school when she was fifteen years old and was distributed to a commander to act as his wife. She states, "That wasn't a marriage, those people were rebels, and there was no marriage".[181] Justine was abducted with her brother on her way to school and described the relationship with her forced 'husband', "there was no respect, also, you are slept with forcefully".[182] Grace Acan and Grace Akallo were both abducted from St Mary's College Aboke and invoke the language of slavery when describing their experiences. Grace Acan states, "The newly abducted girls were treated as slaves".[183] Grace Akallo agrees with her: "Led like slaves, we were taken toward a life of torment".[184]

[181] Interview with Sylvia, Lango, 3 April 2017.
[182] Interview with Justine, Lango, 7 April 2017.
[183] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 84.
[184] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 105.

Akallo further expands on the nature of her relationship with her forced 'husband' and states, "My husband might be waiting for me. The man who forced me to go to bed with him and is older than my dad was considered my husband".[185] Evelyn Amony was abducted and forced to become a 'wife' of Joseph Kony at fourteen years old. She explains that she had no choice in the matter if she wished to live, "Some time passed, and I thought he would leave me alone, but he called me again and said that I had to make the choice between life and death. If I wanted to live, I had to be his wife".[186] It is clear that the majority of abducted women do not perceive what occurred in the LRA as a regular marriage but the alternative of sexual slavery does not adequately convey the multitude of harms that these women experienced, which were not singularly sexual. There is no perfect definition for what occurs to women within 'forced marriages'.[187] Therefore, I will use the terms that the women themselves use to describe their experiences, and will not impose my preferences upon their personal accounts.

Girls or Women?

Participants who were abducted by the LRA were abducted as girls, however, many of them became women while in captivity. By 'becoming' women I am referring to both the societal concept of women in Northern Uganda and the international legal concept of adulthood beginning at the age of eighteen. In Northern Uganda, adulthood is intricately linked with motherhood and many of these women returned as mothers due to the conjugal enslavement they experienced. Although these participants may have returned as women, when first abducted, raped, and otherwise violated they were girls. I am aware of the

[185] Ibid. 112.
[186] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 39.
[187] Ferme, *Out of War: Violence, Trauma, and the Political Imaginaion in Sierra Leone*.

reluctance to call these participants girls as it infantilises them which can be used to dismiss a woman and reduce her agency. I use the term women as all of the participants I interviewed were women (all over eighteen at the time of the interview). However, much of what they recount in their interviews occurred when they were girls, and therefore I tried to indicate their age at abduction and during their time in the LRA, as the effect age had on the crimes committed against them deserves consideration.

Peace-Time/Post-conflict Vs Conflict

Northern Uganda has been in a state of conflict for decades which makes it problematic to refer to the LRA war exclusively as 'war-time' or 'conflict'. What exactly constitutes 'peace-time'? And was the so-called 'peace' experience actually peaceful? I am certain that different individuals would provide different answers to this question, however, the post-colonial period in Northern Uganda was not peaceful. While I am aware that there is no clear divide in people's lives between war-time and peace time because continuities exist, these terms are useful because they reflect how the research subjects conceptualised their experiences of the last few decades. During the war, after the war's end, and before the war or during 'peace-time' were expressions that interviewees used. This suggests that this is one of the important ways in which they periodise or structure their lives. This thesis has integrated this contrast in its analytical framework. It is not an attempt to compartmentalize or create hard boundaries, but is useful to indicate the different spaces inhabited by some of the main research subjects during their life.

Women's Narratives within the Text

Throughout this thesis, case studies are used to further illustrate certain topics. The case studies have been drawn from interviews conducted with participants. They often use the participant's own words, but some verbatim quotes are contextualized and explanatory notes are added to make the narrative more accessible to the reader. Case studies were used to ensure that the data from interviews was clear and followed a chronological timeline. Many of the events that the women discussed (specifically the LRA women) occurred decades ago and their memories of these events do not always follow a uniform timeline. In order to create a clear narrative, information from the interviews was reordered to fit the thesis' chronological structure.

CHAPTER TWO: MARRIAGE IN LANGO

2.1: Introduction

The competition for a man's love
Is fought at the cooking place
When he returns from the field
Or from the hunt.
You win him with a hot bath
And sour porridge.
The wife who brings her meal first
Whose food is good to eat,
Whose dish is hot
Whose face is bright
And whose heart is clean
And whose are not dark
Like the shadows[188]

Marriage has the potential to reproduce gender inequalities and legitimize certain forms and levels of gender violence in society. Everybody – men and women, young and old – is heavily invested in marriage. One of the reasons for this is that marriage is important for the survival of the entire clan. The clan of the man and woman are involved in both the marriage processes and the marriage itself. It is widely believed that 'You cannot understand Acholi love…if you think that it is between two people'.[189] Alfred Radcliffe-Brown's classic study of marriage exemplifies the structural-functionalist view that marriage involves two clans rather than two individuals and is a means through which (in patrilineal contexts) the husband's

[188] Okot p' Bitek, *Song of Lawino and Song of Ocol* (Kampala: East African Educational Publishers Ltd. , 1989). 44.
[189] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 76.

lineage acquires rights in the wife.[190] These rights include the wife's labour (both productive and reproductive) and rights to her offspring. Although structural functionalism is an outdated framework for the analysis of gender relations, its insight into the corporate responsibility of lineages, and patterns of reciprocal exchanges established through marriage is still relevant to the study of Northern Ugandan marriage. The latter is typically patrilocal with a woman marrying into her husband's clan and living on his clan's land.[191] It is negotiated between two clans as both clans have a vested interest in the marriage. The woman's clan receives bridewealth, which allows them to procure a woman for their son to replace the lost productive and reproductive labour of daughters marrying into other lineages; and a man's clan gains the rights over a woman's productive and reproductive labour and any offspring that result from the union. Eunice Apio explains that,

> In negotiating *nyom*[192], individuals and their lineages deploy livestock and money to negotiate for the right of control over the sexuality and procreative ability of a girl in another clan. Once *nyom* is concluded, a husband then *tero* (takes away) his new wife to his home. The removal of a wife by a husband symbolizes his newly acquired right over her sexuality and reproductive ability. Any offspring she produces within the marriage then becomes a member of her new husband's lineage.[193]

Thus, marriage was seen as an exchange between two clans that was considered to be of mutual benefit to both sides.

[190] Alfred Reginald Radcliffe-Brown, *African Systems of Kinship and Marriage* (London: Oxford University Press, 1950). 50.
[191] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 97.
[192] *Nyom* refers to the traditional marriage process. See: Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 100.
[193] Ibid. 100.

2.2: Traditional Conjugal Roles

Men and women had traditional roles within marriage that were strictly associated with their gender. These gender roles have the capacity to encourage gender inequalities as the roles that are ascribed to women are less socially valued making their work and by extension, themselves, considered less valuable. Apio explains,

> As a man, the husband 'provides' for his wife and children and ensures they are secure. In turn, the wife bears children for him, and cooks and washes for him; roles that re-enforce her subordination to him while marking his hegemonic position in the home.[194]

The roles of women are intricately related to the elevated position of men in the household and women are frequently expected to fulfil specific domestic functions. The type of roles that women perform signifies their subordination to male authority which results in the reproduction of gender inequalities.

Women were expected to submit to their husband's authority. A thesis by Reverend D. Kihangire Cyprianus in 1957 concerning the marriage customs of the Lango in relation to canon law, explains what is desired of a wife. He explains that youth, physical beauty, moral beauty (defined as docility, obedience, and fidelity), capability of working well, family status, and respectable parents and relatives were all important attributes for a wife[195]. Cyprianus explains that moral beauty was deemed more important than physical beauty, which indicates that docility and obedience were particularly desired in a wife. This thesis was

[194] Ibid. 93.
[195] D. Kihangire Cyprianus, "The Marriage Customs of the Lango Tribe (Uganda) in Relation to Canon Law" (Universitas Urbaniana De Propaganda Fide, 1957). 61.

written in 1957 but the desire for these traits still prevails among many men in Lango. While conducting a gender class in Lira in 2016 I was told that nobody wants an educated wife as they will then question your decisions whereas an uneducated woman will submit to your authority.[196] Women's obedience is still expected.

Women were historically required to submit to their father's authority before marriage, when authority was transferred to their husband. Regarding their choice of marriage partner, Steiger Hayley in 1940 describes how girls were obedient to their father's wishes but if they refused to comply, they would be beaten. He states,

> I was told that the two children would never object to the marriage, as children always obeyed their parents in those days. On the other hand, it is said that a father was not averse to forcing his daughter into a marriage which she did not desire, or return to a husband she wished to leave. He would dig two holes in the ground and bury her arms in them up to the elbow, pounding the earth down tight. She would be left there and beaten periodically until she agreed.[197]

The use of violence by the father in order to force the daughter to comply demonstrates that the institution of the family was inextricably linked with morally sanctioned ways to entrench the subordination of women in their roles as daughters, wives, sisters, and mothers. It also indicates the authority of the father over the daughter, which is later transferred to the husband who gains authority over his wife in marriage. Therefore, women are continuously subject to men's authority. The violence that was perpetrated within the marriage process

[196] Fieldwork notes, Lango, Uganda. 25 October 2016.
[197] Steiger Hayley, "Changes in Lango Marriage Customs," *The Uganda Journal* 7, no. 4 (1940). 145.

historically serves to contextualise the violence that is present within current marriage practices and indicates the extent and nature of men's power over women.

If a man and woman complete the customary marriage process then the marriage is considered to be socially sanctioned which has both advantages and disadvantages. If the marriage is socially sanctioned, the man is considered to have gained rights over the woman and the woman is expected to submit to the man's authority as he is her husband. Within a customary marriage, women gain some protection as they cannot be easily cast aside by the man who instead must go through a specific process if he wishes to divorce the woman and regain his bridewealth from her male kin. This offers a woman security which would otherwise be unavailable to her, as the marriage does not just involve the woman and the man but also the two clans. The woman's clan can negotiate on her behalf and ensure that she is treated fairly. However, although the official customary marriage process has its advantages for women, it also has its disadvantages as it provides men with legitimacy to use violence. Husbands are considered to be justified in 'correcting' their wives in certain circumstances and this allows men to commit violence against women legitimately in society.

2.3: Bridewealth

Bridewealth constitutes an important part of traditional marriage negotiations. Bridewealth is a payment that is negotiated prior to the marriage and traditionally included cows and other valuable items that were given by the male kin of the groom to the male kin of the bride.[198] Apio argues that bridewealth was a method of confirming the marriage. She states, "Typically

[198] Henrietta L. Moore, *Feminism and Anthropology* (Oxford: Polity Press, 1988). 45.

the Langi sealed *nyom* (marriage) with payment of *lim* [bridewealth]".[199] The meaning and content of bridewealth is not static and instead has been subject to considerable changes. There were multiple reasons for bridewealth, one of which was security for the woman. As Hayley explains, bridewealth became more common in Lango when wealth in the shape of cows and spears became more plentiful, it was then decided that "…if a boy had to hand over a quantity of these goods to his wife's family, he would treat his wife well".[200] In this regard, bridewealth is considered a process to ensure that the woman is treated well by her husband and his family as they have 'invested' valuable goods in order to attain her. Bridewealth remains an important part of marriage negotiations in contemporary northern Uganda despite its having been denounced by some activists as akin to slavery.

The critique that bridewealth is akin to slavery is persistent and Cyprianus argues vehemently against this classification in his thesis from 1957. It is important to highlight that Cyprianus was a reverend studying at a Pontifical University in Rome that aims to train priests for service as missionaries. He is writing shortly after the 1956 supplementary convention on the abolition of slavery was signed. Debates over the classification of African marriage were rife at the time of his research, and some Western activists compared bridewealth (and the rights it gave to the husband) to the purchase of slaves. Cyprianus disagreed:

> …there is a clear distinction between the status of wife and that of a slave. The slave can be transferred by his owner to another man, but the wife can never be given to another man at the whim of the husband. Marriage payment and its consequence is not to be regarded as a commercial transaction, but to be

[199] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 105.
[200] Hayley, "Changes in Lango Marriage Customs." 155.

> adequately understood as a recognition of the wife's value, both to her husband and to her own relatives, and the importance of the marriage contract[201]

Rights over the woman cannot be transferred from the husband to another man and this is why Cyprianus argues that a wife is not a slave and bridewealth does not constitute payment for her. This perception of bridewealth is debated as many NGOs argue that bridewealth is tantamount to purchasing a woman.[202] This may indicate the constantly changing nature of bridewealth as it may resemble slavery currently due to the way it is interpreted or applied in present-day marriages.

Bridewealth is a contentious issue and is interpreted by many men as cementing their authority and control over the woman; it is also used as justification for the many duties a wife is supposed to perform for her husband. During a gender class in Lira, I questioned the assumption that a wife should still do all of the cooking and cleaning if she was working full time. The response from an older male student was that it was the woman's responsibility because the man had paid bridewealth, which was payment for future services.[203] Women that I interviewed confirmed this belief, and stated that if they were asked to do something by their husband and they were reluctant to comply, their husband would frequently state, 'I paid cows for you' in order to make them acquiesce.[204] In this regard, men are using the payment of bridewealth as a way of forcing their wives to submit to requests that they may otherwise be inclined to refuse. The meaning and function of bridewealth is subject to change

[201] Cyprianus, "The Marriage Customs of the Lango Tribe (Uganda) in Relation to Canon Law." 65.
[202] Wakabi, "Bride Price and Domestic Violence Briefing Paper."
[203] Fieldwork notes, Lango, Uganda. 25 October, 2016.
[204] Interview with Women's Group 2, Lango, 29 March 2017.

in Northern Uganda and bridewealth is currently regarded as justification for a husband's authority over his wife and the obligation of a wife to perform certain duties for her husband.

Upon the dissolution of a marriage, bridewealth must be returned and for this reason, it has been cited as a cause of persistent gender violence. The return of bridewealth traditionally depended on the causes for a marriage's failure. If it was determined that it was the husband's fault, bridewealth would not be returned. However, Hayley states that this changed in Lango during colonialism as the chiefs, "…at their annual Lukiko passed a resolution that, 'since all women were bad in these days', the marriage-goods should always be returned in a case of divorce, even if the wife has run away from her husband's ill-treatment".[205] This signifies a change in the process in favour of men, which undeniably affects the power dynamics within the marriage. Women no longer enjoyed an element of protection against an unreasonably violent man as their family would still be required to return the bridewealth; which could be a difficult task. The inability of a woman's family to return bridewealth has been indicated as a reason why women may be forced by their own family to stay in violent marriages. In 2003, a Human Rights Watch report stated that the return of bridewealth acted as a barrier to women leaving abusive husbands as, "Brothers will beat you to get you back to your husband because they don't want to give back cows".[206] Bridewealth in one regard offers protection for women, but its changing nature indicates that it can now also be used as a tool to prevent women from leaving abusive husbands.

[205] Hayley, "Changes in Lango Marriage Customs." 152.
[206] "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda," (Human Rights Watch, 2003). 34.

Parliament has debated the Marriage Bill 2009 which stipulates that bridewealth is a gift and its return cannot be demanded in the event of the dissolution of the marriage.[207] This portion of the bill was lobbied for by multiple NGOs and was considered to be an important statement regarding the rights of women. However, the bill has not yet been passed and even if it was, Gillian, an NGO worker in the legal department at FAPAD explained some potential consequences. Gillian stated that the woman should not have to pay bridewealth back as she was not in the same shape as the man received her in because she had lost value due to age and childbirth. The language that Gillian uses here indicates how women in society are often valued; by their productive and reproductive capabilities. She also identified the shortfalls of the bill, and argued that if it came into effect, men might not marry due to the fear that they would lose money if the marriage ended and they would not be able to afford the bridewealth for another wife. In this event, Gillian believed the children would suffer as there would be no woman in the home to care for them.[208] The potential worries of a man depict the importance of marriage and having a wife, as well as the insecurity of a woman and her children should the man choose not to pursue a marriage. The debate surrounding bridewealth is ongoing and is inextricably connected to a woman's fertility.

2.4: Fertility and Reproduction

A woman's performance as a wife is connected to her ability to produce and care for a child. Women who are unable to have children face considerable difficulties within the community and Porter explains,

[207] Florence Mirembe Dan K. Kaye, Anna Mia Ekstrom, Grace Bantebya Kyomuhendo, Annika Johansson, "Implications of Bride Price on Domestic Violence and Reproductive Health in Wakiso District, Uganda," *African Health Sciences* 5, no. 4 (2005). 11.
[208] Fieldwork notes, Lango, Uganda. 4 November 2016.

> most women are proud of their roles as mothers, and infertility is a source of deep sadness and shame. The pressure to conceive and bear children is immense. In fact, it is very difficult for a woman to have a socially acceptable identity in a village unless she is a mother.[209]

Women's acceptance within a village and often a family is dependent on their ability to have children. Should women encounter difficulties conceiving, the woman may be rejected from her husband's clan. During a gender class, one of the students recounted his experience with his wife who experienced fertility problems. He lamented that she returned home because although he had been accepting of her problems conceiving, his clan had not and they would refuse to speak to her and the women of the clan would refuse to gather water with her and would otherwise shun her. His wife eventually returned to her village as she could no longer endure the treatment from his family.[210]

Reproduction is an essential part of marriage. A woman is not considered to be part of her husband's clan until she begets a child. Porter explains that,

> a woman is seen as liminal until she marries, and even then, she is considered unstable, and her loyalties may be questioned until she has children. At this point her position is more firmly established as an insider to her husband's clan and the home (not to mention his virility has been proven and hence conformity to expressions of masculine norms), as she has produced children who will help perpetrate the existence of the patrilineal clan of her husband.[211]

[209] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 89.
[210] Fieldwork notes, Lango, Uganda. 25 October 2016.
[211] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 89.

The importance of a woman's fertility is also emphasised by the extensive measures that clans take to ensure that a woman can produce children. Apio states that, "to ensure a son never married a barren wife, a man's mother hosted the new wife at least until she showed signs of a pregnancy".[212] These ideas are not recent: for example, Cyprianus' thesis too argued that, "marriage is not considered complete until the wife has borne a child".[213] The fertility of a wife is a fundamental part of marriage and if the wife is unable to produce a child, it constitutes a legitimate reason for separation or the acquisition of another wife.

Northern Uganda follows a patrilineal descent system and providing that bridewealth has been paid, children are perceived as belonging to the man's clan. If a woman leaves her husband, she must leave the child in the care of the paternal clan unless the child is breastfeeding.[214] This has important implications for violence within marriage as women are reluctant to leave abusive partners if they must also leave their children. This is especially the case in polygamous marriages where women fear that their co-wives will kill their children to ensure that they do not return to the marriage. I interviewed an elderly woman called Dorothy who had left her first marriage due to violence. Dorothy explained that she was forced to leave her two children behind and that the wife who married her husband after her had poisoned her children so that Dorothy would not have a reason to return to the man.[215] The man's claim to custody of the children in the event of the dissolution of a marriage is a custom that negatively affects women.

[212] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 102.
[213] Cyprianus, "The Marriage Customs of the Lango Tribe (Uganda) in Relation to Canon Law." 78.
[214] "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda." 35.
[215] Interview with Dorothy, Lango, 29 March 2017.

2.5: Divorce

Divorce is complicated by the exchange of bridewealth within the marriage process. If a marriage ends in divorce, then the woman's family is expected to return the bridewealth to the man. Hayley explains that the amount of bridewealth must be established through negotiation and, "When the amount of the marriage-goods is eventually decided upon by Lukiko, the girl's father is told to hand it all back".[216] As previously discussed, the woman's kin's reluctance to return the bridewealth may force the woman to remain in a violent marriage. Should the bridewealth be returned, the woman will return to her natal clan. The man's rights in the woman and her reproductive capabilities cease and she is free to go through the marriage process once again. The payment of bridewealth complicates divorce as the woman's family may no longer have the bridewealth, and therefore, the woman may be encouraged to return to her husband and his clan.

Divorce, like marriage, is negotiated between the two clans and because of this, reasons for the separation must be explained to the clan by the husband and wife. Hayley describes the reasons traditionally given by both men and women for divorce which are similar to reasons observed in contemporary society. He states,

> The chief legitimate reasons for divorces were, and still are, as follows. From the woman's point of view she may claim that 1. She is beaten frequently and unjustifiably. 2. Her husband is an *ajok* (sorcerer). 3. Her husband does not sleep with her. The husband may claim: 1. That his wife is barren. 2. She cooks badly. 3. Commits adultery. 4. She is an *ajok*. Either of the couple may desire divorce for general incompatibility.[217]

[216] Hayley, "Changes in Lango Marriage Customs." 154.
[217] Ibid. 149.

Many of the reasons described by Hayley are present in modern cases of divorce with the exception of the spouse being accused of sorcery which is uncommon. The reasons provided by the Lango (most likely constituted of male elders) for the sudden increase of divorce was "…the general badness of the modern woman and the fact that the guardians of the girls have not the same power over their charges as they used to have, when no one objected to them using the stick freely."[218] The reason for divorce is described as guardians lacking power over their daughters; power which is derived from their ability to beat them freely. This provides an interesting contextualisation of divorce as Hayley indicates that it is perceived to be the result of undisciplined women and a decrease in violence or 'chastisement' towards them. The emphasis on women's misbehaviour as a reason for divorce persists in modern cases, as will be more fully explored in the subsequent sections of this chapter.

2.6: Negotiating Relations Within Marriage

Women are often depicted as inferior to men and Henrietta Moore explains how equating women with children is a strategy that men can employ to indicate their superior status. She states that women are both overtly and covertly depicted as inferior,

> …by a series of cultural notions that depict women as thoughtless, irresponsible and in need of control: 'women are like children, they speak before they think'. When men say that women are like children they are calling attention to a structural relation between the sexes which positions women as social and jural minors… to say that women are like children is to make a metaphoric statement of considerable power. In their 'child like' state, women are perceived as inferior

[218] Ibid. 154.

> to men, and their inferiority both derives from and is based on their lack of social responsibility and control.[219]

The depiction of women as children and their reduction to the status of a child within society serves to enforce the view that they are inferior to men and therefore it is natural that men should have control and authority over them as they do over children. Yet the status of women within the household is constantly open to negotiation and re-negotiation. The complexity in defining a woman's status is attested by Cyrpianus' ambiguity on this issue: while he argues that, "…a Lango woman is a full partner in the household, and not a superior servant,"[220] he does not refrain from stating, a few pages below, that:

> All the Lango women are convinced of their obligation to be subject and obey their husbands and they never question this at all. They do disobey at times, it is true, but that is due to the fact that the husband sometimes demands too much, or simply from human weakness. They know that the act of disobedience is wrong in itself.[221]

It is difficult to reconcile that a woman can be a full partner in the household while simultaneously feeling an obligation to obey her husband. Although seemingly irreconcilable, these two statements represent the complicated status of women within the household, which is further compounded by the ability of the woman to continuously negotiate and re-negotiate her status. A woman's status within the household is not static and instead can be influenced by multiple factors both inside and outside of her control. For example, the ability of the woman to conceive and relationships within the household such as between co-wives

[219] Henrietta L. Moore, *Space, Text and Gender: An Anthropological Study of the Marakwet of Kenya* (Cambridge: Cambridge University Press, 1986). 64.
[220] Cyprianus, "The Marriage Customs of the Lango Tribe (Uganda) in Relation to Canon Law." 49.
[221] Ibid. 53.

and with her husband's clan. Women's status can be subject to change but their marital duties and obligations are generally more fixed.

Women are socialised into their roles of wives and mothers already as children. Cyprianus explains that this process begins at childhood when a woman is made to believe that she is inferior to men. He argues that boys are encouraged to play hunting games and pursue other physical tasks while girls are encouraged to pretend to be the mother to dolls and pretend to cook. The girl is convinced that, "She must serve. She is made to believe that she is the weaker sex physically, and that she needs protection".[222] This belief continues into adult life and is perpetuated by the roles that women have versus men in the household. Women are supposed to cultivate food and cook and Apio explains that,

> …Men mostly came in to help with the clearing of the land and the selling of proceeds, which are considered heavy tasks in need of strong hands and high energy levels associated with masculinity. Men were considered strong and women weak.[223]

Women's work is associated with their gender roles and the stereotypes that accompany such gender roles such as the belief that women are weak. Many men may be physically stronger than women but women are not weak in comparison, and many of the roles that women fulfil such as fetching water require physical strength. The perpetuation of these gender roles from childhood to adulthood keeps women in a constant state of inferiority compared to men and is one element that can be used to justify their lower status within marriage.

[222] Ibid. 51.
[223] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 92.

Sex is a marital obligation for women in Uganda and the belief that men are entitled to sex from their wives whenever they so choose is widely supported. The Marriage Bill 2009 that has not yet been passed by the Ugandan parliament included a section on marital rape that was passionately debated. Marital rape could be considered to be subsumed by the Domestic Violence Act which condemns sexual abuse but this is unlikely considering the heavy criticism and debate that surrounded the marital rape section of the Marriage and Divorce Bill. Porter explains that sex within marriage is considered to be a wife's obligation, and a woman's refusal may lead to sexual violence that is considered to be justified by many. She writes,

> …providing sex even when she may not want to, like cooking, is seen as her duty. If a wife refuses and she is forced, her husband is taking something that she 'should' have given him willingly.[224]

Women in interviews often denied that husbands could 'rape' his wife as, "how will he have raped you and yet you know that is your husband? It happens outside".[225] If a wife refuses to have sex with her husband and is then forced and/or beaten, it is because she is failing in one of her duties. In this sense, marital rape is perceived not as a rape but simply another method of forcing a disobedient wife to fulfil her marital obligations.

2.7: Domestic Violence within Marriages in the Past

Domestic violence existed in marriages in the past and elderly women during interviews discussed the violence they themselves had experienced. These women, however, initially

[224] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 81.
[225] Interview with Dorothy, Lango. 10 April 2017.

focussed on a different aspect of marriage in the past that set it apart from modern-day unions, describing as positive the durability of marriages in previous generations,

> a wife would stay well with her husband, you respect your husband…a wife would stay with the husband in harmony, produce and take care of their children. If visitors come by they would take care of them, they speak well and greet them…people used to not leave their marriages[226]

Women who remained with their husbands were a prominent theme and the interviewees negatively compared their children's current marriages with their own marriages stating, "in those days, for us who were married, you come and stay put. But now when a person takes your daughter, he again disturbs her, she has to come back home and he again has to follow her".[227] Yet, elderly women had remained in their marriages not due to a lack of violence but in spite of the violence. One woman stated,

> it was there but you just used to bear it and be respectful because your husband married you…even though he would beat you are his wife. And you wouldn't go anywhere and you wouldn't also go to any chief…if you are injured, the wound is just washed with warm water and you are not even taken to the hospital.[228]

For many elderly women, domestic violence was part of their marriage and the limited recourse to resist the violence that they describe (in the form of the clan or community mediation mechanisms) indicates that it was broadly acceptable within society.

[226] Interview with Group 2, Lango. 27 March, 2017.
[227] Interview with Group 3, Lango. 29 March, 2017.
[228] Interview with Group 1, Lango. 28 March, 2017.

Older women perceived current levels of violence within marriage as less severe than past levels. This was a widespread belief with women stating, "in those days people would fight, there are some people who would even beat their woman with a pestle…sometimes you are cut with a panga".[229] Women argued that violence within marriage in the past often led to the woman's death. They stated,

> Yes. They would also kill. You are beaten if you are bad, it is said you woman you have made your husband tired and so you get injured in the process of him beating you. With anger, he thinks he's teaching you by beating but ends up killing you.[230]

It is important to note that the woman is blamed for the violence even in the event of her death. The woman is beaten because she is bad. She has made the man angry and her injury and subsequent death are a by-product of his disciplinary action that is perceived to be necessary. Older women reasoned that domestic violence was worse in the past because there was a lack of law and the community was less aware. They acknowledged that women now had to contend with alcoholic men; but argued that they had the police and other resources to help them. In a group interview, the women present agreed that:

> During that time there was no sensitization and there was also no law…there was also no court, you would be beaten and killed just like that…And also during that time even if something goes very bad it is not taken anywhere. Even calling people say like come and help me solve this issue, it wasn't there, even though you have been pierced with a spear you get healed by water and you are not even taken to the hospital… But now people are educated. At least people know the rules, the laws, at least people know a lot on how to deal with the issues of violence in their households.[231]

[229] Interview with Group 2, Lango. 27 March, 2017.
[230] Interview with Group 1, Lango. 28 March, 2017.
[231] Interview with Group 2, Lango. 27 March, 2017.

This is in contrast to younger women who state that domestic violence has become widespread with few options available to escape the violence, a theme which will be further explored in Chapter Four.

2.8: Conclusion

This chapter has explored marriage and gender relations in Lango. Women's traditional marital roles and the processes associated with marriage such as bridewealth, contribute to gender violence in Northern Uganda. The clan is an integral part of brokering and mediating marital relations, and marriages are not primarily about the man and the woman in isolation but rather involve both clans. From a young age, women are socialised differently than men and are taught skills that will help them accomplish their domestic responsibilities. Within marriage, women are expected to be subordinate to men and fulfil their marital duties. If they fail; violence is conceptualised as a necessary tool to 'teach' and 'discipline' the woman. Historical sources and female elders discuss high levels of violence within marriages in the past with limited options available to resist such violence. Domestic violence within marriage does not constitute a new phenomenon but has historically been a lived reality for women in Uganda.

CHAPTER THREE: SEXUAL AND GENDER-BASED VIOLENCE IN THE LORD'S RESISTANCE ARMY

3.1: Introduction and Context

Over the last few decades, Northern Uganda has experienced a period of prolonged conflict. One of the most violent and devastating of these conflicts has taken place between the Lord's Resistance Army (LRA) and the Ugandan People's Defense Force (UPDF). In brief, the LRA first began as an anti-government movement opposed to Yoweri Museveni's regime. Tensions existed between Museveni's government and the people of the North who were perceived to be traitors who fought against the National Resistance Army (NRA) (the predecessors of the UPDF). The LRA first began as a civilian resistance movement called the Holy Spirit Movement which was led by Alice Lakwena. The movement was initially in response to violence that was being carried out by the National Resistance Movement (NRM) against the people of the North.[232] The NRM is the current political party in Uganda and the NRA was initially their military branch. The movement was taken over by Joseph Kony who utilised Alice Lakwena's support base to form a more violent movement. After initial successes, recruitment into the movement stalled and Kony used wide-scale abductions and violence to replenish the movement's ranks. Initially, the LRA militias were constantly on the move and recruitment of children was discouraged but this changed as the LRA began to create more permanent camps and encouraged reproduction and child-bearing.[233]

[232] Tim Allen; Koen Vlassenroot, *The Lord's Resistance Army: Myth and Reality* (London: Zed Books, 2010).
[233] Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army."

When the LRA began to lose support, Kony and his top commanders felt deserted by the people of Northern Uganda. In response, they retaliated with brutal violence and the abduction of children to serve as soldiers, porters, and 'wives'. Kony felt betrayed by the Acholi elders, whom he saw as traitors. He argued that the LRA represented the 'genuine' Acholi.[234] The LRA lifestyle became more stable and camps were set up that resembled family compounds.[235] Moreover, there was an increase in the abduction of young girls who were supposedly more fertile and less likely to carry disease; AIDS in particular. Kony began to encourage procreation in order to fulfil his desire for a 'pure' Acholi nation.[236] After this new policy was enacted, women – who had been actively discouraged from getting pregnant – were encouraged and pressured to have children with their commander 'husbands'. Women were essential to the success of the LRA movement and young, educated women were specifically targeted for abduction. Within the LRA, gender violence was perpetrated on a massive scale. Abducted women were forced to perform wifely duties for the LRA commander that they had been allocated to. This chapter explores representations of gender violence within LRA forced marriages and compares them with peace-time marital relations in order to understand how patterns of gender violence differed in these two contexts.

The UN definition of conflict-related sexual violence will be used throughout this chapter in relation to sexual violence that occurred within the conflict. It states,

[234] Adam Branch, *Displacing Human Rights: War and Intervention in Northern Uganda* (Oxford: Oxford University Press, 2011). 70.
[235] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[236] Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army." 2.

> The term conflict-related sexual violence...refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict.[237]

With regard to forced marriage, this thesis follows the definition provided by Blattman, Annan, Mazurana, and Carlson that characterizes forced marriages as

> coercive relationships without valid consent of the female and her family, [that] have the traditional characteristics of shared domicile, bearing of children, domestic responsibilities, exclusivity, and sex. The relationship is familial, and children are born and raised by abducted mothers and their captor husbands.[238]

How was gender violence represented in war-time LRA relationships? To investigate this question, the chapter will be divided into two main sections. The patriarchal culture of the LRA and how this compares to the peace-time culture will be examined. The LRA structure will then be analysed with a focus on the strict regulation and policing of all gendered and sexual activities, and the instrumental use of women.

3.2: The 'Culture' of the LRA

LRA culture was highly patriarchal and violence was used to ensure men's domination and women's subordination. In his classic work on the anthropology of kinship, functionalist anthropologist Radcliffe-Brown identified four components of patriarchy for the purpose of cross-cultural comparison. He argued that in patriarchal societies descent is patrilineal,

[237] http://www.un.org/en/events/elimination-of-sexual-violence-in-conflict/pdf/1494280398.pdf
[238] Christopher Blattman Jeannie Annan, Dyan Mazurana, Khristopher Carlson, "Women and Girls at War: "Wives", Mothers, and Fighters in the Lord's Resistance Army," in *HiCn Working Papers* (Households in Conflict Network, 2009).

marriage is patrilocal, inheritance and succession follow the male line, and the family is patripotestal.[239] These characteristics can typically be found in the gender system of Northern Uganda.[240] In peace-time, women are perceived to be inferior to men and are portrayed as being like children without knowledge or skills.[241] The women I talked to in Lira often described men's violence towards them as 'corrective', suggesting that they thought men should reprimand women to ensure the latter would not repeat mistakes in the future.[242] Similarly, Rebecka Lundgren and Anna Kagesten found that women believed that if a man beat them it was because he had to teach them proper behaviour and correct their wrongdoing.[243] The belief that men have the ability to correct women is associated with the idea that men are superior and women are inferior. This represents gender violence as a necessary tool that men use in order to 'teach' women. Indeed, men in the LRA expected their wives to call them 'lapwony,' or teacher.[244]

In peace-time, women are not distributed to men in equivalent ways but their choices may be heavily influenced by the clan. Under the age of eighteen, girls are considered to be too young to provide consent for marriage. Although, early marriages reportedly occur during times of famine if the parents are struggling to provide food for the family.[245] Eunice Apio describes the extent of men's dominant social roles and states "…in Lango, this is expressed through the recognition that a home including land and livestock, is 'owned' by a man, and

[239] Alfred Radcliffe-Brown, "Patrilineal and Matrilineal Succession," in *Structure and Function in Primitive Society: Essays and Addresses* (London: Cohen and West, 1952).
[240] There are some exceptions but these characteristics are most common.
[241] Dolan, "Collapsing Masculinities and Weak States- a Case Study from Northern Uganda."
[242] Fieldwork notes, Lango, Uganda. December 2016.
[243] Rebecka Lundgren and Anna Kagesten, "Processing Gender: Lived Experiences of Reproducing and Transforming Gender Norms over the Life Course of Young People in Northern Uganda," *Culture, Health & Sexuality* (2018).
[244] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 50.
[245] Ebong, "Parents Trading Daughters for Cows in Lira Markets."

that his wife, who subsists in it, reciprocates the 'generosity' by responding to his needs including bearing his children and caring for him".[246] Within the LRA, the commanders were less concerned with owning land and more concerned with owning women; women were the more valuable resource within the context of the conflict. Women's productive labour was vital to the LRA's survival and their reproductive labour was necessary for the fulfilment of the LRA's desire for a 'new Acholi race'. In both villages and LRA camps patriarchy is enacted in similar ways.

Sylvia was abducted by the LRA in 1996 from St Mary's College in Aboke. After her abduction, she was distributed to a commander, and forced to act as his wife until her escape. Sylvia's story demonstrates the patriarchal culture of the LRA and how women who were abducted and subjected to forced marriages perceive their experiences. How does Sylvia represent the violence that occurred within her forced marriage or more broadly her time in the LRA? Understanding women's perceptions of the violence allows us to explore how the violence is represented within the LRA as opposed to within peace-time marriages. Sylvia's story demonstrates the level and types of violence that were present in 'ordinary' LRA forced marriages. With the benefit of hindsight, Sylvia describes her forced marriage and personally compares it with her post-conflict experiences to conclude that her forced marriage was no marriage at all.

[246] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 93.

Sylvia's Story: "*That wasn't a marriage, those people were rebels, and there was no marriage*"

"Harriet! Harriet! Come out! *Otongtong* is coming to take you away from here. We want to take you to the barracks to protect you!" Harriet ran to open the door, as the dorm captain, it was her responsibility to ensure that the girls were safe. Harriet opened the door and soldiers stormed in shouting "*Otongtong* is coming, collect your things, take your bags and bed sheets, leave your mattresses and boxes". Sylvia was watching this interaction with quiet alarm. She was aware that when *Otongtong* came they would take girls from schools like hers and the girls would not be seen again.[247] She collected her things and started walking outside with the rest of her dormitory. "Take a girl" was the command shouted by the soldier and suddenly she was grabbed. A feeling of sheer panic began to encompass Sylvia as she abruptly realised that these were not government soldiers. The commander grabbed her and she escaped from his grip and started to run. She ran to a thorn tree before falling down as the grass was higher than her waist. Sylvia got up and started running once again and ran straight into an LRA ambush that had been set up around the school. From there, Sylvia was beaten and tied and the long journey towards Sudan began.

After one week of walking with swollen feet that had been cut by charred grass from bush fires, they reached Sudan. When they reached the camp, the abducted group were told that they must kill a boy because he had tried to escape with a gun. The entire group refused and the soldiers themselves killed the boy in front of them and the group was caned for their

[247] *Otongtong* means killer and was a term used to refer to the LRA.

disobedience. The next day, Sylvia, at only fifteen years old, was distributed to a captain who was over thirty-five years old. Sylvia's marriage was defined by caning, with her and the other four wives being caned regularly, often for minor offences. When Sylvia first arrived, she had not yet learned how to cook and when she was asked to cook Boo (a sort of leafy green) she failed and the food was destroyed. Sylvia was caned, forced to drink three litres of water, and made to eat all of the ruined food as punishment for wasting it. Sylvia despised her husband and states, "that was no marriage-I was forced". Sylvia saw a lot of deaths and illness while in the bush-some were a result of the fighting but most were from thirst and for the young children, lice.

In the LRA camps, Sylvia had to do the type of work that would be expected of a married woman at home. She would rise in the morning and immediately go to dig in the garden. After digging she would fetch water and would then begin to cook. In the camps in Sudan it was very similar to being at home and there were gardens and houses. You could even smear[248] your house the way you wanted to. After Sudan, this changed as people were always on the move and you would have to sleep out in the open wherever you stopped. When Sylvia had a child in the LRA, she was no longer sent for work such as abductions and looting and her gun was taken away from her. She was expected to remain in the compound and look after the children but this was not easy; especially when the LRA left Sudan and there were aeroplanes and fighting. Her most painful day in the bush was when government soldiers attacked the camp while she was cooking and with bullets flying, she had abandoned the food and pots to run from the bullets. When the fighting was over, her forced husband

[248] Smearing refers to a practice of smearing the house with cow dung in order to prevent insects.

ordered that she be caned 300 strokes for leaving the supplies behind. Her punishment was carried out by two guards who caned her at the same time.

Sylvia found life in the bush difficult as there were many women in her household and many things were missing. For example, there was nothing for women to protect themselves with while on their period and when Sylvia's hand was shot, only warm water was available to treat it. Sylvia had a difficult relationship with her co-wives at times; and being the second wife she was almost equal with the first wife. The wives that came after Sylvia were very young and they did not know how to work and because of their mistakes they were brutally caned very often. There was jealousy, fighting, and insults between the co-wives which was exacerbated by the frequent caning that their husband kept ordering. Sylvia thought that there was more violence than at home because your husband does not know you, your family, or where you come from and so he does not feel the need to take good care of you. Within peace-time marriage relations, the clan is heavily involved in negotiations and marriage rituals for both men and women which offers an element of protections for women. This was missing within the LRA, and Sylvia's husband knew that he would not face any repercussions from the clan for his violent actions which may have encouraged him to commit greater levels of violence.

After nine years in the bush, Sylvia escaped with her two children when the soldiers were fighting near Gulu. There were three aeroplanes attacking the LRA and she was separated along with a group that included a soldier that was from Gulu. This soldier knew the area and helped Sylvia and her children escape. Sylvia was brought to a rehabilitation centre and stayed there for two weeks before her mother came to collect her. During her

> time in the bush her father had died. Sylvia's mother took her to the IDP camp near Apalla where she and Sylvia's sister were staying. There was no hut in the IDP camp but her sister had tried to construct a shelter; every time it rained they would be drenched. Sylvia's forced husband was killed during the peace talks. His village is in Kalongo but Sylvia does not want to go there or bring her children there as she cannot allow her children to stay there because she was not married to their father. Distinct from peace-time society, Sylvia's does not believe her children 'belong' to her husband's clan as they would in a peace-time marriage. Sylvia would be free to re-marry after the death of her husband in peace-time, but her children would be required to stay in her husband's compound and live with his clan. Sylvia is not sending her children to live with their paternal clan as she states that she was not married to their father and she firmly concludes that the LRA marriage was illegitimate and non-binding.[249]

As demonstrated in Sylvia's story, an element of the patriarchal culture of the LRA was the distribution of women to commanders. Women were distributed to commanders as if they were objects; Grace Acan, a former LRA forced wife stated, "we found ourselves among the goods looted for the LRA".[250] Evelyn Amony was abducted by the LRA when she was eleven years old and was forced to act as Kony's wife. In her book, Evelyn states that she initially attempted to refuse Kony's command that she become his wife but he told her that "If I wanted to live, I had to be his wife".[251] There was no element of choice for the women and they were severely punished if they attempted to resist. In the Watye Ki Gen report, a former forced wife stated that when she was abducted, another girl that was abducted with her was

[249] Interview with Sylvia, Lango, 3 April 2017.
[250] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 51.
[251] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 39.

very beautiful and attracted the attention of two commanders who both wished to attain her. After arguing, the two commanders decided that neither of them could have her and therefore she should be killed.[252] Eventually the girl was spared death and was instead sent to be one of Kony's wives, however this exemplifies the vulnerability of these women and their extreme subordination to men. Although masculine domination is a feature of village gender relations, too, within the LRA it took an extreme dimension - for example, in peace-time, women would not be distributed to men and could not be killed or beaten with impunity.

Judith was abducted by the LRA from St Mary's College in Aboke in 1996 and her story exemplifies the desire for beautiful young girls. Judith's story also provides some context regarding the knowledge that the girls had about the LRA previous to their abduction, and describes the course of the abduction. The abductions were violent and terrifying and St Mary's College Aboke was specifically targeted by the LRA in order for the commanders to acquire young, educated, and beautiful girls.

Judith's Story: "*The whole group began to cry*"

The school was abuzz with nervous energy and the girls were all gossiping together. Twice now they had been sent from the school to sleep in the village as there were rumours that Kony was planning an attack. They would hear about the LRA all the time but they had not yet seen them. The girls gossiped about what they might look like and took turns discussing

[252] Gen and International, "The Lord's Resistance Army's Forced Wife System." 38.

their roles if they were abducted. Judith loved music and dancing so they all joked that she would be taken and made to entertain the people. Another friend was from Karamojong and said that she was very fierce and would fight if they gave her a gun. Joan from Masindi said she would shoot on target because now she would be trained and the girls erupted in fits of laughter. Betty was from Tanzania and her father was Tanzanian and her mother was from Lira. She told them all that the LRA love brown people and very light skinned women as they think they are very beautiful. If the LRA come here, Betty said, I will get mud and smear my face so that they do not know how beautiful I am. Otherwise Kony will take me as a wife.

On Independence Day, there had been a storm and the girls had all been sent to bed early without the usual festivities. The LRA came but did not know that the students were in the dormitories until the head girl started shouting, “the LRA are here! The LRA are here!”. If the head girl had not started shouting, Judith thought, perhaps they would have missed them. Within the dormitories, the girls were panicking and fearful. Judith could not believe what was happening and started to tremble. The girls tried to hide but the LRA now knew that they were inside. The LRA called to them asking them to open the doors but they refused so they started to break all of the windows and dig the frame from the wall. St Mary’s College Aboke had been targeted before and there were supposed to be armed guards there to protect the school. But hours passed, and no UPDF soldiers came to help them. When the LRA were about to remove the frame from the wall, one of the girls opened the door and they beat her while she opened it because they had already had to struggle with the frame. The rebels entered the dormitory and began to loot everything. They then tied the girls to each other so that they could not run. At two am, the attackers made the girls start walking to Gulu.

When morning came, Sister Rachele, an Italian nun and deputy headmistress of the school, found them and followed the group begging the leader to release the girls. He refused until the group had reached the place which he wanted them to reach, near Odek. The LRA then started picking the most beautiful girls. They also picked the girls who had fathers who worked in the government. "You-stand up. What is your name and where are you from?" The soldier was pointing at Judith. "I am Acen Judith and I am from Loro". The men looked at each other before deciding that Judith was just a farmer's daughter and telling her to sit back down. Later, they realised that they had taken a very young person whom they were going to send back, so they again asked Judith to stand up. "Where are you from? You have the big eyes like the people from Museveni's side". Judith again stated that she was from Loro, and so once again, was told to sit down with the group of people that were being sent back. The people who were forced to remain with the LRA began to cry so the militiamen began to beat them and the whole group - those remaining and those leaving – began to cry. Betty, Judith's beautiful Tanzanian friend, was amongst those staying, her prediction had come true, and she became one of Kony's forced wives and later died in the bush. The group separated with Sister Rachele promising that she would not rest until the girls who were to be taken were returned home. Judith's group began to walk towards home while the girls taken by the LRA began the long walk to their captivity in Sudan.[253]

The LRA abducted girls and boys on a massive scale with girls abducted primarily to become wives and boys abducted to serve as soldiers. As detailed in Judith's account, girls were

[253] Interview with Judith, Lango, 10 May 2017.

desired for their attractiveness and education level and therefore schools were frequently targeted. Abduction squads were reportedly eager to find beautiful girls as it could result in a promotion for the commander.[254] In the early 2000s, the abduction of female students became a priority as educated wives were desired as a status symbol and to teach English or translate for their commander husbands.[255] Grace Acan was one of the Aboke girls and explained how difficult this status was for her while in the LRA. She argued that the female 'originals' were jealous because commanders favoured school-girls.[256] This jealousy appears to be more widespread than just the 'originals' however as Evelyn Amony states, "The Aboke girls have very few problems compared to the rest of us; they returned to a nice boarding school in Kampala while their children remain at home and are taken good care of".[257] As will be discussed in the section on polygamy, this jealousy created divisions between the women and could have been strategically employed by the husband to prevent the women from becoming united against them. The desire for school-girls was strategic, as their education signified that they were fluent in reading and writing English. This meant that they could record information for the LRA commanders, and teach the commanders English. This was a tactical advantage for the LRA as they were able to write down numbers, locations, and other information that was being communicated over the radio.[258] This desire for educated girls was distinct from preferences back in the village, as educated women are generally considered undesirable partners. I was frequently told during my field research that 'nobody wants an educated wife'.[259]

[254] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 29.
[255] Ibid. 33.
[256] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 95.
[257] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 132.
[258] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 20.
[259] Fieldwork notes, Lango, Uganda. November 2016.

The LRA commanders coveted beautiful girls as illustrated in Judith's story when she discusses her beautiful Tanzanian friend. Abduction of girls from boarding schools became one of the most common abduction strategies as it was expected that there would be an abundance of young and educated girls in one location and thus the LRA could simply choose the most attractive ones. When the LRA abducted the Aboke girls they originally abducted 139 girls but released 100 after Sister Rachelle's intervention. The thirty-nine girls who were forced to remain with the LRA were reportedly chosen for their attractiveness.[260] The abduction of girls was important for the continuation of the LRA movement and beautiful and educated girls were prioritised by the abduction squads, however, despite their level of beauty or education, the girls were still subjected to harsh initiation rituals.

Initiation rituals were violent for both men and women within the LRA and included caning and forcing victims to carry loads over great distances or kill other abductees. Vinci describes the typical abduction as extremely brutal and states,

> intimidation and beatings are followed by being forced to carry heavy loads [over] long distances. A process of initiation through traumatization then takes place, in which the children will be ordered to torture and kill fellow abductees. A standard method is to put the victims in the middle of a circle and have the rest beat them to death. Then there is 'registration', in which each receives fifty or more lashes. This will be followed by months of hard labour, regular beatings, food deprivation, and summary execution for disobeying orders or attempting to escape.[261]

[260] Interview with Judith, Lango, 10 May, 2017.
[261] Anthony Vinci, "The Strategic Use of Fear by the Lord's Resistance Army," *Small Wars and Insurgencies* 16, no. 3 (2005). 370.

Initiation rituals were designed to instil fear and ensure that new recruits obeyed the commands of the LRA and submitted to their hierarchy. They also acted as a socialisation process into the violence that was frequent within the LRA. Grace Akallo was abducted from St Mary's College Aboke at fifteen years old. She describes the initiation that she was subjected to by the commander Lagira who stated that they would each be beaten 100 strokes. Grace recounts, "We were beaten until I saw another world".[262]

Evelyn Amony was forced to transport goods and recalls an incident where she was told to carry sorghum in a large basket on her head.[263] While taking the basket off of her head, the sorghum poured onto the ground and she was confronted by a commander and Kony himself. Evelyn responded to Kony that her mother would have given them sorghum to replace what she had dropped on the ground, but Kony ordered that she be beaten. Kony stipulated that if Evelyn cried out in pain she should be given twice the number of strokes and if she lifted her head in pain, she should be shot.[264] Many accounts of abductees in the LRA detail the extreme violence they faced for minor infractions and in this case, Evelyn may have been beaten for referring to her mother as well as dropping the sorghum as the LRA wanted abductees to forget about their life before abduction. For example, abductees could be forced to kill family members as a method of breaking family ties and convincing them that they would have no one to return to should they attempt escape.[265] Grace Acan also discusses being brutally punished by a commander on her way to the LRA camp in Sudan. She recounts that the commander had heard news reports stating that the Pope had called for the LRA to

[262] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 107.
[263] It is important to note that Evelyn was not Kony's forced wife at this stage and was instead a Ting-Ting who was being used to transport goods.
[264] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.
[265] Jocelyn Kelly, "Indoctrinate the Heart to Impunity," (Harvard Humanitarian Initiative, 2015). 19.

release the Aboke girls. Angered by this negative attention to the LRA, the commander ordered some young boys to cane the girls fifteen strokes each.[266] For boys, the violence upon abduction may have been the worst violence that they experienced within the LRA; by contrast for girls, the violence that started at abduction, was just the beginning.[267] This is similar to peace-time circumstances where girls can be beaten by their fathers and once married, their husbands. Boys however, will not typically be beaten by wives, although some exceptions exist.

3.3: The Regulation of Gender and Sexuality

Associated with the belief that men are superior and women inferior are the gender roles that consider women to be innately suited to certain responsibilities and men to others. In the LRA, women were assigned two specific roles: wife and fighter. Women's roles as fighters represent a significant deviation from peace-time roles. Alternatively, men imitated many elements of their peace-time roles with the distinction that they were in a highly-militarized environment and thus were engaged in a type of militarised masculinity. Chris Dolan explains that men are encouraged to perform militarised masculinity and one way of strengthening this masculinity is through violence.[268] Women described their role as first and foremost commanders' wives, however, these women were also trained fighters and were expected to be fierce in battle.[269] This contrasted with the expectation that they be docile and subservient

[266] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 23.
[267] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 23. This suggests that boys generally did not experience much torture after they agreed to be soldiers unless they were being explicitly punished.
[268] Dolan, "Collapsing Masculinities and Weak States- a Case Study from Northern Uganda."
[269] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 18.

toward their husbands within the household.[270] These contradictory demands on women in the LRA created difficult situations: women who gained ranks within the LRA described instances where they would be in command of a group of soldiers and responsible for giving orders but upon their return home, their husband could order those same soldiers who had previously been their subordinate to beat them for a mistake.[271] When women acted as soldiers, they were empowered to order and commit acts of violence but this same violence could be used against them within the household. Violence was the purvey of men; and male commanders had the ultimate authority over who could commit violence and when that violence could be committed.

Although women could be fighters and reach ranks in which they could command male soldiers, there were always fundamental differences. For example, female fighters never received husbands as a reward for their military valour. Apart from women's roles as fighters, their roles within the household mirrored peace-time gender roles including caring for children, cooking, cleaning, and fetching water.[272] In turn militarised masculinity was cultivated in the LRA, and male fighting, hierarchy and discipline were idealised. Talking of the UPDF, Dolan argued that soldiers are removed from the 'usual' social networks where they can follow strict rules which dictate what they need to do to be considered masculine. For example, by owning land or having children. Dolan asserts that if men lack this structure, it

[270] IBID. See also Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[271] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 18.
[272] Masculinity can be defined as "… the behaviours, social roles, and relations of men within a given society as well as the meanings attributed to them". Michael Kimmel and Tristan Bridges, "Masculinity," *Oxford Bibliographies* (2014), https://www.oxfordbibliographies.com/view/document/obo-9780199756384/obo-9780199756384-0033.xml.

can cause them to use violence as an easy route to masculinity.[273] In the LRA, masculinity was primarily asserted through the use of violence. Kristopher Carlson and Dyan Mazurana also indicate that men's sense of masculinity could be used to manipulate soldiers, for example, men would be obligated to have sex with their forced wife and if they did not comply their masculinity would be questioned and they risked punishment.[274] Therefore, violence against women can be represented as necessary within the LRA for men who desire to conform to masculine ideals. Women and men's gender roles were in many ways similar to peace-time gender roles but also had specific differences such as women's role as fighters and men's militarised masculinity which led to increased violence.

Women were used instrumentally in the LRA for their productive labour and as rewards for commanders. During their abduction, women would be forced to carry loot as they were taken to the LRA camps. After their abduction, women were distributed to commanders as a method of maintaining order within the group as well as a reward for successful completion of tasks such as looting, abductions, or raids on IDP camps. Kiconco found that girls were used as an inducement to encourage discipline in male fighters and ensure they avoided civilian rape.[275] The highly-militarised culture of the LRA made women's distribution another form of regulation that was strictly adhered to by soldiers. Grace Acan describes how soldiers were restricted to women they were 'rightfully given from the operation room' with death as the punishment for any violations.[276] However, some abductees report rapes that occurred outside of their forced marriages and were performed

[273] Dolan, "Collapsing Masculinities and Weak States- a Case Study from Northern Uganda." 17.
[274] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda."
[275] Allen Kiconco, "Understanding Former 'Girl Soldiers': Central Themes in the Lives of Formerly Abducted Girls in Post-Conflict Northern Uganda" (University of Birmingham, 2015). 116.
[276] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 60.

by 'originals' meaning LRA members who had been with the movement for a long period of time and were therefore in some senses considered to be above the law.[277] These rapes would generally remain unreported as the women were threatened with death by the men.

Sexuality was stringently regulated within the LRA and both men and women were forced to adhere to rules, the violation of which resulted in extreme punishments. Once distributed to a commander, a woman was expected to remain in an exclusive relationship with that commander and any relationships outside of this 'marriage' were forbidden. Men were also expected to maintain exclusive relationships with their forced wife or wives with transgressions resulting in punishments. For example, Jennifer who was abducted by the LRA in the early nineties stated that infidelity was considered a major crime and was defined as "…loving the husband of a fellow friend, or a wife to a fellow friend".[278] It is interesting to consider why this rule existed; it may have been to encourage group cohesion and ensure that inter-group conflict did not occur due to affairs or it may have been due to the Christian ethos of the LRA. One of the ten commandments forbid infidelity and the LRA rules were supposedly based upon this doctrine. If men or women were found to have committed this offence, Jennifer states, "…that was when you were beaten to death or you were cut off with a panga like that. Instantly they killed you".[279] Women are commonly held to strict standards regarding infidelity and it is often considered to be socially acceptable to severely beat or kill your wife if she is found to have committed adultery.[280] In interviews, female infidelity was thought to bring sickness or bad *cen* into the household and would result in violence and

[277] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 36.
[278] Interview with Jennifer, Lango, 13 April 2017.
[279] Ibid.
[280] Fieldwork notes, Lango, Uganda. November 2016.

possibly death of the woman or children (the children could be collateral damage from the couple's fighting).[281] This standard does not apply equally to men, whose adulterous relationships are supposed to be ignored by wives and remain unacknowledged 'because the man has brought you' which refers to the idea that the man brings the woman to his home to live on his land. There was also a fear of STDs as throughout the movement, HIV was rampant in Uganda and Kony and his commanders were most likely aware of this.[282] In particular, Vincent Otti reportedly brought his potential forced wives to Juba Hospital to be tested before he 'took them as a wife'.[283]

Another regulation that was strictly enforced was the prohibition of homosexuality. Apio states that,

> …in early 2000, Kony found out that a Second Lieutenant who had two young 'wives' was also having sexual intercourse with a male junior soldier who served as his guard. The boy was summoned and he confessed to Kony that his superior was forcing him to have sexual intercourse with him. Kony arrested the commander, removed his 'wives' and children from him and condemned him to death by firing squad.[284]

Homosexuality is considered an aberration in Northern Uganda with legislation that replicates colonial laws on this matter. A recent Pew poll suggested that 89 percent of Ugandans think homosexuality is morally unacceptable.[285] It was penalized even more severely under the

[281] Interview with Group 2, Lango, Uganda. 27 March 2017.
[282] Kelly, "Indoctrinate the Heart to Impunity." 12.
[283] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 20.
[284] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 153.
[285] Pew Research Center, "Tolerance and Tension: Islam and Christianity in Sub-Saharan Africa," in *Pew Forum on Religion and Public Life* (2010).

LRA regime. Homosexuality is not conducive to procreation which may have been another reason why it was prohibited as it would not aid in the creation of the 'new Acholi race'.

3.4: The Process and Purpose of Marriage within the LRA

Marriage within the LRA served several purposes including rewarding officers, creating children, and establishing a sense of stability within the LRA camps through the creation of family-like units. Women reported being distributed to commanders as if they were objects with no choice or ability to refuse.[286] This distribution has been described as arbitrary[287] however, it did follow a certain procedure with the highest-ranking officers permitted to choose girls first before the lower ranks.[288] Finally, if there were still girls remaining, a junior officer who had performed particularly well may be chosen to receive a wife.[289] Once a girl was chosen by a commander, she would be taken to his compound and if she was considered old enough, she would be raped that evening. Many respondents state that the commander would say 'I am going to make you my wife tonight' or 'I am going to share this bed with you' before raping them for the first time.[290] This will be discussed in more detail in the section on 'Sexual Violence within the LRA'.

This process of attaining a wife within the LRA is distinct from courtship and marriage in peace-time. Apio describes the importance of marriage for the purposes of reproduction

[286] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*.
[287] Kelly, "Indoctrinate the Heart to Impunity."
[288] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 157.
[289] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 39.
[290] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 38.

and the woman's potential offspring in Lango villages.[291] The desire for offspring may also be present in the LRA, however, in peace-time this desire is centred around replenishing the clan. In the LRA, Kony wished to create his 'new Acholi race' and therefore the desire for children was part of his ideology.[292] Apart from the abduction and rape of the girl, the most notable difference between peace-time and war-time marriage was the absence of the clan. Clans are instrumental in negotiating marriages in peace-time and the clan were neither present nor taken into consideration within LRA marriage processes.[293] Apio asserts that the LRA usurped the "…right of control over a girl's sexuality and fertility from her patriclan".[294] LRA forced marriages occurred for multiple reasons and a major point of divergence between peace-time and war time marriages beyond the obvious abduction of the girl was the absence of the clan which had important implications for the woman.

3.5: Reproductive labour

The reproductive labour of women comprised another important element of the purpose of marriage within the LRA. Women in the LRA were not in control of their reproductive labour meaning they could not decide if or when to have children. Women's lack of control over their sexual reproduction was present in the LRA from the beginning of the movement. Jennifer was abducted in the early nineties (close to the beginning of the movement) and was forced to participate in a ceremony to ensure she did not get pregnant. She narrates the experience,

[291] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 100.
[292] Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army."
[293] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."
[294] ibid. 113.

> Okay, it is like, they told us, they directed us to break sticks and ties them in the sign of a cross like this. So from there when you had your cross, you put it in front of you while pushing it down so that it stood on its own. It is like a shrine. So that was when you took off your top, you remained with the skirt and you knelt before the cross. That was all the ladies in a circle. So they brought shea nut oil and that powder form which is from a rock called '*camaplas'*. So when they mixed it, they smeared you with it. So there is a spirit which they used to call *silindi* so it used to work with women… no one got pregnant. Even when you were losing your period, when the period stopped immediately, okay after this shrine, the period stops and your breasts, even though they were big breasts, it reduces the size.[295]

As Jennifer's experience indicates, during the beginning of the movement, children were not desired. The LRA had a nomadic lifestyle which made having and caring for infants difficult. This policy quickly changed however when Kony proclaimed that he wished to create a 'new Acholi race'. Children were then encouraged and frequently demanded until the end of the movement when children became a liability as the LRA were doggedly pursued. Regardless of the particular LRA policy at the time, women had no control over their sexual reproduction and reports suggest that women would be repeatedly raped until they conceived.[296] Women are typically not entirely in control of their reproductive decisions in peace-time with husband's and in-laws often dictating family planning decisions and so elements of the lack of choice that existed for women surrounding family planning may be similar to peace-time relationships.[297] An NGO worker in Northern Uganda stated that a husband once attacked his wife's arm with a machete as he found that she had received the implant form of birth control from a clinic. The man found this offensive as he believed that he should not be deprived of his children and should be the one to decide whether they had more children.[298] It is clear

[295] Interview with Jennifer, Lango, 13 April 2017.
[296] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 19.
[297] Kagesten, "Processing Gender: Lived Experiences of Reproducing and Transforming Gender Norms over the Life Course of Young People in Northern Uganda." 7.
[298] Fieldwork notes, Lango, Uganda. December 2016.

that women did not have a choice over whether or how many children to have in the LRA, what is less clear however, is how much choice women in peace-time relationships have in regard to these same questions.

Once a woman gave birth, she was entitled to certain privileges that made motherhood attractive in the LRA. These privileges were not universally implemented and may have been dependent on a woman's position within the LRA and whether she was a favoured wife of her husband. Apio states that by giving birth a woman had more authority in the household, was granted access to a Ting-Ting and more domestic supplies, and could re-negotiate their positions and quality of life in the LRA.[299] The pregnancy itself also had certain advantages and women state that while pregnant they were no longer raped, had access to better food, did not have to perform physical labour, and were not required to go on military missions.[300] For these reasons, pregnancy and motherhood although forced, were made attractive to women as they reduced their labour obligations and their risk of injury. The desire for women to have children is also present in peace-time society where children are encouraged and expected and women who fail to conceive are stigmatised.[301]

After the establishment of the camps, both men and women were under immense pressure to produce children. If a woman could not conceive, Kony would attempt to help by mixing local herbs and anointing the woman.[302] If the woman still failed to conceive, she was

[299] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 157.
[300] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 19.
[301] Fieldwork notes, Lango, Uganda. November 2016.
[302] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." And Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 162.

blamed and could be punished.[303] Tim Allen explains that one woman who was abducted and remained in captivity for nine years returned without a child and her LRA husband would beat her, accusing her of refusing to have a child.[304] Women would also be forced to continue participating in dangerous raids and battles if they were not mothers. In comparison, women are blamed if they fail to conceive in peace-time and it is typically considered to be the woman's fault.[305] Men were also pressured to have children within the LRA and one commander who was thought to be sterile reportedly allowed a child that was suspected of being the product of an affair between his guard and his wife to be represented as his own.[306] This alludes to the pressures that men experienced to produce children in the LRA.

Pregnancies within the LRA had serious implications for the woman and were distinct from peace-time norms in several ways. Within the LRA, young women were raped and became pregnant which often resulted in permanent health complications. Child birth in the bush was dangerous in many cases as there were limited health care options.[307] Moreover, the community believed that the age they conceived and gave birth was too young. Evelyn Amony was twelve years old when she first became pregnant with Kony's child. Evelyn states that when she went to the hospital to give birth, the hospital staff would not treat her until the father came forward as they were troubled by the pregnancy, specifically; they believed her to be too young.[308] In this instance, Kony sent one of his escorts forward to claim that he

[303] "Forced Marriage within the Lord's Resistance Army, Uganda." 24.
[304] Tim Allen, "War and Justice in Northern Uganda: An Assessment of the International Criminal Court's Intervention," in *Crisis States Research Centre* (London School of Economics, 2005). 29.
[305] Fieldwork notes, Lango, Uganda. November 2016.
[306] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 63.
[307] Kiconco, "Understanding Former 'Girl Soldiers': Central Themes in the Lives of Formerly Abducted Girls in Post-Conflict Northern Uganda." 125.
[308] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.

was the father. Evelyn also recounts that a crowd gathered to stare at her as it was "…very odd for such a young girl to be pregnant…".[309] This indicates a divergence from peace-time norms. Another variation from peace-time was the geographical location of the rape which was considered to be inappropriate by the Acholi and Langi as it occurred 'in the bush' which is taboo as it is thought to carry cosmological consequences with it.[310] However, within the LRA compound in Sudan, women described having huts similar to where they would live at home and within the LRA context, it was not considered to be sex 'in the bush'.[311] Sex within the LRA was highly regulated and this included when and where it could take place in terms of the perceived sexual maturity of the girl, and the location; both of which contrasted to peace-time norms.

Children and pregnancies were also considered sacred and any attempts to encourage a miscarriage were punished. Evelyn narrates that she attempted to force a miscarriage for her first child and Kony suspected that she had tried to kill the child and told her that if the hospital could prove that she had taken drugs he would kill her.[312] Evelyn was given no choice over whether to become pregnant and was further deprived of choosing whether to be a mother. This experience was common within the LRA and Grace Acan explains in her book that she was accused of disliking her son with her forced husband. She further states that, "He told me he would kill me if his son died".[313] Women in the LRA experienced both forced pregnancy and forced motherhood as they were required to care for the child in gruelling

[309] Ibid. 39.
[310] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 198.
[311] See Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." And Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System."
[312] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.
[313] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 103.

circumstances after the birth. For many women, the early and incessant pregnancies during their LRA captivity led to long-term health complications.[314] The abhorrence of abortions that the LRA commanders exhibited is similar to peace-time, as abortion is illegal and women fear the consequences of herbal medicine and the bad *cen* that might be created.[315] Women in the LRA did not have a choice of whether or when to conceive and become mothers and their early pregnancies constituted a considerable risk to their health and emphasized their lack of control over their own fertility.[316]

3.6: Women's Perceptions of their Forced Husband

Women's perceptions of their forced husband are varied and subject to change. In Sylvia's story, she exhibits hatred towards her forced husband and describes the extensive violence that he perpetrated against her. However, some women also describe having positive feelings towards their husbands at certain points within the movement and indicate that they would not have survived the LRA without them. For example, Justine was abducted by the LRA and distributed to a commander to act as his wife. Justine's story introduces the possibility that LRA relationships were not static and instead had the potential to change and become more caring. Justine clearly states that she was initially raped by her husband or 'slept with forcefully' but later describes loving her husband. It is difficult to conceptualise a relationship as both forced and loving but this represents the difficulty in defining forced marriages.

[314] Kiconco, "Understanding Former 'Girl Soldiers': Central Themes in the Lives of Formerly Abducted Girls in Post-Conflict Northern Uganda." 125.
[315] *Cen* is a polluting spirit, see: Tim Allen, "The International Criminal Court and the Invention of Traditional Justice in Northern Uganda," *Politique Africaine* 3, no. 107 (2007).
[316] NHS-National Health Service, "Teenage Pregnancy Death Concern," https://www.nhs.uk/news/pregnancy-and-child/teenage-pregnancy-death-concern/.

Justine's story allows us to investigate her experience of forced marriage within the LRA in order to gain a more comprehensive picture of the phenomenon. Interestingly, Justine negatively compares her post-conflict husband with her LRA forced husband which introduces another element for consideration.

Justine's Story: "*There was no respect, also, you are slept with forcefully*"

Justine ran along the road with her older brother- she tried to catch up with him but he was taller and easily sped ahead of her. They were on their way to school when a group of scruffy looking teenagers appeared at the side of the road carrying guns. Terror seized Justine and she looked at her brother for guidance. He looked equally scared and they froze as the teenagers drew closer. They were quickly surrounded by them and were told to start walking. Justine and her brother were taken all the way to Sudan. When they arrived in Sudan, cholera broke out and Justine's brother died-at only twelve years old-Justine was very much alone.

Shortly after her arrival in Sudan, Justine was given to a commander who held a high ranking within the LRA. She had no choice and the commander 'slept with her forcefully'.[317] Justine did not refuse as she knew that if she did, she would be killed. Despite this difficult start, Justine became fond of her husband and started to love him and they had two children together. Justine's husband had been kidnapped from Ayami primary school and he promised to take her and their children to his village so that they could see his home. Justine's husband was given another wife who became Justine's co-wife. However, she only lived with them for

[317] Term used by interviewee.

three months before she was shot in battle. Justine's husband never took another wife and Justine remained with him alone.

One night, Justine and her husband were sleeping and Justine had her arms around him in the LRA barracks in Sudan when they heard gunshots. UPDF soldiers had found the barracks and started to attack. Before either Justine or her husband had time to respond, Justine felt a bullet go through her hand and into her husband's chest. Her husband was dead. Justine took her children and started fleeing with the rest of the LRA women. People were moving towards Teso and there were discussions that if Sudan became stable again, the LRA wives would be sent there. Justine decided to escape because if she returned to Sudan with the others, there would be no-one there to care for her and her children and besides, she did not love anyone from the bush now.

Justine successfully escaped from the LRA with her two children and re-married. Her current marriage is not without difficulties and Justine had to send her children born of war away because of her husband's behaviour towards them; he was bullying them and treating them differently from his own children. Justine believes that the difference between her bush marriage and her marriage now is that her LRA husband never fought her during their time together. Conversely, her current husband becomes violent when drunk and the clan has had to counsel him.[318]

[318] Interview with Justine, Lango, 7 April 2017.

Justine's forced marriage began with obvious force, she was abducted and 'slept with forcefully' but it appears to have evolved into a less coercive relationship and Justine explains towards the end that she escaped because her forced husband died and so she did not love anyone from there (the LRA) anymore. Justine's experience may have been less violent than Sylvia's because she was given to a commander who Justine states had a high ranking but had considerably less wives than Sylvia's husband. Justine makes some surprising comparisons between her LRA 'husband' and her current husband that require some analysis. Justine states that her post-conflict peace-time husband is more violent towards her than her LRA forced husband was. Alcohol was prohibited within the LRA and was also inaccessible and as alcohol is considered to be a major contributing factor to violence within marriage, this could be why Justine believes her LRA marriage was less violent. Despite the volatile living conditions that were present in the LRA, Justine never fought with her LRA husband and their marriage was not defined by violence. Justine's story presents us with an example of the complexity of LRA forced marriages and indicates that marriages were not static and could become loving relationships.

Women described their LRA marriages as a necessary strategy for their survival as they were frequently dependent on their husbands for essential supplies such as food and medication. Women's agency must be viewed as restricted in this context as choice had to be balanced against survival. As Bridgette Toy-Cronin states,

> The risk of ignoring agency has to be balanced against recognizing that what may appear to be 'choice' on its face is in reality a strategic decision between two

> equally unpalatable options, neither of which the person would choose if other options were available[319]

Justine's story illustrates the requirement for a woman to have a husband, as she decided to escape from the LRA after her husband's death as she knew it would be too difficult for her and her children to survive without him if the LRA moved back to Sudan.[320] Allen Kiconco also states that coupling with a man was not a choice but a survival strategy and explains that the presence of children forced the mothers to be reliant on their husbands which created dependencies.[321] This state of dependency is not unique to the LRA context as women in Northern Uganda are typically unable to own land as the society is patriarchal and therefore it is inherited through the male line, and thus they depend on their husband for land in order to cultivate food for the family.[322]

In terms of substance, women would often describe their marriage as similar to their post-conflict relationships with a routine developing between the forced family unit.[323] Although it should be stipulated that the experience of marriage was heavily shaped by status; this refers to both the status of the commander husband and that of the wife e.g. where the wife was within the household hierarchy of wives. Status of the husband and position of the wife are again factors that can be found within non-LRA marriages but to a lesser extent as the vast majority of marriages within the LRA were polygamous whereas polygamy outside of the LRA is less common as men must have the ability to raise enough capital to afford multiple

[319] Toy-Cronin, "What Is Forced Marriage? Towards a Definition of Forced Marriage as a Crime against Humanity." 582.
[320] Interview with Justine, Lango, 7 April 2017.
[321] Kiconco, "Understanding Former 'Girl Soldiers': Central Themes in the Lives of Formerly Abducted Girls in Post-Conflict Northern Uganda." 124.
[322] Fieldwork notes, Lango, Uganda. May 2017.
[323] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 199.

bridewealth payments. The status of the husband would also be less significant as the LRA was organised in a strict military hierarchy that is not otherwise observed. In both LRA and non-LRA, the experience of marriage is consistently influenced by the wife's position within the household and women are dependent on men for their survival, nevertheless, men are also dependent on women for their survival in both settings.

Marriage was also a survival strategy for men within the LRA and understandably men aspired to having a wife. Young men in the LRA would become ruthless to civilians during raids and fighting in order to prove themselves and be awarded wives by their commander.[324] Marriage was desirable for men as it acted as a type of protection as unmarried boys and girls were responsible for the heaviest and most dangerous workloads.[325] Although it was clearly advantageous for men to have wives in the LRA, did men have the power to refuse a wife? Men in the LRA have reported that they were not given a choice of who to marry and were assigned a wife that they may not have been attracted to.[326] This is contested by the accounts of some LRA forced wives who argued that the soldier had a choice and could accept or refuse; if he refused he might state that he wants to concentrate on his fighting.[327] Taking into account these various claims, soldiers may have enjoyed elements of choice when assigned a wife and the extent of these choices was most likely related to the soldier's military ranking. The way in which a soldier reportedly refused a wife is also notable as refusing a wife on the basis of one's commitment to fighting is a suitably masculine refusal and signifies the

[324] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 153.
[325] Boniface Ojok, "Young Mothers, Marriage, and Reintegration in Northern Uganda: Considerations for the Juba Peace Talks," (Justice and Reconciliation Project, 2006).
[326] Aijazi and Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage."
[327] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 39.

pervasiveness of military masculinity within the LRA. Wives were assigned to commanders to encourage their commitment to the LRA and if a commander refused a wife this was viewed with suspicion by Kony and one of Dominic Ongwen's forced wives described a scenario where Dominic Ongwen was forced by Kony to take another wife despite his initial resistance.[328]

Higher ranking commanders were less able to refuse a wife than their lower-ranking counterparts. Erin Baines has described the indispensable functions of wives in forced marriages and the various labours they were required to perform.[329] Taking a wife was also useful in avoiding suspicion and a former LRA member stated that he married a woman he did not desire to prevent suspicion that he was attracted to a commander's prospective wife.[330] Kony's jealousy and suspicions are notorious and Evelyn Amony, his former forced wife, refers to this several times in her memoir so the fear of being suspected by a commander cannot be considered unfounded.[331] Grace Acan also states that her husband was often suspicious and jealous. She states that in one incident, her forced husband interrogated her about what knowledge she had about sex before entering the bush. Grace describes being offended by this line of questioning and argued that she did not know anything about sex before entering the bush. Commanders in the LRA are depicted as jealous and suspicious of their forced wives' fidelity which may have contributed to the desire for lower ranking officers to marry to assuage any suspicion.

[328] Fieldwork notes, Lango, Uganda. November, 2016.
[329] Baines, "Forced Marriage as a Political Project: Sexual Rules and Relations in the Lord's Resistance Army."
[330] Aijazi and Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage."
[331] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.

Could a man refuse a wife in peace-time? In the villages, men will take part in the marriage negotiations that take place between the two families after an initial period of courtship. In some instances, however, a man's clan will choose a wife for him and he will be expected to accept the woman, which can frequently lead to polygamy as the man then pursues a wife of his own choosing. Judith described a somewhat similar experience and stated, "…they brought for my dad a wife forcefully when he was in Tororo. He came back he found they had already found him a wife and they said that this wife is going to remain in the village because she's very hardworking…".[332] This wife was taken as a second wife after Judith's mother and resulted in Judith's mother leaving her father as she rejected the forced polygamy. As will be discussed in chapter 3, clans are integral to marriage processes and can influence a man's choice regarding when and whom to marry. Men are not entirely free to choose whom and when to marry in either peace-time or the LRA with rules imposed by their clan or the LRA leadership resulting in their diminished agency.

3.7: Violence in LRA Forced Marriages

Violence was a major component of marriage within the LRA with forced wives reportedly beaten over minor mistakes and any acts of resistance. The first part of this section seeks to explore non-sexual violence that was experienced by forced wives within their forced marital relationships. Acts of violence in marriage would be carried out by the husband or delegated to guards or escorts. In Sylvia's story, she recounts running from a government attack on the LRA camp and leaving cooking and bathing items behind. As punishment for this, her forced

[332] Interview with Judith, Lango, 10 May 2017.

husband ordered her to be caned 300 strokes and she was caned by two guards at the same time.[333] Sylvia's husband ordered the punishment but did not physically perform the caning, although, it is clear that Sylvia still regarded her husband as being responsible for the violence enacted upon her. The beating of a wife by either her 'husband' or his guards seems to be consistent within the LRA from the beginning of the insurgency as Jennifer was abducted in the early nineties while attending school and was assigned to a commander who had six other wives. She described the man as rude and someone who would either beat and fight you himself or call for the escort to beat you.[334]

Vincent Otti was a high-ranking member of the LRA and was second in command to Kony before his execution; although Otti never killed any of his forced wives personally, he allegedly ordered several of them to be killed.[335] The delegation of violence by the husband to others caused the violence to become institutionalised and less a so-called 'crime of passion'. If the husband ordered guards to carry out the beating then he was not performing the violence due to a loss of control or 'the heat of the moment' but rather as a way of asserting his domination and control over the woman. The delegation of violence to others is distinct from peace-time where violence is carried out by the husband or wife and is often attributed to a loss of control or the 'heat of the moment'. This adds another dimension to marriages within the LRA as they did not only consist of the husband and his various wives but rather the husband, his wives, and the guards who could be ordered to enact violence on the wives. The delegation of violence by the husband to his guards in the LRA is one way in which marriage in the LRA was unique. The consequences of this were that the violence was

[333] Interview with Sylvia, Lango, 3 April 2017.
[334] Interview with Jennifer, Lango, 13 April 2017.
[335] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 21.

represented as a more public and institutionalised occurrence and thus potentially regarded as more legitimate as opposed to peace-time domestic violence which is generally regarded as a so-called private matter.

The presence of violence within LRA marriages was not dissimilar from village marriages, however, marriage in the LRA did not adhere to socially acceptable limits of violence that are established in regular society. These limits will be discussed in greater detail in Chapter 3. Briefly, these are comprised of: violence that does not impede the woman's ability to carry out her duties, violence that does not attract the attention of neighbours or the community, and violence that does not leave permanent injuries or disfigurements. The LRA exceeded these rules in many instances. Women described violence to the point of immobilizing the woman so that she could not work. Evelyn Amony recalls being beaten so severely that she was unable to stand; she states that it took her several days to recover adequately to complete some of the easier tasks.[336] Also, due to an escape attempt, a former forced wife of Otti Lagony was beaten resulting in open wounds.[337] Women in the LRA did not have any community protection as violence enacted upon them or ordered by their husband was rarely punished.[338] Within the villages, the community regulates violence and often ensures that domestic violence does not become excessive by ensuring it conforms to societal norms. The LRA also did not adhere to the social 'rule' dictating that violence between husband and wife should not result in any permanent injuries and many former LRA wives

[336] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 21.
[337] Erin Baines, "Seven Stories," *Buried in the Heart: Women, Complex Victimhood and the War in Northern Uganda* (Cambridge: Cambridge University Press, 2016). 102.
[338] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 16.

explained that they still suffered from injuries caused by caning ordered by their forced husband in the bush.

Women in the LRA did not have any available recourse if their LRA husband was violent and this is different from peace-time marriages where the woman could bring domestic violence issues to the clan (the man's family) or her clan. If neither clan could resolve the issue, the woman might bring her case to the local councillor or the Child and Family Protection Unit of the police. It is important to note that these resources are not always available for women in peace-time but this is generally the path that women experiencing domestic violence will pursue. Another difference between LRA marital violence and peace-time violence is that within the LRA, canes were the favoured method of enacting violence, whereas in peace-time, the husband will usually use hands, fists, or feet to enact the violence and will only use an instrument in extreme cases. The use of canes was common in previous generations and one participant described how his grandfather would keep a cane in the house at all times to beat his grandmother with.[339] Women had limited avenues to cope with the violence that was enacted upon them within the LRA as they were unable to rely on their clan or community to intervene.

The LRA militants were regularly involved in battles and this led to the death of many LRA husbands whose forced wives were then considered widows. Apio states that widows were allowed to choose their next husband but that this husband was usually within the same brigade as the first husband and therefore this was similar to widow inheritance in peace-

[339] Fieldwork notes, Lango, Uganda. November 2016.

time where the woman is inherited by the brother or other male kin of her husband.[340] Widows were supposedly offered a choice of whether to re-marry or instead become dedicated to the cause of the LRA however, this choice was limited as if they did not re-marry their children may have starved.[341] Women's choice of whom to marry once widowed was also a limited choice and former forced wives state that they would be given a husband with a lower rank than their previous one.[342] Widows were sometimes afforded a choice in their new husband which was distinct from their previous experience of being distributed to a commander. Their status within the movement and the circumstances surrounding their former husband's death may have influenced their ability to choose. For example, Otti Lagony's forced wife Stella was reportedly taken to live with another commander after his death and attempted to escape as she did not wish to be the wife of the new commander.[343] Lagony was executed by Kony for treason and this may have contributed to Stella's lack of choice in being assigned to a new husband. Being unmarried in the LRA carried with it risks for the woman and her children and Justine's story illustrated this as after the death of her husband, she was willing to risk escape rather than continue in the LRA with an uncertain future for her and her children. The element of choice that widows reportedly had must be considered to be highly restricted as they could still be assigned a new husband against their will.

Sexual violence constituted another element of the violence within marriage that forced wives were subjected to. The amount of sexual violence that women experienced

[340] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 147.
[341] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 22.
[342] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 52.
[343] Baines, "Seven Stories." 101.

during their time in the LRA was extensive and women detail strict regulations that were present for when they were allowed to be sexually violated, by whom, and in what circumstances. Rape was acceptable within the LRA if it occurred within the confines of the forced marriage. Kiconco argues that rape within marriage had social and ethical validity.[344] Although these marriages were not considered to be valid by the majority of abducted women, Holly Porter explains that within the context of the LRA marriage, the sexual violence was just one of many injustices that a woman suffered.[345] This is reflective of peace-time attitudes where rape within marriage is widely accepted and women are expected to submit and men are entitled to sex and the use of violence.[346] The bill that exclusively condemns marital rape in Uganda has never received parliamentary approval which reflects the beliefs of many lawmakers in the country. That is, that marital rape does not exist, or as one interviewee explained, "how will he have raped you and yet you know that is your husband? It happens outside".[347]

Men in the LRA were limited to raping their forced wives and any infidelity was punishable by death.[348] Grace Acan states in her memoir, "I admired the LRA for strictness when it came to moral behaviour in regard to sexual acts".[349] This quote at first appears to be strange as Grace was a forced wife who would have experienced sexual violence by her forced husband, however, the LRA strict regulations offered women an element of protection.

[344] Kiconco, "Understanding Former 'Girl Soldiers': Central Themes in the Lives of Formerly Abducted Girls in Post-Conflict Northern Uganda." 117.
[345] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 200.
[346] Kagesten, "Processing Gender: Lived Experiences of Reproducing and Transforming Gender Norms over the Life Course of Young People in Northern Uganda."
[347] Interview with Dorothy, Lango, 10 April 2017.
[348] See Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." And Kelly, "Indoctrinate the Heart to Impunity."
[349] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 35.

Distinct from other conflicts, women in the LRA were not gang raped and civilian rape by the LRA was very uncommon.[350] The strict regulations surrounding sexual violence within the LRA meant that women suffered sexual violations from only one perpetrator which could have been favourable within the circumstances. Some reports detail unapproved rapes that were carried out by 'originals' when they had first abducted girls and were transporting them to the base.[351] However, rapes within the LRA generally occurred within the context of the forced marriage with the commander husband raping the abducted girl. Men may also have been pressured to have sex with their forced wife. Carlson and Mazurana argue that some males did not want to have sex with their forced wives but were punished by commanders if they refused. They also suggest that men's sense of masculinity would have been manipulated in order to encourage them to rape their forced wife.[352] Although men did not always have the ability to exercise choice regarding when to have sex with their forced wife, reports suggest that they did so more often than women.

The strict regulations of the LRA also applied to when a man could rape his wife and men were expected to wait until the girl had menstruated. Commanders disobeyed this rule sometimes, which could result in punishment.[353] In an interview, Sylvia stated that she had not yet matured and therefore the time was not right. It is unclear whether she was referring to the fact that she had not yet menstruated or whether she believed other factors should dictate a girl's sexual maturity.[354] The LRA also regulated when men should refrain from

[350] Kramer, "Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the Lord's Resistance Army in Northern Uganda."
[351] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 201.
[352] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 24.
[353] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 15.
[354] Interview with Sylvia, Lango, 3 April 2017.

raping their forced wife such as when the wife is menstruating, pregnant, or breastfeeding.[355] Also, men were forbidden from having sexual intercourse before a battle or when the spirit revealed there would be a battle.[356] Jennifer stated in an interview that,

> …if the spirit revealed, you were not allowed to have sex. When you made a mistake of having sex in that battle, you were going to be shot dead or else if your husband went for the battle and he is shot dead, they came and killed you the wife because they knew that the mistake came between the two of you.[357]

Jennifer's account is interesting as she details the punishment as enforced by the spirit through the man's failure in battle rather than from the LRA command themselves. This could also be a way that Kony ensured his soldiers were fearless in battle as they were blamed if they were killed because they must have violated a rule; otherwise, the spirit would have protected them.

When first raped, women would frequently resist the sexual violence but ultimately, they would be forced to acquiesce for survival. Sylvia and Justine's accounts both detail their belief that they had no choice and could not refuse the commander they were given to. Justine in particular details being 'slept with forcefully' which is typically how rape is described in Uganda as the actual word is rarely used. Evelyn Amony recounts the first time Kony demanded that she have sexual relations with him. Evelyn had been called to Kony's quarters where he stated that he was going to 'share the bed with her'. Evelyn responded by running away and Kony sent his bodyguards after her and she was caned fifty strokes. After she

[355] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 56.
[356] Kony was reportedly guided by a spirit. See Allen & Vlassenroot, *The Lord's Resistance Army: Myth and Reality*.
[357] Interview with Jennifer, Lango, 13 April 2017.

recovered, Kony called her again and told her that if she wanted to live then she had to be his wife and spend the night in his house when she was called.[358] Grace Acan also reports that a girl attempted to refuse sex with her forced husband and was beaten with a 'red hot' machete.[359] Other women report that the commander, "drew his pistol and pointed it at me", and stated "if you continue to refuse I am going to beat you until you die".[360] Unless a woman was willing to die rather than be raped, she could not refuse to have sex with the commander. Grace Akallo was distributed to a man older than her father who she states, "…seized me and forced me to bed".[361] The commanders did not fear being held accountable for these violent acts and sexual violence within the marriage was not regulated. Commanders could use the knowledge that they would not be punished for their behaviour to further terrorise the woman as one woman recounts, "he said…if he kills me no one in the LRA will ask him for accountability…".[362] Women were raped by their forced husbands in the LRA with any acts of resistance punished and acquiescence becoming a vital strategy for survival.

In addition to physical force, commanders could use psychological threats of force which usually centred around harming the woman's village or family. These threats would have been carefully constructed from when the woman was first abducted. The LRA relied on fear to ensure obedience from the abducted children so that it was clear from the beginning that they had no choice but to submit to any orders that they were given. The typical abduction was incredibly brutal and included intimidation, beatings, carrying heavy loads, and

[358] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.
[359] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 62.
[360] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 53.
[361] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 110.
[362] Baines, "Seven Stories." 108.

traumatisation-usually caused by being forced to torture and kill another recruit.[363] During this process, abductees would quickly understand that resistance to commands was not an option and this understanding would also apply to women who were ordered to have sex with a commander.

Rape could also be used as a method of punishment by forced husbands within the LRA. A former forced wife recounts her experience when her husband became angry because dinner was not ready when he arrived,

> …there was no water and water was far away. So I started cooking as best I could. He started caning me. Then he grabbed me and used me. He used all kinds of abusive language against me. He said, 'I know what you want, you want to go back to Uganda so that the government soldiers can use you. Well I am going to use you first'. So it happened like that-this was my first time with him.[364]

In this example, rape was used as a punishment because dinner was not prepared when the husband expected it to be. Similar to peace time, cooking food was the responsibility of the wife and failure to fulfil this duty resulted in punishment regardless of the reasons why the woman could not cook the food. Another example of rape as punishment is provided by Porter and she describes that a participant stated that a woman tried to escape and as punishment, all of the co-wives were laid down in a row and raped one after the other; they were then beaten with knives.[365] Porter explains that the participant perceived this to be a severe violation and Porter likens this to 'evil rape' as seen in the study by Baaz and Stern.[366]

[363] Vinci, "The Strategic Use of Fear by the Lord's Resistance Army."
[364] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 66.
[365] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 200.
[366] See Maria Eriksson Baaz, "Why Do Soldiers Rape? Gender, Violence and Sexuality in the Armed Forces in the Congo (DRC)." And Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.

Rape could be used as punishment within the LRA and was a method of instilling fear in women and encouraging their subordination.

Marriages in the LRA were generally polygamous, and perhaps unsurprisingly, women (and debatably men) were given no choice over this. High-ranking commanders were given five wives on average while lower ranking commanders would receive approximately two wives.[367] Polygamous marriages may increase violence as there is jealousy and competition between co-wives and women can participate in patriarchal bargaining.[368] Patriarchal bargaining refers to a woman's choice to conform to patriarchal rules or structures to the disadvantage of women, in order to gain some sort of benefit. Patriarchal bargaining can be employed within polygamous marriages as co-wives may report one another for mistakes made which typically leads to punishment. Violence between the husband and co-wives is also present in a polygamous marriage as men experience pressure to provide for multiple wives which can lead to frustrations and fighting. Polygamy increases violence in both war-time and peace-time and Oleke states that in the Langi experience, there is rarely peace among co-wives in a polygamous household.[369]

The scarcity of resources in the LRA may have increased violence amongst husbands and their co-wives as is seen in peace-time marriages. The LRA husband was responsible for providing for his wives and children regardless of whether he had been given a choice in having multiple wives. Apio posits that the tensions between co-wives can be linked to the

[367] Kramer, "Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the Lord's Resistance Army in Northern Uganda."
[368] Kandiyoti, "Bargaining with Patriarchy."
[369] Astrid Blystad Christopher Oleke, et. al, "The Varying Vulnerability of African Orphans: The Case of the Langi, Northern Uganda," *Childhood* 13, no. 2 (2006). 272.

individual fear of losing the protection and care by their LRA husbands.[370] In peace-time marriages, economic tensions are a pre-cursor for violence and this correlation also exists in LRA marriages where food was inconsistently available. In peace-time polygamous marriages, men are not supposed to visit (meaning have sex with) more than one wife in a night. Forced wives reported that this rule was not followed and commanders would visit more than one woman in the same night.[371] Many women perceived this as disrespectful and as breaking a taboo.

Sylvia was one of five wives and stated that there was jealousy, fighting, and insults between the co-wives.[372] Did children influence the relationship between co-wives? Wives who had already given birth were considered more senior than wives who had not yet given birth. This could also relate to the timeframe that the wives had been in the household as they would have been in the LRA longer if they had given birth (approximately nine months due to gestational period). Evelyn Amony states that her difficult relationship with Kony's first wife Fatima positively changed after the birth of her first child. Evelyn suggests that this might be because her first child was a girl and Fatima did not have any female children.[373] Grace Acan however, had a more quarrelsome relationship with her co-wife after the birth of her first child as her co-wife was unable to conceive. Despite Kony's attempts to cure her fertility issues with local herbs, the woman remained childless and was unhappy when Grace's child

[370] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 155.
[371] Baines, "Seven Stories."
[372] Interview with Sylvia, Lango, 3 April 2017.
[373] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.

was born.[374] Relationships between co-wives in a forced marriage were complex and the birth of children had the ability to both improve and complicate household dynamics.

Forced wives were protective over their children and Ting Tings would be expected to carry and care for the children. Annet was a Ting Ting in the LRA and stated that she was ordered to care for and carry a child called Atim who was almost four years old. During battles, Atim would order Annet to squat down to avoid bullets and would beat her for not following orders quickly enough. When the battle ended, Atim would tell her mother that Annet had almost caused her to be shot by soldiers and Annet was beaten by the mother.[375] This adds another layer of violence as women could experience violence due to reports of wrongdoing by commander's children. Children within the LRA were highly valued and this extended to the co-wives who it appears, did not target their co-wives children. This is distinct from peace-time marriages where children could be targeted by fellow wives; especially if a woman left the marriage while her children remained in the household. The lack of targeting of children could be due to fear of retribution by the commanders or Kony who valued children. Fighting between co-wives was frequent within the LRA but unlike peace-time relationships, children were usually excluded from this violence.

The hierarchy of wives in the LRA mirrored the traditional peace-time hierarchy; that is, the first wife is considered to be the most senior wife and can assign duties and responsibilities to lower or junior wives. Grace Acan describes how she at first adhered to this hierarchy with her co-wife, "She didn't hold any military ranks, but I respected her since she

[374] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 100.
[375] Interview with Annet, Lango, 10 April 2017.

was the first woman there".[376] Although this protocol was not always adhered to by the commanders in the LRA who might choose a favourite wife who was not the first wife and provide her with more power or resources than the first wife. This would often lead to violence between the co-wives or increased attempts to get the favoured wife punished. Evelyn Amony discusses this in her book and recounts an occasion where Kony's first wife Fatima beat her along with some of the other co-wives because Kony had shown favouritism towards her and given her a jacket as a gift.[377] This exemplifies that being the favourite wife of the commander may not have in fact been a privileged position and may have invited violence from co-wives. Ting Tings who were suspected of soon becoming a commander's wife could also evoke jealousy and Lynda, who was kept as a Ting Ting in a commander's home described the jealousy of the co-wives who accused her of having an affair to provoke the commander to discipline her.[378]

The hierarchy of wives was not strictly followed by LRA commanders who could incite competition between wives. Grace Acan states that commanders would encourage fights that occurred between co-wives as they would provoke the originals to mistreat the new wives while telling the new wives to advocate for themselves.[379] This may have been a strategy to prevent LRA wives from uniting against the commander or conspiring together to escape. Many forced wives described being scared of the first wives who were often 'originals' and would fiercely assert their dominant position within the household.[380] The power of the first

[376] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 92.
[377] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 40.
[378] Erin Baines and Beth Stewart, "'I Cannot Accept What I Have Not Done': Storytelling, Gender and Transitional Justice," *Journal of Human Rights Practice* 00, no. 0 (2011).
[379] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 86.
[380] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System." 22.

wife represents a slightly different dynamic from peace-time polygamous marriages as although first wives are traditionally supposed to be considered more senior within the household, my research indicates that polygamy in peace-time can be instrumentally used to 'chase away' the first wife. If the husband no longer wants the first wife, he will treat the new wife better and begin to beat the first wife more frequently to encourage her to leave. Although wives may be treated differently in polygamy within and outside the LRA, they may still be used instrumentally for different purposes. For example, within the LRA, discord between wives may be encouraged to prevent wives from uniting or conspiring, alternatively, in peace-time, the different treatment of wives is to persuade the first wife to leave. In both cases, polygamy serves instrumental purposes and the husband manipulates the wives in order to fulfil his own ends.

3.8: Conclusion

This chapter has discussed gender violence in war-time forced unions with an aim of understanding the factors that influenced and promoted gender violence within the LRA insurgency. Similar elements of gender violence can be found in forced war-time 'marriages' and post-conflict unions. For example, the patriarchal society of the LRA resembled the patriarchal society that is currently present in Northern Uganda. Men were valued above women and gender roles were strictly adhered to with an emphasis on women's reproductive labour. The gender violence that occurred within the LRA was not randomized; it was deliberately perpetrated in order to fulfil the aims of the movement. Women were beaten to ensure their compliance for the success of the movement. But was this the only reason? Did the LRA violence always serve a purpose? Sexual violence was perpetrated because of the

desire for children but was this the only reason? How does the argument that men committed rapes against their forced wives as a form of punishment fit into this reasoning? Certain elements of LRA violence contributed to the success of the movement but other components indicate that violence was often gratuitous and perpetrated at the sole discretion of the man. Conflict related gender violence is influenced and shaped by pre-conflict gender norms and violence and does not end when the war ends but rather continues into peace-time marriages in different ways. Experiencing such high levels of gender violence within the LRA may make women more vulnerable to violence in peace-time marriages due to their limited choice of partner and their ability to withstand high levels of violence; their threshold for violence has been raised. There are a striking number of similarities between how gender violence in war-time and gender violence in peace-time are represented and perpetrated.

CHAPTER 4: SEXUAL AND GENDER-BASED VIOLENCE IN 'PEACE'-TIME NORTHERN UGANDA

4.1: Introduction and Context

LRA forced marriages were widely believed to be extraordinarily violent and in many ways, they were. However, some of the violence exhibited within the LRA and the justification given for such violence can be found in everyday instances of gender violence in post-conflict society. This chapter focuses on gender violence within post-conflict marriages for women who were never abducted by the LRA. The gender violence that occurred within the LRA marriages did not take place in a vacuum: it was influenced by the pre-existing acceptability of violence. LRA violence against women has also impacted post-conflict relationships: it is perceived to be brutal and excessive by most people in Northern Uganda, but I suggest that it is not the presence of gender violence that was the problem but rather the excessive nature of that violence, the perceived lack of justification for the violence, and the lack of legitimacy of the LRA 'husband' to command such violence. This chapter will contribute to the argument of the thesis by demonstrating that SGBV is represented as acceptable by both men and women as long as it occurs within specific parameters and for what are perceived to be justifiable reasons. As will be demonstrated, these parameters are constantly moving and are dependent on the positioning of various actors and the consequences of the violence. What is perceived to be justifiable is also contingent on the particular actors involved and the situation in which the violence occurred.

Two IDP camps closed in Lango region in 2007 and the interviews that I conducted occurred ten years later in early 2017. The scars of the camps are still visible, but the women themselves did not discuss the LRA or their times in the IDP camps but were instead focused on the violence occurring within their marriages and the resultant problems they had encountered. Three of the women interviewed got married at the height of the conflict while others married shortly after it ended. They describe the marriages as difficult but interestingly, these women do not implicate the upheaval of society and the IDP camps as reasons for this. Nor do they state that the conflict and IDP camps were an integral factor in their decision to marry. During the LRA conflict, food shortages and sickness were common and marrying may have provided the man or woman with access to food or medication. Despite the fact that the women do not see the LRA or the IDP camps as having influenced their marriages, the violence that occurred in the latter must be analysed within the context of the LRA and the disorder that ensued as a result of the regime. Northern Uganda was crowded by NGOs and generous funding at the height of the conflict but this has since abated. As the LRA conflict is now considered to be over, the majority of NGOs are slowly withdrawing in order to attend the next conflict in another poverty-stricken country. Gulu town once thrived on the presence of NGOs and became an expanded town with relatively luxurious hotels and 'western' style restaurants serving American cuisine; what will fill the void they leave is yet to be seen.

Living conditions in the IDP camps were described as a humanitarian disaster.[381] They were cramped and devoid of basic necessities. Food aid was distributed, which relieved men

[381] See: Dolan, *Social Torture: The Case of Northern Uganda, 1986-2006*.

of their traditional role as providers for the family. Women however, were still required to gather water, and cook food, and many brewed alcohol to sell in the camps which elevated their position in the household and contributed to tense gender relations that were constantly in flux.[382] The huts in the camps were very close together and there was limited privacy available for families who were often forced to share one hut. This is different from traditional living situations as typically a family would share a large compound with many huts at some distance from each other. Some common land would be allocated for cultivating crops and this work would be shared between men and women who would have distinct roles. The IDP camps changed gender roles as women were more instrumental in providing for the family, which had considerable effects on men's feelings of inadequacy within the camps.

High levels of GBV were recorded within the IDP camps but due to a lack of historical data, it is difficult to determine whether GBV had actually increased or not. Chris Dolan has proposed that the high rates of GBV within the camps were due to men experiencing a masculinity crisis and using violence as a way of regaining their lost power and authority. Idleness, alcohol consumption, a lack of opportunities and harsh living conditions could also have contributed to a context of violence. GBV within the IDP camps was more noticeable as the huts were in such close proximity that neighbours could easily overhear arguments and violence that was taking place.[383] The humanitarian agencies present within the IDP camps also provided an opportunity for women to report the violence and request help; which is not always accessible in post-conflict situations. The IDP camps represent a space that is distinct

[382] Okello and Hovil, "Confronting the Reality of Gender-Based Violence in Northern Uganda." 441.
[383] Families were described as being 'crammed together'. Ibid. 442.

from both the post-conflict community and the LRA context in that gender relations had to be re-negotiated and specific roles re-established.

Conditions in the IDP camps and the process of return undeniably influenced gender violence. After returning from the camps, poverty was severe. Men and women had to re-adjust to gender roles within the villages. Men wished to reclaim their power while women were hesitant to relinquish their gains and their independent economic activities such as brewing alcohol. Gender roles were renegotiated. Although 'traditional' practices could not be resumed as the impact of the conflict and life in the IDP camps had been pervasive. The recent past could not simply be erased.[384] It is within this complex context that this chapter explores gender violence in post-conflict marriages for women who have never been abducted by the LRA. The women in this chapter do not present the violence they experience as being the result of the post-conflict setting, even though they are aware that the war had serious impacts on their lives. They perceive the violence they are subjected to as a normal aspect of their relations that can become problematic, depending on the intensity and frequency of the violence, and on its alleged causes.

4.2: Marriage in Post-Conflict Northern Uganda

The LRA conflict had an undeniable impact on gender relations which not only affected those directly involved in the conflict but also the greater population of the North who were moved by the Government into IDP camps. Within the camps, gender roles were less rigid and the

[384] Nordstrom, *A Different Kind of War Story*.

traditional division of labour had to be altered to reflect the camp setting. Men lost many of their traditional roles while women had the potential to pursue new economic activities. Dolan argues that men pursued violence against women as an avenue to reclaim their lost authority.[385] Gender violence was reportedly high in the camps and Lucy Hovil and Moses Okello attribute this to men's loss of power and their failure to provide for their family.[386]

Women had the opportunity to make relative gains within the camps as they could pursue economic activities that would otherwise have been closed to them. Within the camp setting, women engaged in more work in order to compensate for men's decreased contribution. While men were accused of falling idle, women were reportedly requesting the tools necessary "…for income generating activities, healthcare, schooling and school fees, and cooking utensils".[387] Women seized upon the opportunities that the camp afforded them as it was one of their few means of ensuring the survival of their families. They became less dependent on men's labour, which was a seismic shift in the power balance within genders and contributed to the dissolution of marriages within the camps.[388]

Drinking is closely linked with domestic violence and Jeannie Annan and Moriah Brier report that in every case of domestic violence, alcohol was stated as a problem with 60% of women reporting that their husbands drank alcohol and 30% stating that their husband was frequently intoxicated.[389] Men were unable to fulfil their traditional gender roles within the

[385] Dolan, *Social Torture: The Case of Northern Uganda, 1986-2006*.
[386] Okello and Hovil, "Confronting the Reality of Gender-Based Violence in Northern Uganda."
[387] Anderson, "Gender, Local Justice, and Ownership: Confronting Masculinities and Femininities in Northern Uganda ". 70.
[388] Ibid. 70.
[389] Brier, "The Risk of Return: Intimate Partner Violence in Northern Uganda's Armed Conflict."

camps which caused many men to drink to excess. This excessive drinking continued in post-conflict society where alcohol is cited as a major contributing factor to gender violence. In a collective study, Paul Bukuluki and John David Kisuule argued, "many men spend a considerable amount of time drinking as opposed to engaging in economically productive activities which would enable their families to access basic needs".[390] They explain; when men return home after drinking, their wives will argue with them about their lack of contribution to the household which will often result in violence. Alcohol abuse began in the IDP camps but continued in post-conflict society and exacerbated GBV.

The poverty that resulted from the LRA conflict changed the nature and meaning of bridewealth which had critical implications for gender violence within marriage. When the population was moved into camps, men were forced to abandon their herds of cattle. Wealth is typically measured in cattle so men were essentially abandoning their form of wealth. This occurred after many herds of cattle had already been decimated by Karamojong cattle rustlers.[391] Despite programs by the government aimed at re-stocking the lost cattle, Apio argues that the Lango never regained this wealth.[392] This had several implications; one of which, was a decrease in the authority of the clan. Apio explains, "Sons whose fathers could not provide cattle did not feel obliged toward them. The fathers' (or elders) authority was consequently decreased, together with old forms of social control over junior men".[393] The authority of the clan was a vital component of negotiations within marriage and the

[390] Paul Bukuluki et al., "Perceptions of the Drivers of Sexual and Gender Based Violence in Post Conflict Northern Uganda," *International Letters of Social and Humanistic Sciences* 10 (2013). 96.
[391] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society."105.
[392] Ibid. 106.
[393] Ibid. 106.

adjudication of marital disputes. The lack of cattle led to a lack of authority by male elders and this contributed to a loss of clan power which has had severe impacts on violence within marriage.

4.3: The Acceptability and Normalization of Domestic Violence

Wife beating is broadly considered a normal and acceptable part of society by both men and women. The belief that men have the authority and obligation to discipline their wives with physical violence is pervasive. A BBC news article reported last year that a Ugandan MP was recorded on NTV news (the prominent news channel in Uganda) as stating, "as a man, you need to discipline your wife…you need to touch her a bit, you tackle her, beat her somehow to really streamline her".[394] The fact that this MP felt that he could make such a statement on national television indicates that he believed that his views were widely held across Ugandan society. In the 2016 Uganda Demographic and Health Survey (UDHS), 57.7% of Langi and 58.2% of Acholi women agreed that a man was justified in beating his wife for at least one of a number of reasons: burning food, arguing with him, going out without telling him, neglecting the children, or refusing to have sex with him.[395] Among men, the numbers were similar with 53.3% of Langi and 49.6% of Acholi men agreeing with at least one of the above reasons. It is important to note that more Langi and Acholi women than men agree with at least one of the listed reasons why a man is justified in beating a woman. This requires further investigation and may be connected to strongly enforced gender roles and the belief that

[394] "Outrage as Ugandan Mp Says 'Beat Your Wife' ", *BBC News* 2018.
[395] "Uganda Demographic and Health Survey 2016."

women who fail in their duties deserve to be punished.[396] These findings demonstrate that wife beating is considered normal and acceptable by both men and women for certain reasons which has implications for how it is perceived within society.

The Domestic Relations Bill and the passionate debate that it attracted within parliament is representative of the discussion within society surrounding marital violence. The current version of the Domestic Violence Bill passed in 2010, after much parliamentary debate. The bill was originally part of the Domestic Relations Bill but after an uproar within the parliament against the contents of the Bill, it was decided that it would be divided into three smaller bills that would spark less parliamentary debate.[397] If the bills were separated, the less controversial elements could gain approval while the more controversial aspects were considered. These three bills were the Domestic Violence Bill, the Divorce Bill, and the Muslim Personal Law Bill. The major opposition to the bill in its original form was due to the proposed illegality of polygamy and marital rape, and the legislation that detailed women's rights to marital property in cases of divorce. The ban on polygamy was considered to be anti-Muslim which resulted in the creation of the Muslim Personal Law Bill. Josephine Ahikire states that the proposed law against marital rape was highly controversial and that a former member of parliament explained,

> Men were opposed to the idea of including marital rape as an aspect of violence. Male legislators argued: 'how can a woman say she does not want to have sex with

[396] Women policing other women is discussed in regard to the patriarchal bargain, see: Kandiyoti, "Bargaining with Patriarchy."
[397] Josephine Ahikire and Amon A. Mwiine, "The Politics of Promoting Gender Equity in Contemporary Uganda: Cases of the Domestic Violence Law and the Policy on Universal Primary Education," in *ESID Working Paper* (Effective Statues and Inclusive Development 2015). 10.

> her husband?' Even the president opposed the provision, saying that we cannot start legislating on bedroom matters.[398]

The deliberation that accompanied this bill confirmed the responsibilities of a wife and the bafflement surrounding the possibility that she might want to refuse her husband's sexual advances. The reluctance to pass a law against marital rape is representative of the roles and duties that wives are supposed to fulfil regardless of their desire to do so. These debates and the speculation regarding why the bill was passed, are informative of current perceptions about marriage and gender relations in Uganda.

Josephine Ahikire and Amon Amwiine have argued that the bill only passed in the Ugandan parliament when domestic violence was recognised to affect men as well as women. They state that the coalition was able to frame men as being potential victims of domestic violence due to the murder of General Kazini by a girlfriend as a result of domestic violence.[399] Parliament was convinced after a reading by the future minister for gender who argued that neighbours had overheard screams from General Kazini's compound but decided not to intervene because they believed it to be a domestic quarrel.[400] Instances of violence against women are extremely common in Uganda, but could it be that it required proof that violence affects men and not just women to pass the bill? If true, this demonstrates the importance of the representations of gender violence, and the subjugated status of women within society.

[398] Ibid. 16.
[399] Ibid. 16. See "Girlfriend 'Kills Uganda General'," *BBC News* 2009. The case of Kazini is controversial as he had fallen out of favour with Museveni and it has been suggested that the accusation of domestic violence was part of a government cover-up.
[400] Ahikire and Mwiine, "The Politics of Promoting Gender Equity in Contemporary Uganda: Cases of the Domestic Violence Law and the Policy on Universal Primary Education." 11.

It asserts that if violence is presented as affecting men; it has the ability to influence legislature.

The parliament passed the Domestic Violence Bill after concessions on the most contentious issues were made. Marital rape was not explicitly included in the bill. They stated that bridewealth was legal but non-refundable and encouraged the term 'bride gift'. The bill recognized physical, psychological, economic, emotional, and verbal abuse as domestic violence.[401] Interestingly, it specifically stated that there can be no consent for domestic violence within marriage and that consent by the victim cannot be considered a defence against charges of domestic violence.[402] This could be interpreted as men not having the authority to abuse their wives by virtue of being their husbands. There is a lack of understanding amongst the population of what constitutes domestic violence which limits the effects of the bill. For instance, there is a pervasive belief that domestic violence applies only to the most serious cases where there is visible and severe physical injury.[403] Moreover, the concessions made in order to pass the bill are indicative of the reluctance of men to limit their power within the domestic sphere.

The parts of the bill that stipulated a more gender equal division of land were encompassed in the Divorce Bill, which has not been passed by parliament. Women's rights over land has proved to be one of the most divisive issues with members of parliament arguing that women gaining land in the case of divorce was 'unbalanced' and 'favouring

[401] "Women's Rights in Uganda: Gaps between Policy and Practice," (FIDH: Worldwide Movement for Human Rights, 2012). 13.
[402] *The Domestic Violence Act 2010*.
[403] "Women's Rights in Uganda: Gaps between Policy and Practice." 13.

women' and 'encouraging women to be hostile towards men and accumulate wealth'.[404] Women's land rights quickly became a 'man versus woman' issue and according to Ahikire, "The president criticised middle class women for seeking to turn marriage into a business".[405] Gender is an important dimension of house politics and Sylvia Tamale has argued that it cannot be separated from parliament. Tamale states, "…female and male parliamentarians (re) construct gendered systems of dominance and power by acting out gender norms and expectations in the House".[406] The gender discourses that occurred during the parliamentary debates suggest how women are perceived in society.

The limits of socially acceptable domestic violence

A certain amount of violence within marriage is considered to be socially acceptable. During interviews with women, they would describe scenarios where women in their community had been beaten by their husbands and would state that it was 'too much'. Other times however, they would not comment upon the violence as being too much and would instead simply state that it had occurred. We must consider what the acceptable levels of violence within marriage are and how these levels are decided upon. Violence that resulted in death was a simple example of violence that exceeded socially acceptable limits. This type of violence was considered brutal and excessive and was often highlighted at community meetings as the reason why violence against women needed to be addressed. Violence that resulted in bone fractures or some other sort of semi-permanent physical injury was another example of when

[404] Ibid. 11.
[405] Ahikire and Mwiine, "The Politics of Promoting Gender Equity in Contemporary Uganda: Cases of the Domestic Violence Law and the Policy on Universal Primary Education." 10.
[406] Sylvia Tamale, *When Hens Begin to Crow: Gender and Parliamentary Politics in Uganda* (Oxford: Westview Press, 1999). 120.

acceptable levels of violence had been breached. When interview participants were asked about acceptable levels of violence the responses varied. One woman stated that it was 'too much' if the neighbours or community heard the woman screaming and had to intervene. A male participant stated that it was 'too much' if injuries could not be hidden and daily tasks could not be performed. The consensus seemed to be that the violence was 'too much' if it could not be hidden or kept within the domestic sphere.

The community does not attempt to understand women's perception of the violence that so gravely affects them. There is a socially and morally established discourse that presents a husband's alleged right to chastise his wife as legitimate, and this view is rarely questioned. Violence that impacted the community or affected the household was considered to be an unacceptable level. Violence that prevented a woman from completing her domestic duties or involved the community was problematic as it impeded domestic work. The idea of violence that does not affect a woman's duties as acceptable contributes to women's subordination within marriage. If a man was violent towards his wife within the acceptable limits, it was considered appropriate as the husband was permitted to 'correct' his wife as he deemed necessary. Emily Burrill explored the concept of acceptable limits to violence in her study on Colonial Mali and concluded that "…Mundane acts of physical punishment committed by husbands against their wives were seen as appropriate corrections that maintained the balance of marriage".[407] The expansive limits of permissible violence suggest that wife beating is acceptable providing it does not result in severe injury or death.

[407] Emily S. Burrill, *States of Marriage: Gender, Justice, and Rights in Colonial Mali* (Ohio: Ohio University Press, 2015). 136.

What constituted acceptable and unacceptable limits of violence was not fixed and instead was a process of continuous negotiation within families and communities. This is similar to Burrill's findings in Colonial Mali,

> punishment-often slapping, hitting, or whipping-was a dangerous instrument, and could potentially exceed the limits of acceptability. What constituted these limits was open for debate not only between a husband and a wife, but neighbours, other compound members, court assessors, and colonial adjudicators.[408]

There is a diversity of opinions of what constitutes acceptable limits of violence but the UDHS details what kind of injuries are most prevalent in cases of domestic violence which suggests the type of violence that is most widely perpetrated and potentially acceptable. 40.2% of women overall who had been physically injured experienced cuts, bruises and aches followed by 17.5% who experienced eye injuries, sprains, dislocations, or burns, and 13% experienced broken bones, teeth, or another serious injury.[409] Slapping and pushing may be acceptable forms of violence, while more serious injuries are condemned. This indicates that marital violence that does not result in serious injury is considered socially acceptable.

Men beat you because they love you

[408] Ibid.
[409] "Uganda Demographic and Health Survey 2016." 353.

There is a widespread belief that if a man beats you it is because he loves you as it is proof that he cares enough to correct your behaviour. This belief is prevalent among women and there is anecdotal evidence of women showing off bruises to each other while gathering water.[410] During a discussion with a worker from the Ugandan Human Rights Commission in Lira, he stated that a majority of women feel their husband is entitled to beat them and defend this violence by stating that 'our culture demands that we be beaten as a form of love and a corrective measure'.[411] This concept was also detailed in an Amnesty International report where the head of a trauma counselling team was interviewed and stated,

> Women, especially in rural areas, think it is acceptable for a man to be violent against her. Some even feel that if their husbands do not beat them it means they no longer want them. They think beating is a sign of love. Because there is normally a dowry, husbands believe they own their wives.[412]

The idea that men beat women because they care was also a reason provided for why wife beating was acceptable in a survey conducted by the Facilitation for Peace and Development (FAPAD). 54% of respondents said wife beating was acceptable as it was a disciplinary measure to enforce respect and trust in women by their partners and promotes men's authority over women.[413] Using violence to encourage trust contributes to the belief that violence is a sign of affection and caring within a relationship.

[410] Fieldwork notes, Lango, Uganda. 26 October 2016.
[411] Fieldwork notes, Lango, Uganda. 14 November 2016.
[412] Richard Lough and Euan Denholm, "Violence against Women in Northern Uganda," news release, 2005, https://www.amnestyusa.org/reports/uganda-violence-against-women-in-northern-uganda/.
[413] Fieldwork notes, Lango, Uganda. 26 October 2016.

Witnessing violence between parents may contribute to people's belief that violence within marriage is a sign of caring. This suggests that there is an inter-generational component to violence within marriage. 51.2% of women who had physically abusive partners stated that their father beat their mother.[414] One interpretation of this statistic is that women may consider violence to be more normalized within a relationship if they have witnessed their mother being beaten. Another interpretation is that violence is considered to be an accepted way of showing love or care within a marriage. This serves to normalise the violence and supports the idea that violence within marriage is a sign of affection.

4.4: Reasons for Violence within Marriage

In what circumstances is 'wife-beating' seen as legitimate? Who perceives it as legitimate and what are the potential consequences of this? Violence within marriage is considered to be acceptable under specific circumstances. The UDHS provides some indications surrounding what specific instances a violent response is considered acceptable. 48.3% of Lango women and 44.6% of Acholi women believes that it is acceptable for a man to beat his wife if she neglects the children.[415] This is compared to 28.4% of Lango men and 30.3% of Acholi men who believe that beating is appropriate in this situation.[416] This suggests that women more than men find wife-beating permissible if a woman fails in the performance of one of her traditional roles, especially maternal care.

Northern Uganda is a patriarchal culture and a woman is not entitled to question her husband's authority. During interviews, women reported that one of the main reasons why

[414] "Uganda Demographic and Health Survey 2016." 348.
[415] Ibid. 298.
[416] Ibid. 299.

violence occurred within their marriage was because they had argued with or questioned their husband regarding a decision he had made. This is supported by the UDHS results which state that 45.2% of Lango women and 42.2% of Acholi women believe that it is acceptable to beat a woman if she argues with her husband.[417] This is compared to 37.1% of Lango men and 41.3% of Acholi men.[418] It is a woman's duty to submit to her husband's authority and if she questions his actions or behaviours then she is not fulfilling her duty which may result in violence that is considered socially acceptable.

One of the main reasons why a woman questions her husband is because she suspects that he is having an affair. Male infidelity is widely condoned in society. News articles casually discuss a man having both a wife and a girlfriend.[419] A woman who refuses to accept her husband's infidelity is likely to be beaten. Female infidelity is not accepted within society and women will be severely beaten, chased away, or killed if discovered.[420] Female infidelity is associated with a woman leaving her husband for another man and one interviewee stated,

> That's disrespect. It results in a big quarrel. Leaving your husband for another man is a fight, that is what brings most fights. That is big, bigger than anything else. And you are chased, if it's a man who is fierce he will definitely chase you away.[421]

Female infidelity was known to trigger extreme levels of violence and NTV news reported that a woman from Busia was dragged out of church and killed by her husband before he killed

[417] Ibid. 298.
[418] Ibid. 299.
[419] For an example, see Andrew M. Mwenda, "Who Killed Gen. Kazini, and Why?," *The Independent* 2009.
[420] See: Michael A. Koenig et al., "Domestic Violence in Rural Uganda: Evidence from a Community-Based Study," Bulletin of the World Health Organization 81 (2003)., "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda."
[421] Interview with Teresa, Lango, 27 March 2017.

himself because he suspected that she had cheated.[422] For women; suspected or confirmed infidelity could be deadly.

The previous section explored the laws surrounding marital rape and showed that wives are required to have sex with their husband. Perhaps unsurprisingly then, a wife's refusal to have sex with her husband is considered a legitimate reason for violence. A woman may refuse sex for a variety of reasons but my research indicates that women use sex as a form of negotiation within marriage. Women will strategically refuse to have sex with their husband if he is failing in his traditional 'husband' roles. For example, when working with FAPAD in Lira, a case described a man who had seriously beaten his wife for refusing to have sex with him. FAPAD investigated and questioned the woman on her reasons for denying her husband and she argued that she had been denying him sex because he had refused to provide food for the children.[423] The husband was not fulfilling his traditional duties and thus the wife responded by refusing to fulfil her traditional duties. Refusal of a wife to have sex is a legitimate reason for a man to use violence; however, this is mitigated by the husband's actions and whether he is considered to be fulfilling his familial duties.

Women and men provided different reasons why violence had occurred within the marriage. Women would frequently state that alcohol was to blame as their husband had come home drunk and quarrelled with them. This is substantiated by multiple studies that associate alcohol with domestic violence both locally and internationally. The UDHS found that 74.5% of women who had physically abusive partners stated that their husband was

[422] Fieldwork notes, Lango, Uganda. 12 November 2016.
[423] Fieldwork notes, Lango, Uganda. 24 October 2016.

often drunk.[424] Alcohol was seen to exacerbate domestic violence but women would state that it was generally combined with another factor, such as the woman berating the man for being drunk. If a woman refused to fulfil one of her duties and the man was drunk, it was likely to lead to a violent altercation. One interviewee stated, "…My brother in law…is ferocious when he drinks he also comes and beats his wife seriously".[425] Another interviewee stated that violence occurred when her husband was drunk and she refused to have sex with him,

> It happens that I was angry. Your husband might really come very late at night, when he's drunk and he will start what he wants to do. When the woman doesn't want. And he will force you and it will lead to fighting.[426]

Women would frequently argue that alcohol was one of the causes of violence within their marriage. Although, the reasons why women were beaten when the man was drunk are the same as the reasons why it is considered legitimate to beat a woman within society. This suggests that alcohol exacerbates violence but may not be the fundamental cause of the violence.

According to many women, their husband's infidelity brought violence into their marriage. One interviewee stated that "He's having an affair with another woman…he came back when he was drunk very late and told me to open. So I had to open [and] he just began fighting me".[427] Male infidelity that resulted in fighting was cited by both young women and

[424] See "Intimate Partner Violence and Alcohol." And D.L. Kitara et al., "Domestic Violence in Gulu, Northern Uganda," *East and Central African Journal of Surgery* 17, no. 1 (2012). And "Uganda Demographic and Health Survey 2016." 348.
[425] Interview with Jenny, Lango, 6 April 2017.
[426] Interview with Teresa, Lango, 27 March 2017.
[427] Interview with Marcy, Lango, 11 April 2017.

older women as a reason for violence and an older woman (over eighty years old) stated that, "…if you are married when your husband goes and loves someone else and he comes back and beats you…".[428] Male infidelity is socially permissible but women attribute the violence that occurs within their marriage to their husband's infidelity. This indicates that although male infidelity is socially acceptable it is not acceptable to many women within their own marriages. Male infidelity results in violence because women challenge their husband's right to engage in extra-marital affairs which in essence, challenges their authority.

Polygamy was cited by women as a major contributing factor for violence within marriage. Polygamy is common among certain clans and is considered to be a status symbol as a man must be wealthy to adequately afford and support multiple wives and their potential children. There is a belief that men are not naturally monogamous and both men and women argue that men have a much stronger sexual desire than women.[429] Polygamy is still practiced but is less common due to the influence of the church and an increase in economic stresses within the community which makes it harder for men to raise the capital needed for multiple wives. Where polygamy does occur, the first wife will often be pivotal in raising the necessary capital for a second wife by her productive labour. Women are typically not consulted when a man decides to take another wife and this can often contribute to resentment and anger between the co-wives as well as towards the husband.[430]

[428] Interview with Sarah, Lango, 10 April 2017.
[429] Margrethe Silberschmidt, "Disempowerment of Men in Rural and Urban East Africa: Implications for Male Identity and Sexual Behavior " *Wolrd Development* 29, no. 4 (2001). 666.
[430] Arao, "The Values of Polygamy among the Langi People of Northern Uganda." 50.

Many women attributed the first occurrence of violence in their marriage to the addition of a new wife. Violence in this context is not coincidental and is related in many cases to the husband attempting to encourage the first wife to leave. This is substantiated by Gonzales-Brenes who found that polygamy increases violence within marriage with the prevalence of violence being much higher for first wives as men may use beatings as a way of 'chasing away' their wives.[431] This suggests that the man does not want to be polygamous but instead wishes to encourage his wife to leave by acquiring a new wife. Apio explains the reason for this and states,

> …limitation of individual agency in the identification of brides was, to an extent, a contributor to polygyny among the Langi. A boy urged to marry a suitor he might not desire more often than not worked hard to raise bridewealth to marry a wife he desired in addition to the first one. Ironically, the undesired wife would be instrumental in the bridewealth raising through her industry on the farm which demonstrated her subordinate position in the gender hierarchy of this patriarchal society.[432]

The man will use violence to pressure the old wife to leave as otherwise he will have to justify to the clan (who may have been influential in choosing the first wife) why he wishes to reject the first wife and negotiate the return of the bridewealth.

Violence within polygamous marriages does not always refer to husband versus wife violence but can also indicate violence that is perpetrated by one wife against another or by step-mothers against their step children. In Lillian Tibatemwa-Ekirikubinza's study about women's violent crime in Uganda she found that of seventeen women who were violent in

[431] Melissa Gonzalez-Brenes, "Domestic Violence and Household Decision-Making: Evidence from East Africa" (University of California, Berkeley, 2004). 26.
[432] Otuko, "Children Born of War in Northern Uganda: Kinship, Marriage, and the Politics of Post-Conflict Reintegration in Lango Society." 102.

polygamous relationships, nine of these women had directed their violence towards the other women.[433] The author speculates that this is due to jealousy and competition and asserts that even the term for a co-wife in Luo is *nyieko* meaning 'jealousy of an intense kind'.[434] There is a proliferation of stories concerning the competition between wives in polygamous households and the consequences for children should their mother choose to leave the household. For example, Dorothy who as mentioned in the subsection on *fertility and reproduction*, stated that she left her husband and co-wife due to severe abuse and that her co-wife poisoned her children to ensure that she would not return to the marriage for the sake of the children.[435] Violence within polygamous marriages is not limited to the husband and wife but also includes co-wife violence and violence against children.

Another reason why polygamous marriages increase violence is due to the increased economic stresses. If a man has multiple wives and children, resources must be shared among the various family members which can lead to economic tensions. This causes competition between the wives who wish to secure enough resources for themselves and their children. The likelihood of violence occurring between the co-wives or the husband is thus increased. Another issue is inheritance as if the man has multiple wives and multiple sons, the land must be shared between the sons which could lead to a land shortage. When economic tensions are intensified, it can cause stress and increase the possibility and frequency of domestic violence.

[433] Tibatemwa-Ekirikubinza, *Women's Violent Crime in Uganda: More Sinned against Than Sinning*. 122.
[434] IBID. 125.
[435] Interview with Sarah, Lango, 29 March 2017.

While women highlight alcohol, infidelity and polygamy, as causes for violence, men tend to argue that the woman was angry or aggressive, she had misbehaved, or the man was drunk. Similar to women, men perceived alcohol consumption as exacerbating violence with one interviewee stating, "It is majorly happening as a result of drinking alcohol…there was a day a certain lady's husband drank alcohol and he came and fought with her…he was fighting with dangerous weapons like the knife for cutting iron sheets".[436] Men recognised that alcohol increased the severity of gender violence but stipulated that the violence was frequently misunderstood.

Men would acknowledge that violence had taken place but would state that it was misrepresented as men beating women and instead argued that there was a physical fight between a husband and wife. Samuel stated that he had previously physically fought with his wife and pointed to a scar on his hand where he states his wife had bitten him.[437] Another man argued that it was his wife that would drink and become violent and not him. He stated, "When she drinks she brings chaos, she wants to cause a fight…she wants to fight/beat me but I do not let her touch me either".[438] Men are constantly represented as perpetrators of violence within marriage but these statements contradict this assumption and indicate that in some instances, men may be domestic violence victims. This suggests that violence within marriage is not only male violence perpetrated against women but also involves women perpetrating violence against men. Samuel argued that violence against men within marriage did occur but was not discussed as men feared that they would be ridiculed and the police would not take any action against the woman anyway. He stated,

[436] Interview with Mark, Lango, 20 April 2017.
[437] Interview with Samuel, Lango, 20 April 2017.
[438] Interview with Benjamin, Lango, 20 April 2017.

> Mostly what makes men not like telling their story is because of the reason that if you go somewhere, the place does not help you. Even though you go to the police, police…thinks that men who go and provoke the women. They do not like helping the men so much.[439]

Notably, women also feel as though their complaints of domestic violence are not taken seriously by the police. This indicates that the violence itself may not be considered to be an important issue regardless of the gender of the complainant as it takes place within an officially sanctioned marriage. This is an area that requires further investigation, but it must be acknowledged that men believed that violence within marriage was misrepresented as male aggressor versus female victim when they asserted the reality was more akin to a physical fight between the two parties. Perception is not always closely aligned with reality, and although there are undoubtedly male victims of domestic violence, the statistics demonstrate that this is a small minority in comparison to women.[440]

According to male respondents, a woman misbehaving or failing to fulfil her duties was another reason for violence within marriage. This corresponds with the societal reasons cited in the section on '*Reasons why Violence Occurs within Marriage'* which stipulates that a woman's failure to respect her husband or submit to his authority is considered provocation to violence. One respondent stated, "Men should stop binge drinking and some women should also have respect for their husbands…for example if a man had earlier left without doing what she wanted/desired she should not show her mood or so much anger when he

[439] Interview with Samuel, Lango, 20 April 2017.
[440] See: "Uganda Demographic and Health Survey 2016."

returns".[441] This respondent is arguing that even if a man does not do what his wife has asked of him a woman should not show her displeasure as if she did it would be considered a sign of disrespect to her husband. Men also stated that a woman fulfilling her duties as a wife was a sign of her respect. An interviewee stated, "Respect like when your husband comes back from his leisure, you have to give him food to eat, you give water he bathes".[442] There is a belief that if a woman fails to fulfil the duties associated with her role as a wife then she is disrespecting her husband and violence will follow. Men represent violence as a response to women's disobedience and failure to fulfil their traditional roles irrespective of whether the man has fulfilled his traditional roles.

Beyond the views of spouses, other people from outside a marriage often comment on cases of domestic violence they encounter through their relations. These 'external views' also emphasised the role of alcohol, which was connected to the time spent in IDP camps. Florence Ebil is a Professor in the Gender Department at Makerere University in Kampala. During a discussion, she stated that at the end of the LRA war, the World Food Programme provided food for the population which meant that men had no purpose and began drinking which led to an increase in domestic violence.[443] The association between men's threatened masculinity and alcohol was explored earlier in relation to the IDP camps as it is considered a major contributing factor for men's alcohol abuse.[444] Community meetings would often discuss that alcohol was the cause of violence and would state that the cheap prices of Waragi

[441] Interview with Mark, Lango, 20 April 2017.
[442] Interview with Matthew, Lango, 20 April 2017.
[443] Fieldwork notes, Kampala, Uganda. 26 April 2016.
[444] Dolan, *Social Torture: The Case of Northern Uganda, 1986-2006*.

Gin contributed to the problem. Alcohol was an overarching theme and during a meeting with a member of the gender department at Gulu District Council, an employee stated,

> A man will come back drunk and start shouting from the top of the street that his wife had better be naked on the bed for him by the time he gets there. If she is not naked and waiting she will be beaten.[445]

In the community, alcohol was considered to be a contributing factor to gender violence but it was acknowledged that alcohol abuse began within the IDP camps during the LRA insurgency. Academics, NGO workers, and District Council employees provide a unique perspective on the violence as they see a high number of gender violence cases and therefore are in a good position to observe overall trends. This may explain why alcohol is considered to be a cause of the violence by stakeholders in the community who provide a more nuanced explanation that is located within the context of the IDP camps and the LRA insurgency more broadly rather than as an isolated factor.

Female elders attributed the high rates of gender violence to the bad behaviour of women. There was a strong belief that men had an obligation to correct their wife when they misbehaved. One female elder stated that, "Women are spoilt. There's no respect…they don't respect their husbands…women have refused to learn".[446] Violence was perceived to be happening because women were not submitting to their husband's authority and when a husband corrected his wife, she was not learning and was committing the same infractions again. If women were beaten it was because they had done something wrong and the

[445] Fieldwork notes, Gulu, Uganda. 13 March 2017.
[446] Interview with Margaret, Lango, 28 March 2017.

husband's reason for the beating was not questioned by the female elders. For example, one elder stated, "When you see a woman beaten by her husband, it means that that woman is used to canes and she also has a bad character".[447] The reason why a woman was beaten by her husband was not questioned. The wife's character was called into question and she was considered guilty and to be of bad character-otherwise she would not be beaten. This illustrates the entrenched belief that men are superior and have the authority and the duty to correct their wife. Female elders may hold these views as part of the patriarchal bargain in which they would gain advantages by positioning themselves as 'good' wives and uphold patriarchy in exchange for power and control over younger women and a privileged position as a wise elder.

The rise in gender violence was attributed to women's empowerment which was perceived to be a threat to the family. An employee at the Gender Department of Gulu District Council argued that women were becoming too 'pig-headed' because NGOs informed them of their rights, which led to women refusing to perform their duties. This was thought to cause family disharmony.[448] This belief was reflective of middle aged men within the community who argued that gender violence was occurring because women were demanding too much freedom outside their homes and men had to keep them in their place for the good of the family.[449] This, as mentioned, is connected to the perception that women 'gained' (power, resources) during the conflict at the expense of men's authority within the family. Carolyn Nordstrom argues that this is common after periods of conflict and states,

[447] Interview with Margaret, Lango, 28 March 2017.
[448] Fieldwork notes, Gulu, Uganda. 13 March 2017.
[449] Fieldwork notes, Lango, Uganda. 25 October 2016.

> At the community level, research has shown that, after political violence and calamity destroy the economic and social foundations, it is the women who generally make the first forays into establishing both domestic and economic order… This often exacerbates tensions between men and women…which can lead to greater violence against women[450]

The NGOs who advised women of their rights and the economic activities that empowered women were perceived to be a threat to the community. Women were accused of harming the family and men were saving the family by violently putting the women back in their societally ascribed places. Violence was not the problem; and was merely a tool to ensure that women remained in their subjugated position. Violence against women was presented as an unfortunate by-product to women's insistent pursuance of their rights and men's necessarily violent response to this.

4.5: How women Cope with domestic violence

For a woman to seek recourse to external support for domestic violence the violence must be considered excessive or unjustified, or it is unlikely she will receive support. Women who experienced domestic violence would typically follow a pattern where they would first approach their clan for help before pursuing community supports such as local councillors, police, shelters, and NGOs.

If a woman believes that her husband is being excessively or unjustly violent then she will approach his clan about the issue. The clan will then discuss the issue with the couple and

[450] Carolyn Nordstrom, "Women, Economy, War," in *International Review of the Red Cross* (The Red Cross, 2010). 109.

counsel and advise them. Ideally the man will take heed of his clan's advice and the issue will be resolved.[451] Although, the reality is often different and as the woman must approach her husband's clan first, the violence must be overtly unjustified or obviously excessive otherwise it is unlikely that the clan will take action. The clan's response will also depend on the woman's status within the family and her relationship with the clan. If the clan believe that she is a 'bad' woman or otherwise problematic, they will not support her complaint.[452] Women are aware that they reside with their husband's clan on the clan's land and this influences their position during negotiations.[453] Porter asserts that women consider the potential social consequences that accompany accusations of violence and must calculate whether the benefits of reporting their husband would outweigh the effects this would have on the social harmony of the clan.[454] Women must perform a cost-benefit analysis to determine whether discussing the violence with the clan is worthwhile.

If the husband's clan does not respond satisfactorily to her complaints or the woman has been severely injured and has been forced to seek medical treatment, she will generally involve her own clan. In cases of severe violence, she may return to her clan and her husband will be forced to negotiate her return with her family. He may be told to pay *luk* (customary payments) to the family for the woman's medical treatment, or her costs while living with her family and the two clan's will discuss the violence together.[455] The woman's clan represents her interests during the negotiation and her father or brother will often meet with her

[451] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 162.
[452] Interview with Iris, Lango, 12 April 2017.
[453] "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda." 348.
[454] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 154.
[455] "Doubly Traumatised: Lack of Access to Justice for Female Victims of Sexual and Gender-Based Violence in Northern Uganda," (Amnesty International, 2007). 12.

husband and some representatives of his clan to discuss and attempt to resolve the issue.[456] If the issue cannot be resolved, then the woman will remain at her natal home and the marriage will be dissolved. If the marriage ends, the husband and his clan are entitled to ask for the repayment of any bridewealth that has been paid.

The case study below demonstrates a successful clan intervention in a domestic violence case. Samuel quarrelled with his wife and attempted to solve the dispute by taking the case to the Local Councillor. The Local Councillor blamed Samuel for the violence within his household and Samuel believed they did not take his version of events into account. Samuel highlighted that it was the clan that improved his marital relations rather than the more official avenue for dispute resolution as the clan knew of his family's difficult past.

Samuel's Story: *'The clan reminded me how much I had suffered due to my parent's marriage'*

Samuel is twenty-eight years old and is from Lango. At twenty-years-old he chose to get married as his mother had died and so was no longer there to care for him. At the time of their marriage, his wife was seventeen years old. Samuel has experienced violence within his marriage and relates this to his difficult childhood. When he was young, his father drank heavily and frequently. His father and mother both farmed for food but would argue because his father would not allow his mother to store up food but would instead take it to sell. They would argue, which led to increasingly violent fights. During a fight, his father took a knife and

[456] Brier, "The Risk of Return: Intimate Partner Violence in Northern Uganda's Armed Conflict." 157.

cut part of his mother's hand off. After this incident, his mother was taken back to her clan and his parents separated. Samuel recalls that his mother's clan would repeatedly take her to the hospital to try and fix her hand but it was permanently damaged.

After the separation, Samuel went to live with his mother and her clan. Life was difficult and there was not enough money to pay for his school fees. His mother approached his father's clan to ask for money. They refused. She asked that some of Samuel's land (that he would acquire as an inheritance) be sold off to help support him; once again, they refused. Samuel dropped out of school and eventually, he asked his father's clan for access to his land. They refused as they stated that he had been gone too long and had stayed with his mother so had lost access. Samuel's father had died so he did not feel that he had any recourse against the clan. Samuel is living on his mother's clans land where there is no land for cultivating and therefore nothing to eat.

Samuel believes his childhood and lack of land have contributed to the violence within his marriage. A few years after marrying his wife, Samuel disclosed his family issues to her and she responded angrily. She would criticize him and tell him that he did not have any parents and did not have any land. He became very upset by this and eventually decided to try to use violence to stop his wife's insults. Samuel attempted to physically fight his wife but to his surprise, she fought back and bit his hand leaving a permanent scar. After this, Samuel and his wife tried to sit down with the community but he argues that his wife blamed him as he had started the physical fight. The community decided that he was to blame because of this, and he felt that he was not heard. Samuel decided to send his wife back to her home.

> Eventually, Samuel asked his wife's clan to come for a meeting and he asked for a member of his clan to attend as well. The two clans met and discussed the issue. They gave the couple examples of what happens as a result of domestic violence. They reminded Samuel of the story of his parents and how that had negatively affected him. Samuel became afraid and thought about how much suffering his parent's fighting had caused. The clan then gave them advice and stated that they needed to have love in their home if they wanted to be good people. Samuel then had to pay some compensation to his wife's family for her medical bills (even though he argues that she was not injured and he was more seriously hurt) and his wife returned home. Samuel and his wife have not had any serious issues since the meeting with the clan. Living together is still hard but Samuel says there has been no more physical fighting.[457]

Samuel's story can be considered a success story in terms of the involvement of the clan. He discusses the failure of the community to respond to his concerns as they decided that since he had started the physical fight he was responsible. Samuel did not agree with this as the verbal abuse that his wife had committed against him was not taken into consideration. Samuel believed the clan was fairer and resolved the case in a helpful way by advising the couple of the risks associated with their behaviour. Samuel's clan was aware of his past and the violence within his family when he was growing up and could therefore use this knowledge to communicate to him the potential implications of his marital violence.

[457] Interview with Samuel, Lango, 20 April 2017.

If the relevant clans are unable to settle the dispute, complications arise such as the repayment of bridewealth (which was discussed in the section on *divorce*). However, another complication that makes it difficult for a woman to leave when the clan is unable to resolve the dispute is the fact that she must leave her children behind. This is traditionally because children are supposed to be part of the paternal clan, however, more recently, in the wake of the LRA conflict, a woman's clan often does not have the resources to support her and her children. Interviewees argued that when they went to their clan with their children they were told that they must bring the children back to their husband or go back with the children themselves as the family could not support them.[458] Women were reluctant to leave their children behind as they did not feel as though they were properly cared for (See P152). When the clan fails to settle a dispute, a woman will be forced to stay in the marriage or leave her children behind.

The declining power and authority of the clan has been discussed in relation to the LRA insurgency and this has a significant impact on marriage relations. If a woman goes to her husband's clan to discuss his excessive or unjustified violence and the clan agrees with the woman they will discuss the man's behaviour with him. If the man does not respect the power or authority of the clan then he will reject the clan's attempts to counsel or control his behaviour. Lydia, whose case is discussed below, approached the clan about her husband's violent behaviour and they talked to him and caned him but he refused to comply even when beaten, and instead stated that if the clan wanted to kill him they could kill him.[459] Clan members in this instance were 'defeated' and felt they could not help Lydia. Another

[458] Interview with Lydia, Lango, 11 April 2017. Also see "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda." 35.
[459] Interview with Lydia, Lango, 11 April 2017.

interviewee, Henrietta stated that she approached her husband's clan about his violent behaviour and the clan simply responded that they are 'tired of that man' and would take no further action against him.[460] Rather than indicating a tendency towards inaction by the clan, these responses imply that the clan do not believe that they have the power to influence the husband's behaviour. The declining power of the clan has significant implications for marriage relations and represents an avenue that is largely unavailable or ineffective for women in violent marriages.

Lydia's Story: 'When I was leaving, my husband told me to leave his children behind'

In 2006, Lydia got married at seventeen years old. For two years, her marriage proceeded smoothly before her husband began to beat her. She believes the beating started because she began to question her husband. He was a promiscuous person and when Lydia would buy household assets he would sell them or take them to another woman's home. Her husband took the mattress and blanket to the other woman leaving her to sleep uncovered on a mat on the floor. She was tired of losing the household items and told her husband to bring the other woman home to live with them. She thought that this was the only way that she could hope to keep her things. Her husband refused this and said that it was not Lydia that had control over his body but him.

Arguments ensued and Lydia's husband would punch her until she collapsed and then kick her while she lay on the floor. If the children were sick, he would vanish from home and

[460] Interview with Henrietta, Lango, 11 April 2017.

fail to provide medication for them. She took the matter to the clan (her husband's family) who caned him and in response, her husband stated that they were free to kill him. After this, he refused to attend clan meetings. Lydia left her husband's home on the 4th of April, 2012 and as she was leaving, her husband told her to leave his children behind and that if she was leaving, she must go alone. When Lydia returned to see her children, she found them at home wearing tattered clothes. Her husband had not paid their school fees and had instead left them to be cared for by his weak and elderly mother. The children were neglected; if they were sick or hungry no one was there to help them. Lydia found somewhere to rent before returning to collect her children so that they could live with her. The clan (her husband's family) supported her in this decision because they did not think the children should be left in such a deplorable state. They said that they are defeated and Lydia should try and take care of the children as best she could. Her husband did not agree with his clan and did not want Lydia to take the children back. Before coming to the CFPU, she went to collect her children after a visit with him and he beat her, told her that she was very useless, and would not let her take them. He demanded to know why she had taken him to the police and argued that the police should pay the school fees for the children as he did not have the money. Eventually, she was able to take the younger girl child with her but she left the older boy with her husband. Lydia is struggling, she has a small amount of beans but if she sells some of them to pay the school fees then she will have nothing to feed her children. Lydia hopes that the Child and Family Protection Unit (part of the police) can force her husband to pay her children's school fees.[461]

[461] Interview with Lydia, Lango, 11 April 2017.

Lydia approached the clan but her husband refused to comply to their demands which reveals that he did not respect their authority. However, Lydia still attempted to resolve the issue with the clan before pursuing other avenues which indicated that she still had respect for the clan or at least understood the importance of having their support in the matter. The clan's response to her husband's disobedience was to cane him which suggests that the use of violence is considered permissible for both men and women who are deemed to be misbehaving. When this does not have the desired effect, they supported her when she decided to take the children as they were being neglected. Although the clan were unable to control Lydia's husband and settle the dispute, they supported Lydia in removing the children from her husband and pursuing alternative means such as the Child and Family Protection Unit. Without this support, Lydia would not have been able to take the children and may have stayed within the abusive marriage in order to care for them. The clan did not have the power to control her husband but their support was important in order to enable Lydia to take her daughter. The clan's support also indicated that the husband's violence was excessive and the clan would not accept his violent behaviour.

Seeking help beyond the clan

If the clan fails to resolve the issue and the violence continues, the woman will frequently go to the Local Councillor One (LC1) for help. Local councillors are civil servants who are often involved in dispute resolution. Porter explains that their influence and perceived credibility within the community are determined by the community's faith in their leadership and their

ability to respond to the community's specific needs.[462] The responses that LC's provide vary and they will typically attempt to counsel the couple and encourage them to resolve the issue. The LC1 will attempt to avoid courts and police if possible and instead will seek to restore harmony.[463] If the violence is considered to be severe, the LC1 will suggest that the woman take the case to the police.

The Child and Family Protection Unit (CFPU) was established in 1998 by the Uganda Police Force in order to protect women and children.[464] The unit offered gender training to ensure sensitivity regarding gender issues. The CFPU is located at main police stations only and not outposts which means it is not accessible to the majority of women who live in rural areas. Another barrier that women face is that the police often require money to investigate. This is a well-known issue and the Facilitation for Peace and Development (FAPAD) held a meeting with stakeholders to discuss police corruption in November 2016. During this meeting, an MP argued that the reason for the police corruption was the poor living conditions of the officers which led to frustration when they had not eaten for two to three days.[465] This corruption and the reason behind it is explored in a report by Amnesty International that argued that women cannot afford to pursue legal remedies.[466] The report stated that police officers ask for money to pursue cases or file reports and if the person cannot afford to pay, then the case is dropped.[467] In the event of severe violence, the police

[462] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 146.
[463] "Women's Rights in Uganda: Gaps between Policy and Practice." 15.
[464] Benjamin Namanya, "Spousal Assault and the Child and Family Protection Unit (Cfpu) of the Uganda Police Force," *Police Practice and Research: An International Journal* 9, no. 1 (2008). 31.
[465] Fieldwork notes, Lango, Uganda. 12 November 2016.
[466] "'I Can't Afford Justice' Violence against Women in Uganda Continues Unchecked and Unpunished," in *Amnesty International Publications* (London: Amnesty International 2010).
[467] Ibid.

may not have the money to go and arrest the suspect and police outposts generally do not have motorbikes or fuel and can be reliant on Boda Boda's for transport.[468] As well as a lack of funding to pursue the case, reports indicate that male police officers do not respond appropriately to domestic violence complaints from women and advise them to return home and examine their own actions that led to the violent response.[469] The CFPU is difficult to access for rural women and the police positioned at outposts may encourage the woman to return to her abusive husband or require money in order to investigate cases of domestic violence. Within this context, domestic violence refers to the most extreme cases of violence and generally does not encompass everyday occurrences.

Associated with the police force is the court system which has been accused of being plagued by corruption and inefficiency. During the FAPAD meeting concerning police corruption an attendee stated that often the court system would be guilty of 'eating from both sides' meaning that they would take bribes from both the complainant and defendant and would decide the outcome of the case based on who could raise the most money for the bribe.[470] Porter also argues that one respondent did not pursue a rape case in court because she had determined that her rapist would be able to raise more money for bribes than she could.[471] Corruption was discussed at a community meeting in Dokolo, where a man who worked in a health care centre stated that he had treated a child who had been raped and the police had been given 200 000 shillings and the sub-county staff had been given 100 000 shillings for the case to be dropped.[472] The court corruption and barriers that women face

[468] Fieldwork notes, Lango, Uganda. 12 November 2016.
[469] "'I Can't Afford Justice' Violence against Women in Uganda Continues Unchecked and Unpunished." 21.
[470] Fieldwork notes, Lango, Uganda. 12 November 2016.
[471] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 148.
[472] Fieldwork notes, Lango, Uganda. 2 November 2016.

when attempting to pursue a criminal case indicate that there is no accessible or functioning legal route available for women who experience domestic violence.

The two examples below are taken from interviews that were held at the Child and Family Protection Unit in April 2017. These accounts indicate what kind of violence women experience in marriage, at what point they are likely to pursue legal recourse, and the potential barriers to accessing legal remedies. Henrietta's story illustrates the difficulty women encounter when pursuing justice within the context of poverty. While Carrie's story highlights that the assistance that women receive (in terms of the CFPU successfully ordering their husbands to pay school fees) is temporary and impractical.

Henrietta's Story: '*The Local Councillor (LC) told me to arrest him but there was even no money for arresting him*'

Henrietta lives in Lira and was married in 2005 at seventeen years old. Her husband is a driver and whenever he gets paid, he starts drinking alcohol and spending time with other women. Henrietta is used to this pattern, however, this time her husband has not returned and she believes he has moved to another woman. Henrietta has experienced severe and ongoing domestic violence, the remnants of which, can be seen in the various scars visible on her body. He hit her mouth and she needed stiches. He used the iron bar from a car to beat her resulting in broken bones and lacerations. After one of these beatings, Henrietta went to the local councillor (LC) for help and the LC told her to arrest him but she did not have the money for this as the police would have needed her to pay for the Boda Boda transport to travel to the village and arrest him. Since her husband has left, she is unable to afford the rent for the

house that she and the children are living in and she has no money for food for the children. Henrietta approached her husband's clan for help but they responded to her by stating that they were tired of that man. Henrietta's own parents have passed away and her uncle is trying to help but is struggling with the case as he thinks the man is trying to fool him and he is getting tired. She has reported her husband to the police once before, and he agreed to pay the rent and leave money for food but it only lasted for one week. Henrietta hopes that this time the police will arrest him if he refuses to pay the children's school fees. She is adamant that she does not want her husband back.[473]

Carrie's Story: '*I lived in difficulties, fighting and being chased away*'

Carrie is thirty-two years old and reflecting on her difficult marriage. She had two children with her husband. At first, the marriage was happy, but it quickly soured. Carrie's husband began to beat her and chase her so that she was forced to sleep outside. He would deny her food and gather all of her clothes before taking them outside and burning them. On many occasions, Carrie discussed her husband's mistreatment with the clan (the husband's family) but if her husband was called to a meeting, he would storm out in the middle and refuse to discuss the problem.

Carrie believed that her husband was acting this way because he was having multiple affairs. She was worried about the extra-marital sex, and got tested for HIV. She discovered that she was HIV positive. Her husband was also positive, but despite this, he tried to prevent

[473] Interview with Henrietta, Lango, 11 April 2017.

her from getting medication. Carrie reported the abuse to the police outpost a minimum of four times. Frustrated by her husband's treatment, she decided to leave the marriage. She went to her father in law and the clan chief (her husband's clan) and discussed the matter. They allowed her to leave with her two children and return to her clans home. Carrie was forced to come to the Child and Family Protection Unit (CFPU) because she could not pay the children's school fees alone. At first, she was given a letter by the CFPU to give to her husband but despite this letter, her husband only paid half of the school fees before subsequently refusing to pay entirely. Carrie knows that her husband has enough money to pay the fees as when they were married she helped him build a house near Lango college which is now being rented out. She is not demanding that the man pay for food for the children as she cultivates her own food but she is certain that she cannot pay the school fees alone.[474]

Both women state that they had pursued other remedies before coming to the police suggesting that going to the police is not the first point of contact. This could be due to the belief that domestic violence is a 'private' matter and should be solved within the home. It could also indicate the pressure that women face due to living on their husband's land surrounded by his clan. Women can face judgement by the clan and wider community if they pursue legal remedies as they are considered to be bringing a brother/son 'before the law'. This was also found in a Human Rights Report which stated,

> …battered women rarely report domestic violence cases due to their lack of confidence in the legal system, and, in the cases which they do report, law enforcement officials rarely intervene to protect women. A wife who reports her husband to the police for beating her faces social stigmatisation for exposing family matters to the public.[475]

[474] Interview with Carrie, Lango, 11 April 2017.
[475] "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda." 13.

Within these two cases, the women approached the clan to discuss the matter before the clan admitted that they could not help and the women then approached the police. Henrietta experienced severe domestic violence but did not initially report the violence to the police and instead went to the LC. The violence she describes (being hit with an iron bar resulting in stitches) would have exceeded the socially acceptable limits of violence within marriage and it is unsurprising that the LC advised Henrietta to go to the police and request that her husband be arrested. Henrietta encountered a common problem that acted as a barrier to her taking the case to the police-she did not have enough money and so the domestic violence case was never pursued.

It is later, when Henrietta recounts that her husband left her and the children, that she approaches the clan for help. The clan's response, that they are 'tired of that man' is a response that is typically given by the clan when they have tried and failed to change one of their clan member's behaviour. As noted in the section above, the power and authority of the clan has declined and members will often refuse to comply to demands leaving the clan powerless to enact any change. Henrietta may have known this as she did not approach the clan when she experienced domestic violence. She may instead be approaching the clan now as a courtesy before she takes the matter to the police. The police appear to be Henrietta's last resort to get rent and school fees paid. She has previously reported her husband to the police which resulted in rent and food for one week so the police represent a temporary measure which requires frequent follow ups.

Carrie reports excessive and unjustified violence. She went to the clan multiple times but her husband would storm out of clan meetings and refuse to discuss anything. The clan did not have power over Carrie's husband and he was not wary of potential repercussions. Carrie's husband attempted to prevent her from taking HIV medication which is another form of abuse. Carrie states that she reported the abuse to the police outpost but the police response was lacking and did not promote any lasting changes. Carrie discussed the matter with her husband's clan and they supported her in leaving the marriage with her two children. Carrie's engagement with her husband's clan and the fact that she alerted them to the issues and gave them the opportunity to solve them first may have influenced the clan's decision to allow her to leave with the children. A woman taking her children upon the dissolution of a marriage is uncommon. Women may be strategic in their decision of whether and when to include the clan in issues of domestic violence. They are aware of the potential benefits and repercussions of approaching the police for help. Carrie approached the CFPU when she needed money to pay school fees and knew that her husband was capable of paying.

NGOs and the Gender-Based Violence Shelter

The Gender Based Violence Shelter is located in Lira town. It is a large compound with three buildings on a quiet road surrounded by chain link fences and barbed wire. The shelter is considered to be temporary accommodation for women but the location can cause accessibility issues as it is located in the town. The shelter is run by the NGO ActionAid and employs workers who can counsel women on their rights and take them for medical care or

to file police reports.[476] The shelter employs a strategic method of combining international and local approaches to gender violence. The case study below demonstrates this method as Iris was counselled by the shelter when she left her abusive husband. Iris was a very religious woman who had married her husband with the assumption that it would be a monogamous relationship. Unfortunately, Iris's husband was already married, and this led to problems between them.

Iris's Story: '*I am bad because I want to be the only wife*'

In 2005, Iris met a man and they got married. She was a Seventh Day Adventist who firmly believed in monogamy and her husband was a Catholic. After the marriage, her husband took her home and she discovered that there were children there. Her husband admitted that they were his and he was married but had chased the other woman away. He had decided not to tell Iris as he knew that she would refuse to marry him otherwise. Iris stayed and looked after the children as if they were her own. Later on, she had a child with her husband and it was after this that they began to quarrel. Iris's husband would come home late from work and if she questioned him on where he had been he would accuse her of giving him a hard time. The arguments escalated and he began to physically fight her, beat her, and leave her in the house without any food or money. Iris became pregnant again and her husband continued the abuse so she decided to seek help. She went to the LC for help who called her husband to speak with them together. The LC berated Iris's husband for beating her and leaving her without any food or support. The couple were told to return home and settle the matter and

[476] Brian Mutebi and Ephraim Kasozi, "A Second Chance for Victims of Gender Based Violence," *The Daily Monitor* 2014.

her husband promised to improve. A week passed and her husband would come home drunk every night and beat her. Some nights she would not sleep at home to try and escape the violence. Iris was weak and pregnant and could not fight back. She heard about a gender based violence (GBV) office in Lira on the radio and decided to go to them for help.

At the shelter, Iris met a woman called Pamela who opened a case for her and accompanied her to the police station to file a report. They then went to the hospital to ensure that Iris had not miscarried due to the violence. Pamela called Iris's husband and asked him to come and speak to them. He was very angry and rude and told Iris not to return home as she had brought him before the law. The GBV office advised that she stay at the shelter as they were worried about her health. She stayed for four days before returning home. Her husband had left the house before she returned and in due time the baby was born. The next time she saw her husband was the day he came to take the baby away. Iris was distraught and went to the GBV office for help. The baby was still breastfeeding and had been taken to her husband's clan to be cared for by his mother. The GBV office went with Iris to her husband's village where violence ensued. The family did not want Iris in their village. The GBV workers intervened and said that the older child could stay but the younger child who was still breastfeeding must be returned to his mother and she must be supported.

Iris's husband would inconsistently support her so Iris embarked on a public administration and management course which she paid for by moulding bricks. The GBV office advised Iris that her life would be less stressful if she was able to support herself and did not have to rely on her husband. Iris is worried about HIV as her husband is sleeping with many other women and then will want to come home and force her into sex. Iris has tried to avoid

> this by getting up, leaving the room, and praying all night. Iris was counselled by the shelter to fulfil her wifely duties to ensure that she is not chased away. She is not having an affair and is still cooking for her husband and bringing him water to bathe but is refusing to have sex with him due to his polygamy. Iris has tried to talk to her husband's clan but they support their son and think that Iris is being greedy and that polygamy is part of their culture. They think Iris is bad because she wants to be the only wife.[477]

Iris stated that she was religious and was told by her husband that he was Catholic, and therefore monogamous. Iris's husband confirmed that it was a purposeful deception as he knew that otherwise she would not marry him. Iris questioned her husband's affairs and this is an acceptable reason for violence amongst many people as a woman should not question her husband. Iris's husband responded to this questioning with violence and by denying resources to her (economic abuse). Iris indicates that the critical moment was when her husband continued to beat her despite her pregnancy. This suggests that it was for the protection of her child rather than herself that Iris decided to seek help. Iris first went to the LC who counselled the couple, however, the impact of this was temporary and a week later Iris's husband was once again abusing her. It is important to note that Iris did not approach the clan in response to the violence and this may account for their future hostility and negative responses to her complaints. Instead, after the intervention of the LC did not stop the violence, Iris went to the GBV shelter for help. When the shelter called Iris's husband he was angry and stated that she should not come home. This response is indicative of how the shelter is perceived. The shelter had taken Iris to the hospital for treatment and the police

[477] Interview with Iris, Lango, 12 April 2017.

station to file a report, which demonstrates that it is a formal avenue for recourse. This removes the violence from the domestic sphere and makes it official which may account for the husband's anger.

When Iris first returned home her husband had left and it was only when the baby was born that he returned to take the children. This could be perceived as retaliation as her husband would have been aware that he had rights to the children and she did not. Although, customary law only dictates that a child who is not breastfeeding belongs to the father and his clan and so the shelter was able to support Iris in getting her baby back.[478] The clan did not support Iris in attempting to get her child back and they also were unsupportive when she complained about her husband's polygamy. It is difficult to determine whether the clan would have supported Iris regarding the domestic violence problem if she had approached them, but it was made clear to Iris that they would not support her in her issues against polygamy. The negative relationship that Iris had with her husband's clan made her situation worse as her child that was not breast feeding was taken away from her to live with the clan and there is little recourse for Iris or the shelter to pursue.

Iris was encouraged by the shelter to support herself economically as this would mean that she was less reliant on her husband and he would have less power over her. Iris followed this advice and was able to start working and pursue an educational course. She was scared of HIV infection as she knew that her husband was sleeping with multiple women. She still fulfilled her duties as a wife including cooking for her husband and gathering bathing water

[478] "Just Die Quietly: Domestic Violence and Women's Vulnerability to Hiv in Uganda." 19.

for him, but she refused to have sex with him. Iris has been counselled by the shelter to play the role of the dutiful wife in order to stay on her husband's land. If Iris is fulfilling her duties, then her husband does not have a legitimate reason to chase her away. This represents an effective resistance strategy for Iris as she is no longer experiencing violence yet can still reside on her husband's land.

4.6: Conclusion

Women encounter multiple barriers when attempting to leave a violent husband which may encourage them to stay in an abusive situation. Women conduct a cost-benefit analysis to determine whether to stay or leave and this may include determining the likelihood of them being severely beaten or killed. Women can be pressured by their natal clan to stay within an abusive relationship if the clan cannot return the bridewealth. The Domestic Violence Bill states that this is no longer necessary, but customary law still demands the return of bridewealth upon the dissolution of a marriage.[479] If a woman does not have the support of her family to leave a marriage, it can be incredibly difficult for her to survive. Women also struggle to leave abusive marriages if they do not have any living family members to support them which is not uncommon due to the LRA insurgency which resulted in many civilian deaths.

Women do not have rights to their children, which can deter them from leaving an abusive marriage. The Children Act 1997 states that both parents are responsible for their

[479] *The Domestic Violence Act 2010*.

children but customary law dictates that if bridewealth has been paid, the children belong to the man and his clan.[480] In Lydia's case study, she revealed that she was ordered by her husband to leave the children behind and when she returned to see them, it was clear that they were being neglected. This suggests that women's fears that their children will not be properly cared for are well-founded. If women are permitted to take their children with them, their natal clan may refuse to accept them if they do not have the economic resources to support them. Customary parental laws and the inability for a woman or her clan to support her children act as significant barriers to a woman leaving an abusive marriage.

Women encounter a number of obstacles when attempting to leave an abusive marriage, such as the difficulty in accessing a functioning legal system. The police can be both ineffective and corrupt concerning cases of domestic violence. The lack of legal avenues affects both the women themselves, and the advice that NGOs and LCs give to the women. Women can be counselled to endure the abuse and attempt to minimise it by not inciting their husband to violence. This encourages the woman to be subservient in order to avoid violence which entrenches men's power within the patriarchal system. This also represents the violence as being due to women's failure to adhere to the societal norms of a good wife who does not question her husband's behaviour and submits to his desires. Meredeth Turshen conducted a study on violence against women in Uganda and found that, "public opinion and law enforcement officials continue to view wife beating as a man's prerogative and rarely intervene in cases of domestic violence".[481] This reflects the lack of functioning legal avenues available for women; if domestic violence is considered to be legitimate it will

[480] *Children Act, 1997*.
[481] Meredeth Turshen, "The Political Economy of Violence against Women During Armed Conflict in Uganda," *Social Research* 67, no. 3 (2000). 817.

not be stopped. Although the NGOs are providing practical advice for the woman to avoid harm, it has repercussions as it encourages the woman to conform to societal norms and further embeds her subjugation. It strengthens the representation of violence as a normal and natural part of marriage.

Violence against women is pervasive in Northern Uganda. It is considered necessary by both men and women as long as it is exercised within socially acceptable parameters. The post-conflict context impacts representations of gender violence as there has been an influx of NGOs who advocate for gender rights and gender sensitivity training. Women have become more aware of their rights and this has created a struggle for power as women attempt to cement the gains they made during the conflict. Women do not gain power without men losing it; and men are not willing to relinquish their power and authority without a violent struggle. There are competing representations of gender violence as it is in some instances considered normal and acceptable while in other instances it is regarded as excessive and unacceptable. There are very few repercussions for men if the parameters of violence are exceeded and men can often commit violence against their wives with impunity.

Many women believe that domestic violence refers to only the most severe cases of abuse and this indicates that domestic violence rates may be far higher than reported. Violence within the post-conflict context is frequently represented as being worse than before the conflict due to alcohol abuse and poverty. However, violence was already present in society before the conflict, and it was accepted as legitimate by many. Those who saw a problem with domestic violence focused on ‘excessive’ or ‘unjustifiable’ violence, implying that within certain limits violence was acceptable. The LRA conflict has limited women’s

avenues for recourse when violence occurs. The power of the clan has severely diminished which has affected their ability to control clan members and police men's behaviour. Men faced a crisis of masculinity during their time in the IDP camps which it has been argued, led to alcoholism and an increase in violent behaviour as men attempted to regain their lost authority. Conflict represented an opportunity for women to make relative gains and many engaged in economic activities that empowered them to make more decisions within the family which challenged men's authority and led to tension within the household. When men's traditional roles are challenged, the simplest and most achievable way to re-establish their authority is through violence.

Reasons for violence that are considered legitimate within the community can be strategically used by men to re-assert their authority in post-conflict society. For women, however, the stakes are higher. Women have made gains that they do not wish to relinquish. If their economic activities have been successful, they want to continue and make their own decisions concerning where the money is re-invested or what it is spent on within the household. This challenges men's authority and men can respond to women's new economic activities by confiscating their money (or other resources). When men are questioned by their wives, they respond with violence. This violence is represented as acceptable if the women are questioning men about resources. The motivations behind the violence requires further investigation. For example, is violence occurring because men want to harm women's economic activities to ensure their continued subjugation? There is a need to investigate not only how violence against women is represented, but also the potential reasons why it is instrumentalised.

CHAPTER 5: THE POST-CONFLICT EXPERIENCES OF FORMERLY ABDUCTED WOMEN

5.1: Introduction and Context

Many women face challenges in post-conflict society due to economic hardship, in part due to camp life, and other socio-economic consequences of the LRA conflict. Additionally, gender norms that limit women's choices, pervasive alcoholism, and high levels of violence exist. Research suggests that these challenges are exacerbated for women who had been abducted by the LRA, and this chapter explores this assertion by examining gender norms, community perceptions of formerly abducted women, their post-conflict relationships, and how they navigate the post-conflict landscape. Gender norms represent an over-arching theme of the post-conflict experience. The women who returned are perceived of by the community as violating several accepted gender norms. For this reason, they are thought to be a risk to the community and are stigmatised and frequently rejected. Gender norms permeate all other aspects of the woman's life and consistently shape her post-conflict experience. As described in the previous chapter (Chapter 3) marriage is important in Northern Uganda. Due to this, previously abducted women, like other women in the community, desire to marry. This is made more difficult because of their abduction experience and they are considered to be 'undesirable' to many men. This can cause the women to enter into relationships that non-abducted women would be reluctant to pursue such as polygamous relationships where they are the second wife, or relationships with alcoholic or violent men. Evidence suggests that women who return with Children Born of

War (CBOW) find it more difficult to re-integrate and this is heavily connected to gender norms. CBOW are evidence of the mother's abduction experience and the violations she suffered while in the LRA. They represent a visible sign of the woman's non-compliance with community gender norms and are an added complication for the woman. The gender of the CBOW also potentially impacts the mother's reintegration as a girl child is less problematic than a boy child. A boy child is perceived of as a threat to the lineage as there is concern that he may lay claim to land (that belongs to either the woman's father, brother, or new husband) once older.

A woman's re-integration experience was influenced by what stage in the conflict she returned. If the woman returned early in the conflict, she was more likely to spontaneously reintegrate as the reception centres had not yet been established and the Internally Displaced People (IDP) camps did not exist. If the woman returned at a later stage, then she would often be processed in a reception centre before returning to family in the IDP camps. The length of stay was determined by the space available at the centre and staff evaluation of the returnee.[482] Centres provided counselling, skills training, and activities to help the returnees re-adjust to civilian life. Once a returnee's time in the reception centre had come to an end, they would be reunited with their family and encouraged to return with them to the IDP camps. Within these camps there was an inability to hide their LRA past due to the cramped conditions and resultant lack of privacy.

[482] Allen and Schomerus, "A Hard Homecoming: Lessons Learned from the Reception Center Process in Northern Uganda." 43.

Women would often state that they had fantasized about returning home and had frequently thought of their family while in the LRA, describing this as their motivation for survival. The reality when they returned however, was not the joyous homecoming they had anticipated. Many women had been in the bush for years and while gone their families had experienced the brutal effects of the war. Insecurity increases poverty, and the people of Northern Uganda were victim to both. The volatile LRA context increased cattle rustling by members of the Karomojong society draining many people of their main livelihood. The majority of the population were forced to live in IDP camps, the conditions of which, quickly devolved into a humanitarian emergency. Grace Akallo describes life in the camps,

> Living in the camps, without work or a way to grow food, causes all of life to revolve around surviving. Most marriages fall apart, so children are raised by their mothers alone. The fathers go off and don't return because they don't know how to provide for their families. Mothers spend their energy trying to find food, so there is no parenting of the children.[483]

The IDP camps were far removed from the normal village life. The life that these women had fantasized about had ceased to exist.

In 2000, a controversial Amnesty Act was approved in the Ugandan parliament in order to "…end armed hostilities, reconcile with those who have caused suffering and rebuild their communities…".[484] Resettlement and re-integration were an important part of the act and once a returnee had applied and received an amnesty package, they could apply for resettlement support. A resettlement package usually consisted of basic household utensils,

[483] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 195.
[484] *The Amnesty Act, 2000*.

a mattress, farming tools, beans and maize seeds, and 260,000UGX in cash (this is approximately 58 GBP or 70 USD-a considerable sum for much of the population).[485] These packages created hostility between the returnees and the rest of the population because other LRA victims, e.g. those who were displaced by the conflict, were not aided in a comparable way. For example, those returning from the IDP camps had lost many of their household items as they could not bring everything with them. Also, looting was common and people in the IDP camps frequently returned home to damaged property. Many people also experienced LRA raids on IDP camps which increased their risk of injury and traumatisation. Yet, people who returned from the camps did not receive as much assistance as those who returned from the LRA. This hierarchy of victimhood that distinguished between the 'deserving' of aid versus the 'undeserving' created animosity. Those who had suffered in the IDP camps were resentful of the LRA returnees, and thought the latter had benefited unjustly from their abduction.

5.2: Gender Norms

Women who returned from the LRA often encounter stigmatisation by their community as a result of their non-conformity to gender norms. Abducted women had been forced to undergo military training and participate in fighting until they were assigned as forced wives and typically became mothers.[486] Upon return to their community, women were expected to conform to traditional gender norms that require women to be submissive and not question

[485] Kasper Agger, "An Essential Tool for Helping End the Lra Is Lost: Uganda's Amnesty Law Not Renewed," https://enoughproject.org/blog/essential-tool-helping-end-lra-lost-uganda-amnesty-law-not-renewed.
[486] Gen and International, "The Lord's Resistance Army's Forced Wife System."

a man's authority.[487] Many women found this adjustment difficult as they were used to the LRA structure where women could assume command positions and be entitled to respect from lower ranking male soldiers.[488] Teddy Atim describes how women learned survival strategies during the war which sometimes were in contradiction of traditional norms of male dominance.[489] The reluctance of LRA female veterans to defer to male authority can create tensions within the family and community and lead to the rejection of the woman on the basis that she is not acting femininely enough or is 'aggressive'. One consequence of this is that female LRA returnees experience difficulty when they attempt to find a partner as men worry that their wives might harm them.[490] Related to this is the idea that women who have returned from the LRA have experienced such immense brutality that they neither fear men nor do they fear the threat of being beaten. Men feel unable to control these women through the use of violence and this may contribute to their rejection of such women on the grounds that the latter violate gender norms. Grace Akallo provides an important example in her memoire of her time in the LRA. Grace had escaped from LRA captivity with a group of other fighters and had been taken to some barracks where she was told to wait for transportation. During her stay at the barracks, a soldier attempted to rape her:

> …he ordered me to remove my clothes and said he would shoot me if I did not do it. This boy is joking, I thought. I have passed through fire, and he thinks I will be afraid and obey him. 'Remove your clothes,' he screamed at me. 'No', I said. 'Do you see these?' he said, pointing at his gun and knife. He pulled me down, but I grabbed the knife from him and told him to hand the gun to me. I put the knife blade to his stomach. There was no way he was going to get his gun around and shoot me. I took the gun, too, and just walked out. [491]

[487] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 70.
[488] Gen and International, "The Lord's Resistance Army's Forced Wife System."
[489] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 570.
[490] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 70.
[491] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 179.

In Grace's account, the soldier expected Grace to submit and not resist the rape. Grace used her military training and her experience in the LRA to prevent the soldier from raping her. Her reaction is also informative, as she does not feel afraid of this soldier because of her experiences in the LRA. Grace's lack of fear surrounding the threat of violence makes her a threat to peace-time gender norms. Violence is used by men as a way of 'teaching' women and ensuring they fulfil their duties. Women who are no longer afraid of violence threaten this power. Upon their return, some women found it difficult to disregard their training and defer to male family and community members. This increased their stigmatisation as they no longer fit the perception of the ideal woman.

The non-adherence to traditional gender norms led to community perceptions of LRA returnees being rude, aggressive, ill-tempered, and 'not settled in the mind'.[492] Furthermore, women were feared because of their association with the LRA violence and the perception that they too were violent.[493] The LRA was known to force new recruits into committing acts of violence such as killing family members or neighbours so this was a likely scenario and in a recent study, 57% of abducted females reported perpetrating some form of violence, looting, beating, or killing.[494] Reports suggest that family members were joyful when the person first returned but were also fearful and uncertain as they worried that the returnee had committed an atrocity.[495] It is unlikely that any returnee would have survived the LRA without

[492] Veale and Stavrou, *Violence, Reconciliation, and Identity: The Reintegration of Lord's Resistance Army Child Abductees in Northern Uganda*. 286.
[493] Joanne Corbin, "Returning Home: Resettlement of Formerly Abducted Children in Northern Uganda," *Disasters* 32, no. 2 (2008). 329.
[494] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 54.
[495] Veale and Stavrou, *Violence, Reconciliation, and Identity: The Reintegration of Lord's Resistance Army Child Abductees in Northern Uganda*. 286.

committing an act of violence. Although, returnees who confessed that they had killed people while in the LRA community endured harassment, discrimination, and were repeatedly referred to as 'killer' within the community.[496] Returnees who did not admit to killing were also discriminated against and referred to as '*Otongtong*'[497] meaning killer.

The following case study explores some of these themes as Annet was abducted by the LRA and forced to become a Ting-Ting. Annet found her return to the community difficult and although she had never been a forced wife, there was a common belief that she had been raped by the LRA.

Annet's Story: *"I was called Otongtong, killer, and mad…I was a Ting-Ting but people believed the LRA had slept with me"*

Annet was abducted by the LRA when she was in primary school and was both a fighter and a Ting-Ting. She explains, "we were told that those guns of yours, if you are not shot dead you should not leave it. When you're now shot dead then you can throw the gun down. Even if people are engaged in battle and however much the battle is, you can leave everything else but not the gun". When Annet escaped from the LRA, she stayed in Rakele for one month and describes how people used to come and visit the returnees to check if their child was there. On one such visit, a neighbour had come to check if her child had returned and coincidentally found Annet, recognized her, and told her parents where she was. When Annet's mother went to check on her she had forgotten how to speak Langi and her mother was talking to

[496] Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability." 231.
[497] Interview with Sylvia, Lango, 3 April 2017.

her but Annet could not understand what she was saying. Her mother began to cry and pray. Annet continued to stay at Rakele and her mother continued to visit her; eventually she began to understand what her mother was saying but could not respond. After some time, Annet was taken back home.

At home, Annet had problems because she sometimes could not understand her parents. Her memories from the LRA haunted her as each day in the LRA she would see many deaths. She describes how she did not worry anymore that death was painful, and instead would only worry that she was still alive. Annet states that if she saw someone in the village grieving or worrying about a person who died she would think that those people were mentally unstable. She recounts that people would insult her in the village. They would say that she was *Otongtong* and LRA killer and was mad. They would state that the LRA had abducted and slept with her.

Annet is now married to a man who was never abducted and she states that he does not understand her experiences and does not take it well. Her husband does not farm to support his family. Annet and her husband have four children but her husband does not support them and instead leaves her to care for them. Her husband does not take the children to school and she cannot afford the fees so they have been chased home from school without sitting their exams. Her husband does not provide clothes and takes anything that she manages to make. For example, if she has reared some chickens he will come and take them and will not talk to her about it. Annet has tried to take these issues to the clan but his father and mother are dead and his brother simply states that her husband has defeated them. This

> means that the clan feel that they cannot control their clan member and will no longer try to influence his behaviour.[498]

Annet's post-conflict experience was shaped by the gender norms that she no longer conformed to. The stigma she experienced was based on community assumptions about her LRA past. Although Annet was a Ting-Ting, the community still believed that she had been 'slept with' by the LRA. In reality, evidence suggests that the LRA maintained strict rules surrounding sexual relations in the camps and Annet's status as a Ting-Ting would have meant that she was protected from sexual violence by other LRA soldiers.[499] The belief that women in the LRA experienced gang rape is pervasive and it is difficult to determine why this is so. One explanation is that this is another avenue in which the community can 'other' returnees and justify their discriminatory behaviour towards them. Annet also explains that she was inured to death because of her experiences in the bush and the multitude of people she witnessed being killed. She believes that this de-sensitization contributed to her post-conflict experience. Annet feels as though her husband does not empathize with her experience or 'take it well' and that he frequently fails to provide for her and her children and in fact thwarts her attempts to make money or cultivate food. Annet's case is an example that women who were abducted have negative post-conflict relationships because they no longer conform to gender norms. Their negative experience is consistent whether they were kept as forced wives and regardless of whether or not they returned with CBOW.

[498] Interview with Annet, Lango, 10 April, 2017.
[499] Some instances of un-sanctioned rape in the LRA have been reported but they are rare.

5.3: Community Perceptions of Previously Abducted Women

How returning women are portrayed in the community has significant implications for their post-conflict experience. Kiconco found that community members accuse women of being 'willing wives' of the rebels rather than captives who acted under threat of extreme violence. This places the woman in the category of 'enemy' rather than 'victim' or 'survivor'. Women also experienced shame as a result of their sexual violation which is similar to the shame reported by rape victims more generally.[500] Evidence suggests that women who reported sexual violence faced significantly more stigma and poorer community relations.[501] For example, women suffered from taunts from male community members who would refer to them as 'used products' or women who have 'lost their taste'.[502] The community perception of the women as 'willing wives' and 'used' negatively influence the woman's post-conflict experience.

Two beliefs about LRA forced wives are common in receptor communities; that they were willing wives, and that gang rape occurred within the LRA and therefore STD's were endemic among returnees.[503] There are high rates of HIV in Northern Uganda and many people fear being infected. The fear of HIV compounds the experience for returnees due to the assumption of sexual promiscuity among the LRA. Such behaviour contravenes peace time norms where a woman's 'purity' is valued and women who have multiple sexual partners or

[500] Corbin, "Returning Home: Resettlement of Formerly Abducted Children in Northern Uganda." 318.
[501] Susan McKay; Malia Robinson, "Girls Formerly Associated with Fighting Forces and Their Children: Returned and Neglected," (Coalition to Stop the Use of Child Soldiers, 2006). 6.
[502] Mazurana et al., "Girls in Fighting Forces and Groups: Their Recruitment, Participation, Demobilization, and Reintegration."
[503] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 69-70.

engage in sexual intercourse outside of the marital process are considered 'spoilt'. It also demonstrates a lack of community knowledge surrounding the strict rules regarding sexual relations within the LRA and the forced marriage system. Within the LRA, Kony took strict measures to reduce the risk of HIV spreading within the ranks of the movement (for example he allowed the forced wives of a commander to leave the LRA if it was suspected that he had died of HIV/AIDS).[504] Forced marriages were also exclusive unions and gang rape was forbidden.[505] The sexual violations that all women are believed to have suffered during their time in the LRA contribute to their overall stigmatisation by the community. The sexual abuse also contributes to the notion that these women may be infertile and as discussed in Chapter Three, reproduction is an essential component of marriage. The second assertion, that women were willing wives, indicates the belief that they were complicit with the LRA and were not abducted so should be viewed as perpetrators and assigned blame. The portrayal of returnees by the community is largely unfounded, but is another element that negatively affects their ability to re-integrate.

Women who returned from LRA captivity were thought to be mentally unwell and to possess a 'bush' mentality. For example, Annet stated that she thought there was something wrong with people grieving over loved ones who had passed away. To the community members who observed this behaviour, Annet would have appeared as insensitive at best and sociopathic at worst. It would not have been good for Annet to be perceived as either and yet what was most likely trauma was portrayed by the community as a 'bush' mentality

[504] Interview with Jennifer, Lango, 13 April 2017.
[505] Kramer, "Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the Lord's Resistance Army in Northern Uganda."

or evidence of mental instability. Associated with the 'bush mentality' is the training that women received in the LRA. If women have been trained to fight and commit acts of violence, then it is thought that they can easily be violent towards their husbands.[506] Anecdotal stories abound about women who returned from captivity and attacked their new husband.[507] However, reports have instead supplied little evidence that the majority of returnees display aggressive behaviour.[508]

Cen is part of a broader spirituality in Northern Uganda and is a spirit linked to particular experiences (some of which are shared by LRA soldiers, around death and killing). There is a belief that people returning from the LRA are contaminated by *cen* and can pass it on to other people in the household to cause negative events to occur such as crops to fail or people to become ill. This can create a situation where any negative event that occurs is attributed to *cen* and the returnee blamed causing a constant state of stigma. Formerly abducted people are thought to be 'spiritually unclean' by the community.[509] The belief that returnees possess *cen* has specific repercussions for women who wish to marry. For example, Kiconco posits that *cen* causes women to be seen as unmarriageable as they have the ability to introduce misfortune and illness to the marital home.[510] Women can be verbally abused because of the belief that they are possessed with *cen*.[511] This association with *cen* can be

[506] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 70.
[507] Fieldwork notes, Lango, Uganda. 25 October 2016.
[508] Moriah Brier Jeannie Annan, Filder Aryemo, "From "Rebel" to "Returnee": Daily Life and Reintegration for Young Soldiers in Northern Uganda," *Journal of Adolescent Research* 24, no. 6 (2009). 653.
[509] Ojok, "Young Mothers, Marriage, and Reintegration in Northern Uganda: Considerations for the Juba Peace Talks." 7.
[510] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 70.
[511] Gabriele Rosenthal Artur Bogner, "Rebels in Northern Uganda after Their Return to Civilian Life: Between a Strong We-Image and Experiences of Isolation and Discrimination," *Canadian Journal of African Studies* 51, no. 2 (2017).

instrumentalised to subdue women and ensure that they conform to the familial or societal expectation of subordination as many women are frightened of being told that they have *cen*.

As previously mentioned, many returnees received a resettlement package to aid in their re-integration into the community. This created resentment as it meant that in many cases, those who returned, had more economic advantages than those who were never abducted. As well as re-insertion packages, many female returnees were offered vocational training and support to care for their CBOW. Targeting specific groups for assistance has been shown to lead to stigmatisation by the community and the development of social divisions.[512] Many people struggle to afford school fees to send their children to school and the sponsorship of returnees and their children meant that jealousies were created and there was a sense of 'visible' versus 'invisible' victims.[513] As Atim argues, it was difficult for families to support the LRA returnees and accept them into the community when they felt their needs were being ignored.[514]

Reintegration would develop its own dynamic: women could be accepted by the community initially before being rejected or subjected to stigmatisation at a later stage. 40% of females reported problems with their community at some point after their return.[515] Returnees often shared their re-insertion packages with their family and there are reports of family calling the returnee names and becoming unfriendly once they realised that the aid

[512] Susan McKay et al., "Building Meaningful Participation in Reintegration among War-Affected Young Mothers in Liberia, Sierra Leone and Northern Uganda," *Intervention* 9, no. 2 (2011). 2.
[513] Ibid. 5.
[514] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 573.
[515] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 55.

items would not be continued.[516] Community members who were once welcoming could turn against the woman and use her experiences in the LRA against her when pursuing cases such as land grabbing (this will be further explored in Sylvia's case study). The perception of the returnees by the community had considerable effects on their lives.

Women's abduction and captivity can also be instrumentalised to gain advantages in disputes such as 'land grabbing' cases. Sylvia's post conflict experience was difficult. She initially was placed in a reception centre before being reunited with her sister and mother in an IDP camp. At first, Sylvia describes how she was accepted by the community but this quickly changed after the death of her mother and the community began discriminating against her and attempting to 'land grab' the land that she and her sister had inherited. This demonstrates that the post-conflict experience, especially regarding community acceptance, is fluid and not static. Sylvia also discusses her post-conflict relationship which illustrates the negative influence that the husband's clan can have on the marriage. Sylvia's story continues from Chapter Two where she recounted her experience of abduction and being a forced wife within the LRA.

Sylvia's Story: "*The words from his people were too much to bear; his people did not want me.*"

The rain pattered against the tin roof as Sylvia lay awake in the makeshift shelter. She reflected on the past few months. She had escaped from the bush and spent two and a half

[516] Allen and Schomerus, "A Hard Homecoming: Lessons Learned from the Reception Center Process in Northern Uganda." 26.

months at World Vision and then another two and a half months at Rachele. At the reception centres, there were no problems as there was food, shelter, and clothing. Sylvia's mother arrived to collect her and she discovered that her father had died while she was in the bush. Sylvia was brought to the Apala internally displaced people (IDP) camp where her sister had tried to construct a shelter for them to stay in, but despite her best efforts; whenever it rained, they were all soaked. Life in the camp was difficult as there was nothing to eat and they did not have a house. Sylvia tried to go back to school but found that she could no longer concentrate. When they moved back to the village, Sylvia's neighbours were kind to her and loved her. However, shortly after the death of her mother, Sylvia's neighbours began to insult her and treat her unkindly. During this difficult time, Sylvia met a man who would bring them food. She went to this man's home and became his second wife despite the fact she would have preferred to be the only one. Sylvia's husband asked her about her bush experiences so she told him and he was very understanding. Sylvia and her husband had four children together. Sylvia's co-wife became jealous and began to approach their husband's parents with lies about her wrongdoings and the parents would then confront her and accuse her of things. The relationship collapsed and people began to call her '*Otongtong*' meaning killer and her CBOW '*Ogwangogwang*' meaning wild cat. Sylvia decided to leave and return to her home and she laments that the marriage was good between her and her husband but the words from his people were too much to bear; his people did not want her. Sylvia's husband does not provide for their children together and she believes it is because she left his home.

Back home with six children Sylvia is struggling to provide for them. A sponsorship from Rachele is paying school fees for one of the CBOW, however, there are other things necessary for school that they are not paying. Sylvia describes that her son has fought with

people as they were calling him child of a killer. She believes that the children say these things because they hear the elders say them. One day, Sylvia was walking along the road and she heard some people in the garden saying that she was *Otongtong* and that she came back with a gun. She felt very bad and then became angry and thought about entering the bush and getting a stick to start beating them with but her heart told her to let those people be and she threw the stick away and just walked away quietly. When people say she represents Kony it hurts the most because she did not write a letter to be Kony, instead she was abducted when she was studying.

People started rumours about Sylvia and said that while in the bush she would come back and give her mother money. She believes people are motivated to discriminate against her because of her land. Her parents had two girls and when they died, Sylvia and her sister inherited a huge amount of land. People began to mistreat them because they wanted them to leave home. Sylvia and her sister stood firm and because of this, they are being mistreated by people. People send witchcraft (charms) to get them to leave.

Sylvia has no desire to establish a relationship with her commander husband's kin. The commander was killed during fighting at the time of the peace talks. She knows where his village is, but states that they do not know her there and besides, the government does not allow her to go there. She states that some commanders took their children to their village when the fighting was intense but when their mothers came back they would mention where their children were and people would go and collect them. Sylvia explains that they cannot allow the child to stay there because the mother was not married.

> Sylvia believes that her children will continue to be stigmatised and their only hope is to gain an education so that they do not miss out like she has. She thinks the government should pass a law concerning those things being said and if the law has been passed then whoever breaks the law should be prosecuted to discourage them. Sylvia will not go to the LC about any of her problems as she does not trust them. Instead, she states, her hope is on the children.[517]

Sylvia's story demonstrates some key issues that women must contend with upon re-integration. As previously mentioned, her abduction experience was used strategically by the community to justify their attempts at land grabbing. Sylvia also had a difficult relationship with her new partner's clan. Moreover, Sylvia's CBOW were stigmatised within the community and she struggles to provide for them. She explains her reasoning for not taking the children to her husband's clan as she at first states that the government will not allow it before adding that the child cannot stay because the mother was not married. These themes will be explored in more detail in the following section.

5.4: Children Born of War

As a result of their forced relationships during captivity, many women returned with CBOW. LRA marriages were not perceived as legitimate by either the community or the women who were being married – often against their will. Due to this lack of legitimacy, women's experiences were shaped by their status as an unmarried mother. In Northern Uganda,

[517] Interview with Sylvia, Lango, 3 April 2017.

Mukasa describes that, “single motherhood is condemned by society”.[518] Single mothers are generally outcast and being associated with the LRA added another layer of stigma.[519] Women can be referred to as having ‘rebel kids’ because of the paternity of the child. [520] They might also be thought of as a failure or disgrace due to the difficulty they encounter when attempting to get married and attain bridewealth, which is made challenging due to their past abduction experience.[521] Boy children of a single mother have been referred to as ‘hyena’ by the mother’s family and within the wider community and this has a derogatory meaning which is derived from the animal’s association with destructiveness.[522] Hyenas are understood as exploitative making the comparison to a male CBOW unquestionably negative. This perception is related to inheritance for the male CBOW and the mother’s male relatives can be particularly unwelcoming due to the fear that the CBOW will try and take land from them and their children.[523] This amplifies the perception of the child being an intruder and the paternity of the child contributes an additional layer of discrimination.

As previously discussed, one hypothesis is that women who returned from the LRA with CBOW are more vulnerable to negative re-integration experiences because the children are a visible proof of their sexual violation by the LRA. The paternity of the child’s father as an LRA rebel can cause the community to refer to the child as a ‘bastard’ or ‘from the bush’.[524] It is difficult to hide the circumstances of a CBOW’s birth as a woman’s abduction was often

[518] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 357.
[519] Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord’s Resistance Army." 79.
[520] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 361.
[521] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 570.
[522] Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord’s Resistance Army." 79.
[523] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 569.
[524] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 357.

common knowledge within the community so if she returned with a child it was assumed to be conceived during her captivity.[525] The stigmatisation that CBOW encounter within their community has a significant effect on their mothers. The experience of the mother cannot be examined in isolation of the experiences of the child. Women suffer discrimination as a result of their CBOW, and are further distressed by their child's negative experiences with the community and their inability to mitigate this.

Discrimination is not limited to the community, and instead many CBOW report that they are discriminated against by their parents, step-fathers, caregivers, siblings (born in the post-war period), grandparents, and other extended family.[526] They can often be seen as an unwanted economic burden by the family.[527] Rumours about the LRA abound and the presence of CBOW also caused the community to believe that the mother and child have a direct link to the LRA rebels.[528] The discrimination that CBOW face has an undeniable impact on their mother who can be told to 'take their child back to the father in the bush'.[529] Mothers can experience rejection from their family due to the presence of the CBOW and are left with limited options which can include leaving with their children, or abandoning their children to become homeless or street children.[530] The negative stereotypes that women and their CBOW encountered upon their return were amplified for families in IDP camps as when abductees returned with children, they were perceived to be representative of the origins of

[525] McKay, "Reconstructing Fragile Lives: Girls' Social Reintegration in Northern Uganda and Sierra Leone." 25.
[526] Lakor, "When War Is Better Than Peace: The Post-Conflict Realities of Children Born of Wartime Rape in Northern Uganda." 260.
[527] Virginie Ladisch, "From Rejection to Redress: Overcoming Legacies of Conflict-Related Sexual Violence in Northern Uganda," in *Children and Youth* (International Center for Transitional Justice 2015). 17.
[528] Akello, "Reintegration of Former Child Soldiers in Northern Uganda: Coming to Terms with Children's Agency and Accountability." 235.
[529] "Experiences of Forced Mothers in Northern Uganda: The Legacy of War." 152.
[530] Ladisch, "From Rejection to Redress: Overcoming Legacies of Conflict-Related Sexual Violence in Northern Uganda." 17.

the camp misery for the families and thus made acceptance of the women even more difficult than that of non-mothers.

Women who returned with male children experienced increased challenges to their re-integration by both their family and their potential new partner. This is connected to the patrilineal land inheritance system. Families are reluctant to accept male CBOW because they do not want them to compete with the 'legitimate' male children for land and other family resources.[531] Atim describes the ambiguous social belonging of the child as they are viewed as temporarily in the mother's clan but not belonging to the father's clan.[532] Fathers cannot claim the child unless they pay *Luk* which is generally unavailable to rebel fathers.[533] The suggestion that the fathers could pay *Luk* is problematic for several reasons. Firstly, there is reluctance from the mothers to demand support from fathers as they typically do not want to have contact with them.[534] Secondly, Evelyn Amony discusses in her memoir that she went to Kony's clan with some of his other forced wives to discuss land inheritance for their children. While there, Kony's clan said they would need to discuss the practicalities of the land distribution as there were simply too many children and not enough land.[535] This indicates that it is not as simple as paying *Luk* (if the father or his clan even have a desire to do so) and having the child be accepted as legitimate. The number of children that any one commander fathered in the LRA would be overwhelming and could not be absorbed into the clan following the established inheritance system.

[531] Ochen, "Children and Young Mothers' Agency in the Context of Conflict: A Review of the Experiences of Formerly Abducted Young People in Northern Uganda." 190.
[532] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 565.
[533] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 362.
[534] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 46.
[535] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 149.

Mothers of male CBOW in rare cases will return to their LRA husband as it is the only option to secure resources for their child, however, this option is not always available as many do not know where the father is or if he is alive.[536] If the woman does return to her LRA husband this has implications for her health and well-being as nearly all returnees do not wish to live with their former LRA husband.[537] This was echoed by Sylvia in her story (above) as she states that she hated her LRA husband and would not wish to return to him were he alive.[538] In a Save the Children report it was found that women who did return to their LRA commanders were physically and sexually abused and struggled to ensure that their needs and the needs of their children were met.[539] Other women stated that they did not know where the father was or worried they would not be accepted by his kin.[540]

If a woman is welcomed back by her family, it does not guarantee that her CBOW will be accepted, too. This implies that the mother is perceived to be independent of the child and creates a dilemma where the mother must choose between reintegration with her family and caring for her child. If the child is initially accepted along with the mother, they can still face discrimination and rejection by the family at a later stage. Grace Acan recounts that when she left her CBOW with her family in order to attend school in Kampala she returned to find that her step sister and step mother were treating her daughter poorly and isolating her.[541] The poor treatment of CBOW is common and Apio explains that girls who return pregnant are

[536] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 575.
[537] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 40.
[538] Interview with Sylvia, Lango, 3 April 2017.
[539] Robinson, "Girls Formerly Associated with Fighting Forces and Their Children: Returned and Neglected." 8.
[540] Akello, "Experiences of Forced Mothers in Northern Uganda: The Legacy of War." 152.
[541] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 182.

held back in rehabilitation centres until the birth of their child to ensure that their families do not force them to abort the baby.[542] If the CBOW is rejected by the family, the woman can move to an urban area and attempt to provide for the child alone, or can abandon their child because they are unable to care for them without familial support.[543] If the CBOW are accepted, studies suggest that they are prone to be the victim of abuse by family members with children being disproportionately targeted for punishment.[544] An ICTJ report found that CBOW were subjected to less food and basic supplies, and were vulnerable to physical and sexual abuse.[545] Women who return with CBOW face difficulties whether their children are accepted by their family or not, but rejection or acceptance have the ability to significantly complicate and shape these difficulties.

Justine returned from the LRA with CBOW and her case study explores the difficulties experienced by women in her circumstances. Justine's CBOW were discriminated against by her husband and she eventually sent them away to live with a relative due to this treatment.

Justine's Story: *"He liked bullying those children (CBOW) so much. He didn't treat them the way he was treating his"*

[542] Apio, "Challenges of Integrating Children Born in Armed Conflict; a Study of Children Born of the Lord's Resistance Army, Gulu Municipality, 1990-2003." 9.
[543] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 361.
[544] Akello, "Experiences of Forced Mothers in Northern Uganda: The Legacy of War." 152.
[545] Ladisch, "From Rejection to Redress: Overcoming Legacies of Conflict-Related Sexual Violence in Northern Uganda." 18.

Justine escaped from the LRA after her husband was shot and killed because she was worried that the LRA was planning to travel to Sudan where she knew life would be difficult without her husband's support. Before his death, Justine's husband had confided to her that he was from Puranga and that his father had married a Langi, but he did not tell her the precise village or the clan name. Prior to his death, Justine had a positive relationship with her LRA husband and stated that she loved him so had she known the location of his village or the name of his clan, she may have gone to them. When Justine first returned, she lived with her mother in the camp and she described how she felt stigmatised. She stated that a certain person in the camp tried to disturb her and would tell her that her child was a grandchild to Kony and that she should take him back where he came from. Justine decided to call the LC and related the incident to them. The LC called the woman and warned her against such behaviour and the woman has not brought it up again. Justine states that she was the only person who tried to disturb her in the camp.

After Justine's return, she got married and had three children. Her husband has never been abducted and does not bring up her LRA past during arguments. Justine sent her children from her LRA marriage (CBOW) away when she realised that her husband did not like them. She stated that he would bully them and treat them differently from his own children. For example, he would not buy them clothes and she could see the discrepancy between her CBOW and her children with her husband. As a result of this bullying and discrimination, Justine took the children back to her family's home where her brother still lives and is taking care of them (her parents have passed away). Justine's husband becomes violent when he drinks and often tries to fight her. He once beat her and she went to his clan who counselled

> him and he has not fought her since. Justine laments that the biggest difference between her LRA marriage and her current marriage is that her LRA husband never fought her.[546]

Justine's story is an example of a common theme of CBOW being rejected by their mother's new partner.[547] If the partner does accept the CBOW, he will often treat them differently to his own biological children. This is demonstrated in Justine's story, as she explains that she sent her CBOW to live with her brother after she realised that her new partner was bullying them. She describes how he would withhold food, and not pay for basic school supplies.[548] It has been argued that the differential treatment that CBOW can receive compared to the biological children of the new partner is similar to how other children born outside of the current marriage would be treated.[549] Yet, a difference is that the CBOW often endure specific insults related to the identity of their fathers such as 'rebel child' or 'child of a killer' that a child born to another relationship typically would not experience. In order to mitigate or avoid the treatment of their CBOW, mothers may send them to live with other relatives as Justine decided to do. Other women will leave their child in the care of their parents[550] which Justine indicated that she would have done if her parents had not passed away.[551] Atim describes the challenges that women experience if their new partner rejects their CBOW as if their family

[546] Interview with Justine, Lango, 7 April 2017.
[547] Jeannie Annan, "Women and Girls at War: "Wives", Mothers, and Fighters in the Lord's Resistance Army." 21.
[548] Interview with Justine, Lango, 7 April 2017.
[549] See: Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord's Resistance Army." 73. And: Jeannie Annan, "Women and Girls at War: "Wives", Mothers, and Fighters in the Lord's Resistance Army." 20.
[550] Veale, "How Mothers Mediate the Social Integration of Their Children Conceived of Forced Marriage within the Lord's Resistance Army." 79.
[551] Interview with Justine, Lango, 7 April 2017.

will not care for them, they are left with a predicament as they frequently cannot leave their new partner as he can provide access to resources and status.[552]

Women who return with CBOW are vulnerable to severe economic disadvantages which are difficult to mitigate. Many women were abducted by the LRA while attending school, and girls who returned with children are three times less likely to return to school.[553] The caveat to this is the Aboke girls, as many received a grant or sponsorship to attend school because of the publicity that their abduction garnered and Grace Acan states that the grant allowed her to attend school in Kampala.[554] Evelyn Amony expresses jealousy and resentment for the assistance that the Aboke girls received to continue their education while – lacking any sponsorship – she was unable to.[555] The Aboke girls can be considered an exceptional case as St Mary's College Aboke was one of the best schools in the country, and the parents were particularly vocal after the girls' abduction through the Concerned Parents Association.[556] As such, the Aboke girls who returned did not experience the 'average return' that other women who were reinserted did. There were also additional issues around education, because reintegration into schooling (the women would be years older than the class average) was complex even with funding. Without education, it can be difficult for women to improve their economic status and provide for their children. Although some CBOW received educational grants from NGOs to ensure they can attend school, many other

[552] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda."
[553] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 43.
[554] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*. 178.
[555] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*.
[556] The Concerned Parents Association was formed in 1996 after the abduction of 139 schoolgirls from St Mary's College Aboke and consisted of the parents of the abducted girls as well as other parents whose children had been abducted by the LRA. See: Els De Temmerman, *Aboke Girls: Children Abducted in Northern Uganda* (Kampala: Fountain Publishers, 2001).

CBOW do not have their education paid for.[557] Also, as mentioned by Sylvia in her story, the NGOs may cover school fees but they do not cover other expenses related to sending the child to school such as books and uniforms.[558] The economic hardships that women who return with CBOW face may encourage them to find new partners in order to improve their situation and that of their CBOW.

5.5: Post-Conflict Relationships

For women who had been formerly abducted, marriage is not an option but rather a necessity: they must find a new partner in order to ensure their survival as well as that of their children. My research suggests that the discrimination that women suffer from the community because of their LRA past, combined with their lack of alternative options, causes them to pursue relationships with undesirable men such as men who abuse alcohol or have violent tendencies. While in LRA captivity, women dreamt about returning home and were clear that they did not consider their LRA marriage to be a 'real' or legitimate marriage. During their captivity, there was always the possibility that once they returned everything would improve and they would not be in a forced and violent relationship. Although the reality is discouraging, as women are frequently incentivized into violent marriages with undesirable partners due to their dire economic circumstances and the desire for their CBOW's and their own survival.

[557] Lakor, "When War Is Better Than Peace: The Post-Conflict Realities of Children Born of Wartime Rape in Northern Uganda." 261.
[558] Interview with Sylvia, Lango, 3 April 2017.

Women who returned from the LRA experienced difficulty in finding a partner and getting married and this difficulty was more pronounced if the woman had a CBOW (See P200). This may be because of how they are treated and portrayed in society and the lack of other available choices. Women are even negatively perceived by male returnees who are reluctant to marry them stating,

> No, I would prefer a girl who was not in the bush. A girl who has been in the bush, the kind of life she has led, she might be the kind of girl that could bring problems because when she thinks of what happened…she might get sad, she might get annoyed very fast. She might not get a good rapport with my family.[559]

The rejection of these women by male returnees is revealing as it suggests that the reluctance to have them as a wife is deeply inculcated in society.

Many women are subjected to high levels of domestic violence by their husbands within their marriage and evidence suggests that past association with the LRA exacerbates this issue. McKay argues that young mothers are ashamed to speak out about domestic violence which suggests that the occurrences of domestic violence may be under reported.[560] Men can take advantage of the woman's vulnerability and lack of alternative options to be more violent towards them.[561] For example, Jennifer stated that there was not much difference between her LRA marriage and her post-conflict marriage as both husbands would beat her.[562] Surprisingly, Judith stated that the difference between her LRA marriage and her

[559] Quoted in: Veale and Stavrou, *Violence, Reconciliation, and Identity: The Reintegration of Lord's Resistance Army Child Abductees in Northern Uganda*. 287.
[560] McKay et al., "Building Meaningful Participation in Reintegration among War-Affected Young Mothers in Liberia, Sierra Leone and Northern Uganda." 12.
[561] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 364.
[562] Interview with Jennifer, Lango, 13 April 2017.

post-conflict marriage was that her LRA husband never beat her whereas her post-conflict husband has previously beaten her.[563] Reports suggest that many post-conflict husbands would use the woman's LRA past to abuse her whenever they had disagreements[564] and a good husband was considered to be one who did not refer to the woman's LRA past when they had a disagreement.[565] Jennifer's experience is recounted below and she describes a particularly dire story where her husband beat her so severely that she needed to go to the hospital. Women who return from the LRA are more likely to accept violent partners because of how they are perceived within the community (See P193).

A recent survey found that 60% of women reported that their husband drinks alcohol and one third stated that their husband is often drunk.[566] This supports my own findings where women such as Jennifer, reported that their husband would get drunk and physically abuse them. A partner's alcohol abuse exacerbated violence within intimate relationships; but was not the only cause of the violence. Alcohol is linked to lower inhibitions so the abuse of alcohol by husbands may have led to more severe beatings of the women, however, this is difficult to quantify. As stated in Chapter 3 and corroborated by the above statistic, domestic violence is a common occurrence in very many relationships but it is even more likely to be a concern for former abductees because their social status is likely to force them into relationships with dependent drinkers in even higher proportions.

[563] Interview with Judith, Lango, 7 April 2017.
[564] Mukasa, "War-Child Mothers in Northern Uganda: The Civil War Forgotten Legacy." 364.
[565] Interview with Judith, Lango, 7 April 2017.
[566] Annan et al., "The State of Female Youth in Northern Uganda: Findings from the Survey of War-Affected Youth (Sway) Phase II." 49.

Both Jennifer and her father were interviewed. Jennifer was abducted by the LRA in 1990 and forced to act as wife of an LRA commander. Upon her return, Jennifer's father explains that she was deeply traumatised. Jennifer felt very stigmatised by the community. She later married a man who she described as violent and surprisingly similar to her LRA husband.

Jennifer's Post-Conflict Relationship: *"Once again I came, I got a man who had a wife already and again the lifestyle of beating, drinking, fighting all the time"*

Jennifer was abducted on the 24th of June, 1990 from Iceme Girl's Secondary School as she walked home. She had been chased away from school because her father had been unable to pay her fees. Jennifer was in the bush for six and a half months before her bush husband was killed and she, along with his other forced wives, was told to leave the LRA or they would be killed. When Jennifer returned, her father states that she was completely mentally devastated. Jennifer herself recounts the difficulties she experienced upon her return. She would often wait until everyone in the home had gone to bed and then she would escape outside to sleep in the bush. As a result of her experiences, Jennifer's parents sent her to Jinja to start studying so that she would be safe. There, she states she was mistreated and her school fees were eaten rather than paid. She states that she was sick of being chased away from school and so decided to leave her studies.

Jennifer decided that she wanted to get married and met a man who, when she was two months pregnant, brought her home to his village. At his village, she found that he already had a wife as well as five children. The marriage was not made official for months as Jennifer's father did not want to accept the bridewealth because he did not want her to be a

second wife in ‘a family like that’. In an attempt to discourage the union, Jennifer’s father also disclosed all of the details of her abduction and experience in the LRA. Jennifer’s husband was not discouraged by this and stated that ‘no one is normal’. Jennifer’s father argued that he was not interested in accepting the bridewealth because he did not want the marriage to happen as the man was polygamous. He states that Jennifer was defiant and the way she returned was rather hostile and she was stigmatised automatically. Despite his reluctance, Jennifer’s father eventually agreed to accept the bridewealth after he was counselled by a priest who told him that it was her desire.

In her husband’s village, people eventually discovered that Jennifer had been abducted by the LRA and they would say that she behaved ‘like the Kony ladies’, and ‘the bush war women’. Jennifer believes the women were jealous that she spoke English. Whenever she passed, they would say ‘this one was abducted’ to each other. Jennifer had five children with her husband before he became very violent towards her, forcing her to leave the marriage. She states that her husband would drink and fight her. Jennifer tried to go to the clan (her husband’s family) and discuss the problem with them and they tried to talk to their son four times. They attempted to find out why he was beating her-what wrongs had she committed? But her husband stated that he was simply drinking too much. Jennifer was once beaten so badly that she was taken to Lacor hospital. At the hospital, her father and brother were called to come and collect her and she was taken back to her parent’s home. Jennifer’s father and brother tried to take her back to her husband’s clan and discuss the situation but the clan stated that she should be taken home as they were tired of the situation. She returned home and the man died of AIDS two years later. Jennifer had been infected and her

> children are currently living with her father (their grandparents) while she is currently engaged in intercession work as a servant of God.[567]

Previously abducted women have compared their LRA relationship and their post-conflict relationship suggesting that their LRA relationships were not that different from their post-conflict relationships in terms of violence and the barriers to leaving. This is supported by Kiconco who found that elements of a woman's new relationship can mirror that of her LRA forced marriage including physical violence and inability to escape.[568] As exhibited in Jennifer's story, she experienced violence and beating in both her LRA marriage and her post-conflict marriage.[569] Women describe that they have nowhere to turn, as they cannot return home or leave the abusive relationship.[570] Patriarchal norms mean that even if a woman is beaten to the point of hospitalisation, as Jennifer was, she is still expected to return to her husband if bridewealth has been paid, unless his clan allows her to leave and return to her clan.[571] There are limited options available for women who wish to leave their abusive husbands as local council officials have been accused of being 'purposefully inactive'.[572] Women also stated that within their LRA marriages they could anticipate violence based on certain rules and thus minimize the potential for becoming a victim of that violence, but this was not the case in village settings where they find it difficult to anticipate when they might be beaten by their partner.

[567] Interview with Jennifer, Lango, 13 April 2017. See also, Interview with Paul, Lango, 4 April 2017.
[568] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda."
[569] Interview with Jennifer, Lango, 13 April 2017.
[570] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 569.
[571] Interview with Jennifer, Lango, 13 April, 2017.
[572] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda." 33.

Another reason why returnees' marriages fail is polygamy. Polygamy is undesirable for women with many women stating their reluctance to be a second or third wife. Within polygamous marriages, there is a hierarchy with the first wife supposedly having an exalted position that grants her more access to food and resources for her and her children. The status of second wife is considered less than that of a first wife to the husband's clan and this may be why Sylvia experienced difficulties with her husband's clan once the first wife began telling them lies about her. Due to their status in the community, women who return from the LRA are more likely to enter into polygamous relationships as second or subsequent wives. They may also be more accepting of polygamy as it is familiar to them as LRA marriages were usually polygamous. Both Sylvia and Jennifer state that they were second wives within their post conflict marriages with Sylvia explicitly stating that she wished to be the only wife but unfortunately was not.[573] Jennifer's father attempted to discourage her from marrying her husband because he did not want her to be a second wife indicating that the position of a second wife is not a desirable position within the community.[574]

One of the most common reasons why women stated their marriages failed was due to rejection from the man's clan. In Sylvia's story, she discussed how the marriage between her and her husband was good but his clan caused her to leave as they were calling her names and accusing her of things that her co-wife stated she had done. This finding echoed Kiconco who stated that treatment from in-laws created problems and eroded the possibility of acceptance.[575] It is also indicated by Atim, who found that a man's family may pressure him

[573] Ibid.
[574] Interview with Jennifer, Lango, 13 April 2017.
[575] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 70.

to 'find a better wife' as the women are perceived to have been tainted by *cen*.[576] The Justice and Reconciliation Project has also previously highlighted this as an issue and stated that young mothers can be forced to leave when in-laws virtually torture them or their CBOW and tell them they are a curse on the clan.[577] Clans are traditionally very influential and clan elders are responsible for deciding land issues and inheritance issues so it can be difficult for men to defy the clan as it would negatively impact their livelihood. Formerly abducted women indicated that they experienced problems within their new marriage due to the interference of the clan which contributed to the collapse of the marriage.[578]

If a woman's marriage failed, she encountered several potential consequences from the breakdown of the relationship. One consequence was discussed by Sylvia who stated that she had children within her new partner but that when she left, he stopped providing for them and she was unsure whether it was because she had left his home. This left Sylvia unable to provide for both her CBOW and her post-conflict children and added to the economic hardships she experienced. Abandonment of children after the relationship ends with the mother was also found in marriages that occurred with women who had not been abducted by the LRA (as indicated in Chapter Three). However, in relationships where the woman was formerly abducted, her association with the LRA is presented as a justifying reason as to the abandonment of the children. A report by the ICTJ found that men would reject their own

[576] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda." 569.
[577] Ojok, "Young Mothers, Marriage, and Reintegration in Northern Uganda: Considerations for the Juba Peace Talks." 7.
[578] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda."

biological children stating that since the woman was once a rebel wife, the children she produced belonged to the rebels.[579]

The limited options for former abductees have become a pattern; and they are forced to stay in abusive relationships as it is their only means of survival.[580] Where a woman lived impacted the level of violence they were willing to accept. If a woman resided in a village they would withstand more violence as they needed access to resources whereas women in towns were more likely to leave the abusive relationship.[581] Women are unlikely to turn to LCs for support if they are abused as LCs generally have a poor reputation for responding to abuse cases. Sylvia also responded that she did not trust her LC and therefore would not approach them with any problems she encountered.[582] It is important to note that LCs are part of the community that can be discriminatory to returnees and thus may hold the same views. As discussed in the previous chapter, police also respond poorly to domestic violence cases as they require money to investigate and lack the motivation as beating your wife is socially acceptable.[583] Women may endure bad marriages because of a lack of alternative options. If a woman's family is dead or have rejected her she may have nowhere to return to.

[579] Ladisch, "From Rejection to Redress: Overcoming Legacies of Conflict-Related Sexual Violence in Northern Uganda." 16.
[580] Ibid. 16.
[581] Kiconco and Nthakomwa, "Marriage for the 'New Woman' from the Lord's Resistance Army: Experiences of Female Ex-Abductees in Acholi Region of Uganda." 71.
[582] Interview with Sylvia, Lango, 3 April 2017.
[583] "Outrage as Ugandan Mp Says 'Beat Your Wife' ".

5.6: Success Stories

Despite the trauma of abduction and LRA captivity, some women were able to use their past and the skills they acquired while in the LRA, as a resource to improve their future and that of their CBOW. The general population resented successful returnees who were often more economically stable than they were. 'Success' does not mean that these women did not suffer or encounter the same difficulties of other LRA women, but rather that for various reasons they found methods to overcome or improve their lives by strategically using their conflict experience and the skills learned.

Grace Acan was abducted by the LRA from St Mary's College Aboke and was forced to be a wife to a senior commander. Since escaping from the LRA, she has written a book about her experiences and advocated for returnees and their CBOW.

> ***'I learned to do everything- however hard it was- in order to survive,'*-Grace Acan**
>
> Grace Acan was abducted from St Mary's College Aboke in 1996. Grace escaped the LRA after eight years in captivity where she was forced to act as a senior LRA commanders 'wife'. After her return, she received sponsorship along with some of the other abducted Aboke girls to attend school in Kampala. She at first found it difficult to get used to the school environment but persevered and eventually began to thrive. She found it difficult to leave her CBOW with relatives while she attended school as she believed that they were mistreating her. One particular instance angered her. She had returned from school for the holidays and found that the babysitter had burnt her child's arm with a flat iron. Grace felt as though she could not

do anything about this however, as she was away at school. In another instance, Grace's daughter was mistreated by her step-sister who visited and isolated her daughter stating that she was sick and would contaminate her own child. Grace was also subject to derogatory comments from relatives which she found discouraging.

After excelling at school, Grace attended Gulu University for a degree in development studies. In May 2013, she finished her degree and is currently working as a Project Assistant with the Justice and Reconciliation Project in Gulu. Grace is also part of the Women's Advocacy Network, a group of formerly abducted women who advocate for the needs of returnees and their CBOW. Grace is married and has two children with her husband in addition to her CBOW. She wrote a book in 2017 about her experiences in the LRA and is a strong advocate for CBOW and the gendered experiences of LRA captivity. In a workshop in Kampala, she advocated for the need for government assistance for LRA women, and their CBOW. She argued that CBOW are growing up and have been disenfranchised from the community which she feared would cause them to pursue criminal activity.[584]

Some elements of Grace's experience are not typical for returnees. For example, St Mary's College Aboke is considered a very good school and this, coupled with the fact that she was a girl being sent to school, indicates that her parents valued girls. It also signifies that her family had enough resources to send her to school. Her attendance at St Mary's College and her status as an 'Aboke girl' allowed her to receive sponsorship to attend a school in Kampala.

[584] Acan, *Not yet Sunset: A Story of Survival and Perseverance in Lra Captivity*., Workshop: 'Men's and Women's Relations in Coercive Settings' Summer Institute: Conjugal Slavery in War, May 17-19, 2017.

The case of the Aboke girls received international attention and once returned, many of the girls were offered scholarships to attend school and finish their education. The Aboke girls were resented while in the bush because their education meant that they were desired by commanders. This resentment continued in the post-conflict phase as they were given preferential treatment for scholarships:

> The Aboke girls have very few problems compared to the rest of us; they returned to a nice boarding school in Kampala while their children remain at home and are taken good care of. For us, it is a different story. You are both the mother and the father to the child.[585]

Grace describes being subject to jealousy, as in the quote above, and occasionally nasty comments by her own relatives who claimed that her experience in the bush had negatively changed her. Her CBOW was also discriminated against by Grace's step-sister. The language she uses, specifically, 'contamination' is connected to *cen* which may be a reason for the discrimination against her CBOW. Grace did not escape the discrimination and stigmatisation that other returnees were subjected to. In her book, she indicates that her post-conflict relationship is happy and her husband and their children are welcoming to her CBOW. This is distinct from the previous accounts in section four of this chapter that detail violent and abusive post-conflict relationships for returnees. Grace's story is an exceptional story of success that was possible in part due to her pre-abduction life, her tenacity, and how she strategically navigated her post-conflict life.

[585] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 132.

Evelyn Amony was abducted by the LRA and later became a forced wife to Kony. Since her return, she has written a memoire about her experiences and the difficulties she faced upon re-integration.

'When we returned, we had lost almost everything'-Evelyn Amony

Evelyn Amony was abducted on her way to school at eleven years old. At fourteen, she became the forced wife of Joseph Kony. In 2004, she was captured by the Ugandan military and taken to GUSCO, a reception centre in Gulu. When her family came to see her, Evelyn did not recognize her father and refused to eat as she believed that people were trying to poison her. A few years later, Evelyn's mother died and she states that the BBC reported that Kony's mother in law had died. Evelyn argues that prior to this, people had not known that Evelyn was Kony's wife but now that they knew, they refused to go to her mother's burial. The community thought that Evelyn's mother was taking money from Kony when in reality, the money that Evelyn's mother had was due to Evelyn's reintegration package. Evelyn believes this created resentment within the community.

Evelyn's family relations once she returned were tense. She describes feeling anger towards her father as she had been abducted by the LRA after she had been 'chased' from school because her father had not paid her fees. Evelyn was also approached by her siblings for money and other resources as she was perceived to have more wealth than them. Women who had been in the bush with Evelyn began to make contact with her and would seek her advice on their struggles. Many of these women's issues centred around their CBOW and their lack of paternal clan.

Evelyn has had post-conflict relationships and children but the relationships have not lasted and she has had to care for these children on her own in addition to her CBOW. In 2011, she began to volunteer at the Justice and Reconciliation Project in Gulu. It was here that she started the Women's Advocacy Network (WAN) and was elected as their chairperson. Her organization provides peer support and counselling to formerly abducted women. Evelyn now advocates for survivors in the community which includes meeting with members of parliament. She also helps mothers of CBOW trace the child's paternal clan as paternal identity is very important to the children. In November 2013, Evelyn received the Women for Peace Award. In April 2014, she went with members of WAN to Kampala to present a resolution in parliament concerning CBOW and the need for the government to provide reparations for LRA survivors. Evelyn's memoire was published in 2015.[586]

Since returning, Evelyn encountered various problems but has successfully overcome them. As a wife of Kony, Evelyn's story is perceived as more valuable as she can shed some light on the LRA 'Control Altar' and what life was like with the LRA leader. Evelyn's memoir is poignant and does not shy away from the suffering she experienced. Through this suffering, she has become a powerful spokesperson for abducted women and their CBOW both within Uganda and internationally.

[586] Ibid.

Grace Akallo was abducted by the LRA and forced to act as both a fighter and a wife. Grace advocated for the release of girls who were still being held captive and worked closely with World Vision in Uganda. Grace's case study is drawn from her memoire.

'I have told my own story, but the stories you have not heard are thousands-fold'-Grace Akallo

Grace Akallo was abducted from St Mary's College Aboke in 1996 and was held in captivity for seven months. Upon her return, she was sent to the World Vision reception centre. After a period of rehabilitation, she returned to St Mary's college to complete her studies and graduated in 2001. After this, Grace attended University at Uganda Christian University in Mukono. She did not want to talk about her story initially as, "Many came to write stories about our abduction, but nothing changed. My friends were still under the claws of a lion. I came to the point that I didn't want to talk about it because nothing came of it".[587] Eventually, Grace spoke to a journalist who wrote a story in the Chronicle of Higher Education. She was then invited to New York by Amnesty International in order to speak about her experiences. From New York, she flew to Chicago as she had been invited to be a guest on the Oprah Winfrey Show. Grace then received a scholarship to study at Gordon College in Massachusetts. In April 2006, she testified at the U.S House of Representatives International Relations Committee about the endangered children of Northern Uganda. She then co-authored a book in 2007 about her experiences with religious minister Faith J.H McDonnell.

[587] Akallo, *Girl Soldier: A Story of Hope for Northern Uganda's Children*. 190.

> Grace worked for World Vision and stated, "I have been very happy to work with World Vision International. World Vision is one of the organizations working effectively in Uganda to help the children find their lives again".[588]

Similar to Grace Acan, Grace Akallo's status as an Aboke girl indicates a previous interest in education by her family. It is therefore perhaps unsurprising that she returned and attended school once again. Grace's period in captivity was relatively short and this may have increased her likelihood of a successful integration. Grace also did not have children while in captivity and this is important as Atim has suggested that it was easier for women to reintegrate if they did not have CBOW.[589]

Women's post-conflict experiences are diverse. Most women report difficulties re-integrating into society and survive rather than thrive within their communities. Although, some women have utilised their experience in the LRA and the leadership skills that they gained to improve their post-conflict lives. This in many ways has left them vulnerable to resentment by both other returnees and the wider community. There is no specific pattern to these women's success, although enrolment in a highly-rated school and/or being 'married' to a high-ranking commander while in the LRA may have improved their chances. These women have the courage and conviction to enhance their post-conflict lives and advocate for the needs of fellow returnees.

5.7: The Politics of Disclosure

[588] Ibid. 194.
[589] Atim, "Women Survivors and Their Children Born of Wartime Sexual Violence in Northern Uganda."

Women who were abducted by the LRA have a powerful story and they must decide who to disclose their experiences to, whether there is benefit in such disclosure, and what that benefit might be. This is complicated terrain; and the woman must navigate between survivor groups, NGOs, and missionary groups, all of which require emphasis of specific parts of the story and minimization or erasure of others. Women are expected to conform to certain expectations and failure to do so might result in the woman not receiving the promised resource. For example, Evelyn Amony states that after her return, one of her children received sponsorship from St. Monika's, a Catholic vocational school for girls in Gulu, Northern Uganda, where a sponsor had 'adopted a child'. Evelyn had been told to come to the school as the sponsor had arrived with some clothes for her adopted daughter. Evelyn went to the school but did not bring her child. She recounts that the sponsor was angry that the child was not there and would not give the clothes to Evelyn as he had wanted to take a picture of *his* adopted child wearing her new clothes.[590] In this example, Evelyn had a role to play and she did not fulfil this role and thus was deprived of essential resources from the sponsor. The aid was dependent on certain criteria, and donors were manipulating these women's desperation for resources for their children for their own benefit. This example, amongst others, invites us to explore the aid industry behind the collection and distribution of these testimonies and the possible negative implications that it has on survivors.

[590] Amony, *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*. 133.

LRA survivors grapple with whether to disclose their experiences or not and Grace Akallo discusses the futility of disclosure if there are no benefits to it. In her book, she explains that she is eager to help her friends and does not see the point in recounting her story when nothing ever comes of it. Grace's eventual disclosure to a journalist leads her to New York and Chicago with positive consequences. She is able to receive a scholarship that allows her to study in the United States. Grace co-wrote a book about her experiences that is very religious and this may be because of her close relationship with World Vision. Grace's success is illustrative of the power of testimony. By strategically telling her story, Grace positively shaped her post-conflict experience. Whether to speak about their experiences and deciding who to speak to are important decisions for women and influences how their story is presented and utilised.

Shaping of survivors' stories first became apparent to me during my field research in Gulu. I was sitting at a café popular with ex-patriots and missionaries and I was approached by a Ugandan man who had a stall located within the compound. We began talking and he asked me what I was doing in Uganda, I stated that I was conducting research on violence against women. He asked whether I was interested in LRA women as he knew a group and could get me access.[591] I am certain that I was not the first 'outsider' he had approached with this suggestion. These women's stories are commoditised with little attention being paid to the effect this has on the woman herself or the legitimacy of the story. Sam Dubal's recent book discusses the extent to which women's stories and sometimes interactions with 'outsiders' are policed. He states, "…their interactions with white visitors were carefully

[591] Fieldwork notes, Gulu, Uganda. February 2017.

staged and disciplined. Certain women would be called to come tell their stories to visitors, but women were not to speak with the whites without permission".[592] He goes on to explain the extent to which women's stories are potentially altered, and how the woman felt about this, " Aber resented the ways in which she was forced by Eternal Salvation to exaggerate and sometimes even lie in stories to white visitors, as her realities were re-crafted to elicit donations for the NGO…".[593] Women's LRA experiences have the potential to be exploited. But what does this mean for the woman involved? If a woman is consistently encouraged to narrate a specific part of her story and exclude others it has tangible repercussions for her re-integration. She will become aware of what parts of her story should be minimized and excluded which has implications for research and what aid is deemed appropriate for this group.

While there is a benefit to disclosure, research suggests that this benefit is based upon the positionality of the person while in the LRA, and how long they spent in captivity. If someone was high ranking in the LRA or a wife to a high-ranking commander, then they could benefit more from sharing their story. This is illustrated in the case of Evelyn Amony who was Joseph Kony's forced wife and has since been very successful. Dubal argues that this had an interesting side-effect and,

> Having seen commanders and their wives receiving special interests and benefits from the government and other programs, rebels who had no or low ranks learned to try to embellish their roles in the *lum* [bush] as a means of accessing cash, goods, respect, and other benefits offered to those of rank.[594]

[592] Sam Dubal, *Against Humanity: Lessons from the Lord's Resistance Army* (California: University of California Press, 2018). 203.
[593] Ibid. 203.
[594] Ibid. 199.

This tension between the ranks within the LRA was evident in a workshop I attended in Kampala where lower ranking male LRA returnees were invited. They were visibly angry that they had not received the benefits that former commanders had after their return from the bush.[595] Contrastingly, it might be the case that higher ranking individuals find post-LRA life more challenging, because of their privileged status while in captivity.

5.8: Conclusion

Upon their release or escape from the LRA, violence did not end for formerly abducted women but rather was perpetrated by different actors and perpetuated in different ways. Women were represented as violators of established gender norms and this shaped their post-conflict experience. The post-war context has exacerbated this, as there is a desire to return to the 'traditional' society before it was plagued by conflict and devastation. Women's roles within the LRA diverged from traditional roles and thus these women are considered problematic within a society that desires a return to tradition. However, return to 'tradition' does not just affect LRA returnees, as many gender roles were violated within the camps as women took on duties that were typically considered to be the purvey of men. LRA returnees can be easily scapegoated due to their difficult past. The perception of formerly abducted women within society can increase their likelihood of experiencing violence in their post-conflict relationships as 'desirable' men are encouraged to avoid associating with them. The importance of marriage in Northern Uganda cannot be overstated and women who return

[595] Workshop: 'Men's and Women's Relations in Coercive Settings' Summer Institute: Conjugal Slavery in War, May 17-19, 2017.

often believe it to be essential to their successful re-integration. But at what cost? Women were faced with a difficult decision: become trapped in a bad marriage or choose autonomy and risk increased economic and social hardship for their children and themselves. The LRA conflict disrupted 'normal' gender roles and traditions, with considerable consequences for women's re-integration. As returnee women attempted to return to 'normal life', they experienced violence in their post-conflict intimate partner relationships that was frighteningly similar to the violence they were subjected to within their LRA forced marriages.

CHAPTER 6: DOMINIC ONGWEN AT THE ICC: SEXUAL AND GENDER-BASED VIOLENCE CRIMES

"the capacity of victims to victimise arises wherever atrocity metastasizes"[596]

6.1: Introduction and Context

Dominic Ongwen is currently facing trial at the International Criminal Court (ICC) in The Hague for crimes against humanity, including charges of forced marriage and sexual slavery. His trial provides us with a unique insight into the complexities of gendered violence in Northern Uganda. Dominic Ongwen is the only LRA commander to be tried at the ICC and the trial proceedings reveal the ways in which gender based violence is constructed and perceived in Northern Uganda. The Dominic Ongwen trial has the potential to be a landmark case as it is the first trial to prosecute both sexual slavery and forced marriage as distinct crimes. The international community seems determined to prevent Ongwen's gender crimes from going unpunished, which contrasts with the ambivalence of the local population towards everyday instances of gender-based violence. In addition to the clear mitigating circumstances for Ongwen's crimes, such as his age at abduction, there are further complexities such as the fact that some of Ongwen's wives may have 'chosen' him to be their husband. Much of the gender violence that occurred within the LRA was enacted in order to compel a woman to become a forced wife or as a result of a perceived 'infraction' by the forced wife. As in peace time, violence that took place within marriage was less scrutinised and afforded a layer of

[596] Mark A. Drumbl, "Victims Who Victimise," *London Review of International Law* 4, no. 2 (2016). 220.

legitimacy. The high levels of violence that Dominic Ongwen committed within his forced marriages and the ongoing support of some of his forced wives inform us about the acceptability of violence in marriage or marriage-like forced intimate relations.

The chapter is divided into five main sections with this first introductory section providing a brief background to the case. The second section will investigate the various perceptions. Where do these perceptions come from? Following on from this, the third section will examine the sexual and gender-based violence crimes that Dominic Ongwen is accused of committing. It will consider how the crimes are represented and examine the testimonies of some of Ongwen's forced wives. The argument that forced marriage is traditional in Northern Uganda will then be evaluated. Next, the language of the trial will be considered. The conclusion will seek to explore how we can interpret these events and arguments within the ongoing conversation concerning understandings of gender violence in Northern Uganda.

The section below introduces Dominic Ongwen's story. It is based on several sources, including interviews with him that were conducted by the Daily Monitor.

> ***'Each of us sin in words, deeds and thoughts. Each of us sin in different ways. If I committed a crime through war, I am sorry. In my mind, I thought war was the best thing. Even up to now, I dream about war every night. But if they don't want to forgive me, I leave it in their hands. I have become like a lice (sic), which you remove from your hair or waist and kill without any resistance'.*** **(Dominic Ongwen)**

At ten years old, Dominic was walking along the road on his way to school. He excelled in his studies and as both his parents were teachers, he was expected to follow in their footsteps. Not far from his house, he heard some shouting and some soldiers started walking along beside him. His mother had gone to the field but heard the commotion and came to investigate. She started following the rebels and called for his father to come and help. The rebels threw a brick at her head and she died. At this stage, Dominic's father had also begun to follow the group and he too was killed. Dominic was now an orphan; he had a little brother who was still breastfeeding, and he would often think about him and wonder whether he was still alive.

Dominic was too small to walk long distances and so was carried by one of the soldiers, however, this did not prevent him from being beaten along with the rest of the abducted children. In addition to this, he suffered a brutal initiation after one of the other abducted children tried to escape. The child was captured and viciously killed in front of the other abductees. Dominic Ongwen, along with other children, was told to disembowel him and tie his entrails across the tree branches. They were then told to sit under the tree and eat the food that had been prepared for them. The message was clear, should any of them attempt to escape; the same fate would await them.

Dominic was trained as a soldier and desired to do well in order to survive and be commended by others. His dedication was noticed and he quickly moved up the ranks. His survival depended upon his success as a soldier, which translated into his ability to kill and loot. Dominic continued to move up the ranks and each promotion made him safer. He was

no longer expendable, and it was the younger soldiers who would be most at risk due to fighting and food shortages. His success provided safety; it also resulted in a more comfortable life. Dominic was given guards, wives, and Ting Tings. He eventually had approximately twenty wives at various times (some would escape or die) and usually had up to five wives simultaneously. His wives described moments of brutality alternating with moments of tenderness. Dominic would sometimes reminisce about his mother and father and speculate about how his baby brother was doing; was he still alive?

Life in the LRA became increasingly difficult after the Ugandan Government launched operation Iron Fist and in 2012, Dominic's relationship with Kony began to sour as Kony believed he was planning to defect. Kony sent a guard to arrest Dominic and he was told that he would be tortured and caned 250 strokes. One of Kony's guards later took sympathy on Dominic and aided his escape. Dominic then surrendered to Seleka rebels before being transferred to Uganda and eventually ICC custody.[597]

6.2: A Brief Overview of the Case

Dominic Ongwen is the alleged former brigade commander of the Sinia brigade of the LRA, and charges brought against him include war crimes and crimes against humanity from 2002 until 2004. Alongside the horrific crimes that Ongwen is charged with, we must examine the context in which these crimes were committed. Dominic Ongwen was kidnapped by the LRA

[597] See: International Criminal Court, *Article 56 Proceedings*, 2015., Interview with a member of the Defence, November 2016., Interview with Caroline, Lango, 23 November 2016., Moses Akena, "Ongwen Speaks out on Why He Quit Lra," *Daily Monitor*, 19 January 2015., Mark Kersten to Justice in conflict, 2016, https://justiceinconflict.org/2016/04/12/the-life-and-times-of-dominic-ongwen-child-soldier-and-lra-commander/.

while travelling to school when he was approximately ten years old.[598] His age at abduction was contested by the ICC, as when he was first in custody, Ongwen signed a document stating that he was born in 1975 and not 1978.[599] Although this may seem a minor issue, it has important implications for the case. For example, Dominic Ongwen can only be held accountable for crimes that he committed while fifteen years old or above, therefore, his age has important consequences when determining what charges can be laid. Also, Ongwen's age at abduction is significant as it contributes to his potential culpability for the crimes he is accused of.

Dominic Ongwen was initiated by the LRA and indoctrinated into its highly-militarised culture. In an interview with me, his defence lawyer Mr Ayena, described the brutal initiation that Ongwen experienced. As described in the case study above, one of the children tried to escape and was captured and viciously killed in front of the other recent abductees.[600] Mr Ayena argued that within the context of the LRA, "…the child was not given the opportunity to develop into a normal human being. There is a saying, 'mean circumstances beget mean children and the fruits rotten as they ripen'".[601] The ICC does not dispute the fact that Dominic Ongwen is a victim of the LRA, but they argue that past victimhood cannot be considered a valid defence for later crimes. Otherwise, they posit, most paedophiles would not face criminal charges as they were typically victims of sexual abuse themselves in early life.[602] Ongwen rose through the ranks of the LRA to eventually become a high-ranking commander of the Sinia Brigade, with several forced wives, seven of whom are cited by the prosecution

[598] Baines, "Complex Political Perpetrators: Reflections on Dominic Ongwen."
[599] Branch, "Dominic Ongwen on Trial: The ICC's African Dilemmas."
[600] Interview with a member of the Defence, November 2016.
[601] Ibid.
[602] Interview with a Member of the Prosecution, December 2017.

in the forced marriage/sexual slavery charges.[603] He is accused of commanding violent raids on IDP camps in Northern Uganda and is charged with massacres in both Lukodi and Pabo.[604] The ICC issued a sealed arrest warrant for Dominic Ongwen in July 2005, which was subsequently unsealed in October 2005.[605]

Conflicting testimonies exist surrounding the question of whether Ongwen attempted to escape from the LRA; the defence argues that he attempted to escape three times before he eventually surrendered. Erin Baines has written extensively on the Dominic Ongwen case and states that Ongwen gathered members of the community together while still in the LRA to question them about whether he would be well received if he returned from the bush.[606] Eventually surrendering to Seleka rebels on the 6 January 2015 while in the CAR, he was delivered to US special forces that were conducting training in the area.[607] Ongwen was briefly transferred to Ugandan custody before being relocated to the ICC in The Hague to face trial.

Dominic Ongwen's trial at the ICC begs the question as to why he was singled out for prosecution when many other high profile LRA members were not held accountable. The Amnesty Act was instituted in 2000 by the Government of Uganda (GoU) with the purpose of pardoning Ugandans that were involved in war or acts of a war-like nature in various parts of

[603] Case Information Sheet: The Prosecutor v. Dominic Ongwen. ICC-02/04-01/15.
[604] Matilde Gawronski and Lino Owor Ogora, "A Renewed Momentum for Trial Justice? Perceptions of Conflict-Affected Communities in Northern Uganda in the Run up to the Dominic Ongwen and Thomas Kwoyelo Trials," (Foundation for Justice and Development Initiatives, 2017).
[605] Case Information Sheet: The Prosecutor v. Dominic Ongwen. ICC-02/04-01/15. In this context sealed refers to an arrest warrant that is not made public-the name is not available. Unsealed means a publicly available warrant.
[606] Erin Baines, "Complicating Victims and Perpetrators in Uganda: On Dominic Ongwen," in *JRP Field Note* (Justice and Reconciliation Project, 2008).
[607] Branch, "Dominic Ongwen on Trial: The ICC's African Dilemmas."

the country.[608] The act was intended to encourage members of the LRA to defect and return to their homes with the guarantee that they would not face prosecution from the government upon their return. So why was Ongwen not considered eligible for this amnesty? He is accused of crimes against humanity and war crimes, and amnesty for these crimes would violate international law which does not allow immunity from prosecution for the gravest crimes. A critique of this decision that is analysed by Branch is that it may deter other fighters from surrendering or threaten the perceived fragile peace of the North.[609]

The prosecution of Ongwen's alleged war crimes and crimes against humanity is led by Mr. Benjamin Gumpert, a British lawyer who studied at Cambridge University. The prosecution team also includes the legal representatives of the victims, who provide assistance to the victims throughout the court proceedings, including reading out victim impact statements and ensuring that the victims' identity is protected. From the visitors' gallery, the prosecution was mainly composed of white Europeans, which contributes to the perception of the ICC as a western institution that disproportionately targets African states for investigation.[610] Although this critique is not new, it must nevertheless be acknowledged, as it contributes to how the trial is perceived by local NGOs and community members in Northern Uganda.

The defence team is led by Mr. Krispus Ayena Odongo, a lawyer from Lira in Northern Uganda. Upon his transfer to ICC custody, Dominic Ongwen was provided with the List of

[608] International Committee of the Red Cross, Amnesty Act 2000.
[609] Branch, "Dominic Ongwen on Trial: The ICC's African Dilemmas."
[610] Clarke, *Fictions of Justice: The International Criminal Court and the Challenge of Legal Pluralism in Sub-Saharan Africa*.

Counsel. Ongwen would have been instructed to draw up a short list and provided with the files of those lawyers who had been short-listed. These files included the lawyers curriculum vitae and record of high-standing in the profession. Ongwen was then required to examine the files and call the possible counsel before deciding whom to choose as his lawyer. The registry of the ICC would then contact the counsel on Dominic Ongwen's behalf. The lawyer must accept the position.[611] Mr. Ayena was an advisor for the LRA during the Juba Peace Talks and may have been the only familiar name to Ongwen. Mr. Ayena is from Lango in Northern Uganda, meaning he would also speak Luo and be familiar with the community and the context. From my observations of the trial, Mr. Ayena was aware of his positionality as a native Ugandan who knew the inner working of the LRA and had participated in the peace-talks as an informal counsel. This created an interesting dynamic within the court setting. For example, Tim Allen is a Professor at the London School of Economics and Political Science who has researched extensively on the Lord's Resistance Army. Professor Allen was an expert witness during the trial and was questioned about the Juba Peace talks and whether a new structure of the LRA had been created at this time. He responded that, "I think I would have to say, since you were involved in the peace processes directly, you are a better person to answer that question than I am".[612] The defence team played a role in how Ongwen's crimes are represented and portrayed by casting doubt on expert witness testimony. This is essential in crafting a perception of the trial as if the expert witnesses are perceived to be unknowledgeable, it weakens the prosecution's case by establishing doubt. But what are the varying perceptions of the trial? What can this tell us about how gender violence is

[611] Legal Professionals and the ICC. Retrieved from: https://www.icc-cpi.int/get-involved/Pages/legal-professionals.aspx.
[612] *Trial Hearing Uga-Otp-P-0422 Icc-01/04-02/06*, 17/1/2017 2017.

constructed and perceived locally in Northern Uganda and more broadly, at the International Courts?

The ICC and the NGO

On 26 June 2017, the ICC office of the prosecutor filed an application for the Pre-Trial chamber to preserve evidence and take measures under article 56 of the Rome statute.[613] Article 56 refers to the rights of the pre-trial chamber in relation to a unique investigative opportunity. Specifically, section 2f states, "taking such other action as may be necessary to collect or preserve evidence".[614] The prosecution argued that they had recently taken witness statements from two of the forced wives when a person who purportedly represented a local NGO instructed the women to attend a meeting with other forced wives of Dominic Ongwen. At this meeting, the wives stated that they were asked questions about their intentions and emotions and whether they believed Dominic was guilty of an attack on a civilian camp or not. They were also questioned about whether Ongwen should be allowed to return to Uganda and what their present or intended collaboration with the case was. For a period of time in the meeting, Ongwen was in telephone contact with the participants, speaking privately to each of the five women in attendance. Due to this event, the prosecution requested that the testimony of the forced wives be taken early and that a cease and desist order be issued to the NGO that was implicated. [615] The prosecution believed that the women were being subjected to pressure and that the purpose of the meeting was to foster the

[613] Pre-Trial Chamber II, *Situation in Uganda-in the Case of the Prosecutor V. Dominic Ongwen*, 2015. https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf
[614] *Rome Statute of the International Criminal Court (Last Amended 2010)*.
[615] This is a legal letter sent to an individual or business to stop purportedly illegal activity and not to restart it.

notion that Dominic Ongwen should not face prosecution and should instead be permitted to return to Uganda.[616] This exemplifies one of the many tensions between international law and local perceptions of peace and justice. It also provides insight into the possible responses to violence from the local NGOs in the community.

The interest of the ICC to preserve SGBV evidence from external pressure is understandable. However, it is important to understand how this was viewed by the local community. While conducting field research in Northern Uganda, I met with an NGO to discuss their work in the region. Prior to the meeting, I had been in email contact with a member of the prosecution who had informed me about the application to the court concerning the need to gather evidence before the trial as the forced wives were believed to be under pressure. The NGO's name had been redacted in the court documents, therefore I did not know which NGO was being accused of this interference. At the meeting, I asked some questions about the trial before mentioning that I had heard about an NGO in Northern Uganda that had attempted to conduct a meeting with Dominic Ongwen and his forced wives. I stated that this had caused the ICC to submit an application, which allowed them to gather the testimony of the forced wives early in order to preserve the evidence. In response to this question, the woman I was speaking to became visibly annoyed and answered tersely that no NGO in Northern Uganda would stand in the way of peace and justice and there must have been a cultural misunderstanding.[617]

[616] Paul Bradfield, "Preserving Vulnerable Evidence at the International Court-the Article 56 Milestone in Ongwen," *International Criminal Law Review* (2019).
[617] Fieldwork Notes, Lango, 21 November 2016.

Months later I discovered that the NGO that I had asked about the case was the same NGO that had been accused of facilitating a meeting between Ongwen and his forced wives. I discussed the case with a former worker of the NGO who was perplexed by the prosecution's interpretation of events. They stated that Ongwen's former forced wives had met and were discussing the news about the trial when someone who was on the approved caller list for Dominic Ongwen received a phone call from him. He asked them how they were and what they were doing. When they responded that they were with the other women he wanted to talk to them and see how they were. The call was construed as entirely coincidental and unplanned according to the former worker. They believed it was an over-reaction and a misunderstanding of the context. They stated that due to this phone call, the NGO had been issued a cease and desist order by the court, which they considered to be profoundly insulting.

This series of events has important implications for the trial and how it is perceived both within Uganda and internationally. It raises the question of whether the court can judge the actions of a local NGO by the standards of international law. At first, the actions of the NGO seem surprising. After all, why should a victim be encouraged to talk to their perpetrator by an organization that claims to help them? This illuminates some of the complexities of the case, for although the forced wives were victims of Ongwen, the situation is more complex than a simple victim-perpetrator dichotomy. The forced wives had children with Dominic Ongwen and had, in some instances, chosen him to be their husband. The NGO had been advocating for the rights of returnees for over ten years and was specifically focused on re-integration and transitional justice mechanisms. With the trial being held in The Hague, it is already removed from the people of Northern Uganda. By issuing a cease and desist order to the NGO, the ICC is effectively isolating the NGO that has been instrumental in re-integration

efforts for those formerly abducted from court proceedings, thus the ICC may be further removing the trial from the people most affected by it. The ICC prosecution team pursued this course of action as it believed that the testimonies of the forced wives may have been compromised. They may have suspected that the NGO was attempting to reconcile Ongwen with his forced wives and did not wish to encourage this as the forced wives might have become reluctant to testify against him, potentially jeopardizing a key part of their case.

Local Perceptions of the Trial

Diverse opinions exist in Northern Uganda concerning the culpability of Ongwen. The International Centre for Transitional Justice conducted a population-based survey of attitudes about peace and justice in Northern Uganda in 2005. The study indicated that seventy-six percent of respondents favoured accountability for those in the LRA who had committed atrocities and of those who favoured accountability, sixty-six percent supported trial, imprisonment, or capital punishment.[618] The timing of this study matters: it happened at the height of the LRA insurgency where tensions were high and the community was in a constant state of crisis. A further point of contention is the Barlonyo massacre which Ongwen has not been charged with committing. Ongwen has been accused of orchestrating this raid by the community in Northern Uganda. The Barlonyo massacre took place in Lango in 2004 and over three hundred people were reportedly killed and an unknown number were abducted.[619] The attack was brutal, even by LRA standards, and reports suggest that people were burned alive

[618] International Center for Transitional Justice, "Forgotten Voices: A Population-Based Survey on Attitudes About Peace and Justice in Northern Uganda," (2005). 39.
[619] Boniface Ojok and Ketty Anyeko et.al, "Kill Every Living Thing: The Barlonyo Massacre," (Justice and Reconciliation Project, 2009).

inside their homes and pregnant women were stabbed in the abdomen. This attack created tensions between the Acholi and the Langi as Barlonyo was an IDP camp located in Lango that was attacked by members of the LRA who were identified as Acholi. The people of Barlonyo have alleged that Ongwen participated in this attack. They state that they heard LRA soldiers shouting his name and have eye witnesses who confirm that he was there.[620] In spite of this, the ICC has not charged Ongwen with this massacre as they cannot confirm that he participated in the attack, which has distressed the people of Barlonyo.[621]

My research suggests that those who had formerly been abducted and those who had never been abducted had different perceptions of the trial. For example, a former forced wife who escaped from the LRA stated that, "in my view, he should be left to live, he should be released to go back to his village because he was also just abducted".[622] Conversely, another interviewee who had never been abducted stated that, "He should be arrested and killed just like the people he killed".[623] A more recent study by the Foundation for Justice and Development Initiatives in 2017 establishes a more nuanced picture which indicates that opinions of both the Dominic Ongwen and Thomas Kwoyelo trials depend on the relationship between the communities and the perpetrators. To illustrate, the people interviewed in Barlonyo stated that they did not care about the Kwoyelo trial as he had not perpetrated any crimes against their community.[624] Participants argued that Kwoyelo should not face trial as

[620] Lino Owor Ogora, "Why Community Members in Barlonyo 'Feel Left out' of the Ongwen Trial," *International Justice Monitor* (2017), https://www.ijmonitor.org/2017/02/why-community-members-in-barlonyo-feel-left-out-of-the-ongwen-trial/.
[621] Ibid.
[622] Interview with Sylvia, Lango, 3 April 2017.
[623] Interview with Ruth. Lango, 7 April 2017.
[624] Gawronski and Ogora, "A Renewed Momentum for Trial Justice? Perceptions of Conflict-Affected Communities in Northern Uganda in the Run up to the Dominic Ongwen and Thomas Kwoyelo Trials." 38.

he was from the community he attacked and therefore his own community should deal with him.[625] This is an interesting thought and is potentially grounded in the importance of clans in dispute resolution in Northern Uganda. Alternatively, it could indicate the distinct ethnic groups in Northern Uganda, as Ongwen is considered to be an Acholi who has committed crimes against the Langi (specifically regarding the Barlonyo massacre) and this draws attention to the fact that the Acholi and Langi are distinct societies and it cannot in fact be presumed that they have the same justice wants or needs.[626]

It is important to examine the opinions of women formerly abducted by the LRA who became forced wives. These women experienced many of the crimes that Dominic Ongwen is accused of perpetrating such as sexual slavery, rape, and torture. Their responses provide insights into how they understand such violence. However, it must be acknowledged that they have most likely also committed crimes during their time in the LRA and may be worried that if Ongwen is held accountable for his actions despite his initial abduction, then they too will be thought to be guilty. The initial abduction of Ongwen is considered to be an important point for many of the formerly forced wives who believe it to be crucial in determining whether he should be held accountable. A former LRA forced wife stated that, "the issue of forced marriage they think and know that Ongwen was also abducted and taken when he was young. He had been forced to do those things…wasn't doing them by himself...were orders from above".[627] The fact that Ongwen was abducted is an important distinction for this

[625] Ibid. 38.
[626] Ibid. 18., Ronald R. Atkinson, *The Roots of Ethnicity: The Origins of the Acholi of Uganda before 1800* (Philadelphia University of Pennsylvania Press, 1994).
[627] Interview with Barbara. Lango, 2016.

respondent and it signifies a shared experience that unites them under the narrative that they were abducted and forced.

Women in Uganda who had not been abducted but had suffered the effects of the LRA on their community believed that Ongwen should be held accountable for his crimes and that the trial should be conducted in The Hague. When asked about the trial Maria, a woman living in a community that had severely suffered during the insurgency, responded:

> …the thought I can give is he should be sentenced to death because he undressed us we stayed naked, he placed our necks on the log and cut…he killed children, he strangled us, he did so many things, he burnt houses, he scattered everything from us. But if I were the judge I would sentence him to death because he killed us innocently. [628]

Maria is adamant that Ongwen should be found guilty and punished. She is charging him with all of the crimes that the LRA are accused of committing. Does she believe in Ongwen's individual guilt? Or does she see him as representative of the entire LRA regime? There are different viewpoints about those formerly abducted by the LRA, such as the idea that they are not entirely victims and should be held responsible for some of their actions during the insurgency. Ongwen has been questioned in this regard as community members are reluctant to accept that he was a victim because he did not escape earlier, "… Ongwen's lawyer is saying that he was abducted as a child, but when he grew up why did he not come out? He was arrested".[629] The views that the local population express concerning Ongwen are often reminiscent of the thinly veiled resentment directed against stigmatised returnees. The latter,

[628] Interview with Maria. Lango, 2017.
[629] Gawronski and Ogora, "A Renewed Momentum for Trial Justice? Perceptions of Conflict-Affected Communities in Northern Uganda in the Run up to the Dominic Ongwen and Thomas Kwoyelo Trials." 14.

whose life was profoundly affected by abduction, do not express homogenous views about Dominic Ongwen or highlight the gender crimes that they were subjected to. Even Ongwen's wives provide different assessments of his actions. A closer look at their arguments highlights how the experience of forced marriage may vary depending on the circumstances of individual women.

6.3: The Experiences of Dominic Ongwen's Forced Wives

Dominic Ongwen is charged with committing sexual and gender-based violence crimes on an extensive scale. The case studies extracted from the testimony of five of Ongwen's forced wives will be analysed in order to gain an in-depth understanding of the SGBV crimes that he is accused of perpetrating. Then, the defence of forced marriage as 'traditional' in Northern Uganda will be explored.

Sexual Slavery and Forced Marriage Charges

The prosecution's pre-trial brief details the SGBV crimes that Dominic Ongwen is accused of committing. In addition to his personal crimes, the brief argues that as commander of Sinia brigade, Dominic Ongwen "…faithfully carried out the LRA's brutal policy towards girls and women" and "made sure that the LRA policy was followed by fighters in the Sinia brigade under his command".[630] In this regard, Ongwen is charged both with the forced marriages that he directly participated in as well as those that he commanded in order to enforce LRA

[630] Prosecution for the International Criminal Court, *Sexual and Gender Based Crimes*, 6 September 2016.

policy. Ongwen is charged with perpetrating SGBV against seven of his forced wives[631]; these charges include forced marriage, rape, sexual slavery, enslavement, and torture.[632] The defence's pre-trial brief regarding Ongwen's SGBV charges dismisses these claims and argues that, "(ix) the crime of forced marriage is subsumed by the crime of sexual slavery and cannot therefore be charged; and (x) Dominic did not possess the requisite intent for the alleged sexual and gender-based crimes".[633] Amongst other arguments, the defence maintains that Ongwen was under a constant state of duress and that he too, was forced to produce children for the LRA or risk being killed.

The SGBV crimes outlined in the pre-trial brief in relation to the charges of forced marriage and sexual slavery are informed by the testimonies of Ongwen's forced wives. In November 2016, before the trial had commenced, I met with one of the forced wives to discuss the case. Caroline was sitting on a mat on the floor of her hut near the center of town. She initially regarded me with suspicion, before I explained who I was and that I had received her information from a member of the defence. During the discussion, her daughter, who bore a striking resemblance to Dominic Ongwen, listened intently to her mother. When asked about whether Ongwen should be found guilty Caroline responded, "Considering the age that he was taken and was forced to do it, he is not guilty. When Dominic was captured there are those who underwent the same experience and saw what he was forced to do".[634] Caroline's sympathy towards Ongwen at first appears strange. After all, the pre-trial brief describes

[631] Dominic Ongwen had more than seven forced wives during his time in the LRA.
[632] *Sexual and Gender Based Crimes*.
[633] International Criminal Court, *Defence Pre-Trial Brief*, 2015.
[634] Interview with Caroline, Lango, 23 November 2016.

detailed accounts of violent rape.[635] However, it is representative of the conflicted feelings that many forced wives experience.

I asked about whether Ongwen should be rehabilitated and taken back to his village instead of facing trial, Caroline was obviously concerned about his safety and stated,

> looking at how he was treated when he came back from the bush - he was immediately taken. Listening to what people said his security is not good in the village. Kony was on the radio praising him. His security is not good even if he is to be rehabilitated. If he is to be rehabilitated he should be rehabilitated anywhere and not just in his village so that he can feel his freedom.[636]

This quotation illustrates the tensions that exist within Uganda more broadly, as many commanders who achieved an equivalent ranking to Ongwen have been released and attempted to reintegrate. Caroline is aware that Ongwen would be a target for revenge. When asked about her opinion of the forced marriage charges, Caroline explained the situation in the LRA and argued that he had no choice:

> How they are living there is that when girls are caught and taken from villages Kony would order forcefully what man took what girl - you don't have a say - you are being given forcefully and you don't have a say in it … he [Kony] would distribute these women to the men. There was a time in Sudan when he [Dominic Ongwen] was given another wife and he said no and they threatened and said they would kill him and so he had to take that woman.[637]

[635] *Sexual and Gender Based Crimes*.
[636] Ibid.
[637] Ibid.

This idea that Ongwen was also a victim of forced marriage complicates the narrative by questioning and problematizing his moral culpability.[638]

A member of the defense team argued that girls were forced on commanders and there was no choice for anyone, male or female. He recounted a specific example where he stated that Ongwen was forced to have sex with a young girl who wanted to prove to the other women in the household that she was a woman. He supposedly tried to chase the young girl away twice before she refused to leave and said that she was there because she was meant to be his wife and, 'do to me what you do to the others'.[639] There is a discrepancy between this account and the statements that appear within the pre-trial brief which does not describe any incidence such as this. The accuracy of these claims is questionable but if true, they would have implications for the trial in terms of the victim-perpetrator dichotomy. Ongwen would be placed in the role of victim and the underage girl would also be a victim as the responsibility still lies with the adult man. However, the girl's willingness may have some impact on the narrative surrounding the case. Within this discussion, we must acknowledge the complexities that exist surrounding relationships in the LRA; many women preferred to be wives in the LRA if given the choice, as wives were generally not forced to fight, received better food rations, and in some respects received better treatment.[640] Nevertheless, SGBV was reportedly common within LRA forced marriages where men were rarely held accountable for any violence they committed against their wife/wives. Men typically did not have a choice about who would be their wife, but were encouraged to marry due to the

[638] See: Aijazi and Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage."
[639] Interview with a member of the Defence, November 2016.
[640] See Baines (2014) and Annan. Blattman et al. (2011).

suspicion that would be aroused should they remain single.[641] This argument has been pursued by the defence and a witness for the defence explained in their testimony, "… Kony's orders in relation to forced marriage and how neither the women nor the men had a choice in the matter".[642] This promotes the narrative that men may have experienced victimhood in relation to forced marriages, albeit differently than women.

The Five Forced Wives of Dominic Ongwen

Having established the crimes that Ongwen has been charged with, this section will present case studies of four of his forced wives. It will then analyse the testimonies highlighting some central considerations. The case studies were based upon the Article 56 testimonies collected by the ICC in September 2015. The testimonies were collected in a closed court setting where the prosecution and defence both had the opportunity to question the woman. The women did not travel to The Hague and instead participated in video interviews. The interviews did not adhere to a chronological timeline of events so the case studies were used to create a clear picture of when events occurred. Where possible, the women's own words and phrases were used within the case studies to describe their experiences.

Lucy's Story: *'Do you not know the rules we apply in the bush? Once you are mature enough you should have a husband'*

[641] Aijazi and Baines, "Relationality, Culpability and Consent in Wartime: Men's Experiences of Forced Marriage."
[642] International Criminal Court, *Defence Pre-Trial Brief*, 2016. 364.

Lucy was suddenly awoken by loud shouting. She looked to her mother and two sisters who looked equally alarmed. The door was aggressively opened and they were instructed to stand up. The soldiers pointed at Lucy and told her to go outside-she was afraid and quickly complied. Her mother questioned them, “why are you taking this child? She is still young!”. The soldiers ignored her mother’s plea and threatened that they would beat her if she continued talking. Lucy was instructed to start walking leaving her mother standing bereft outside the house.

After a short walk, the soldiers reached a shop in the town where the rest of the group were waiting. Items from the shop had been looted and Lucy was ordered to carry the looted items and continue walking. She walked for days as her feet grew increasingly swollen. She thought of escaping but was terrified that they would hurt or kill her as the soldiers carried guns and she was still young and could not run in the grass or the bush.

When the group reached Pader, they were ordered to put the looted goods on the ground and those who were abducted watched as the soldiers began to divide the looted goods between them. They then began to divide the people. Lucy was assigned to Dominic Ongwen’s household. She was instructed by one of Ongwen’s forced wives to throw away the clothes that she came with as they may have been bewitched and she was bathed and told not to think of home and to follow the rules in the bush.

Despite this advice, Lucy could only think of her mother and the way that she was taken from her. She would frequently cry and wish to go back home. Eventually, she planned to escape. It was raining that day and the soldiers were able to follow her footsteps in the

mud. They found Lucy hiding in a bush and forced her to return threatening that they were going to kill her. Once they were back at the camp, Ongwen and some of the other commanders instructed two soldiers to beat her at the same time. She received over fifty strokes from canes and her body became swollen. It was after this that Lucy decided that she would not attempt another escape as she knew that if she did and was caught; she would undoubtedly be killed.

During her time as a Ting-Ting, Lucy began to understand the rules and routines of the LRA. For example, when newly abducted people first arrived they were asked if they wanted to go home. If they replied that they did, they would be beaten and would learn to never speak of their home again. The abducted girls would be divided based on their presumed age with the older girls taken by men to become wives and the younger girls kept as Ting-Ting. As soon as the Ting-Tings matured however, Lucy observed that the senior officers would be called and told to take whoever it was they wanted as a wife because they were now old enough to be wives. At times, Lucy witnessed Ongwen deciding when girls should be distributed.

Lucy became a wife to Ongwen while the LRA were in the Congo. It was 2006, and Ongwen sent one of his wives to call her. She went to him and he stated that she should spend the night with him. Lucy was hesitant but Ongwen insisted. She argued with him and said that she did not want to get involved with any man in the bush. He responded asking her 'Do you not know the rules we apply in the bush? Once you are mature enough you should have a husband'. Lucy was worried about the pain-she had seen other girls being given to men and it was very painful for them. She thought she was still too young and did not think she would

be able to have a child. Lucy was afraid, she knew that if she did not submit to Ongwen; she would be beaten. When Lucy went to his room she was instructed to undress. Lucy complied and Ongwen had sex with[643] her three times that night and she cried. A week later, Lucy was called to come to him again. She was reluctant but went because he had already had sex with her anyway and she thought that she would get into trouble if she refused.

Lucy was now a junior wife of Ongwen and the senior wife would beat her. Occasionally, all of the wives would be beaten by either Ongwen or his escorts. On one such incident, Lucy was asleep in the bed with some of her co-wives. Ongwen stormed into the room and told them all to get up and go to his room. They went to his room and realised the bed had not been made. Ongwen proclaimed, 'that's why we are here? -I have woken you up because the bed is not prepared'. They started to prepare the bed and Ongwen ordered them to stop. Lucy stated they had forgotten and he angrily responded, 'how can all of you forget?'. The women returned to their house and were told to go and lie down. They lay down and Ongwen beat them with a cane-ten strokes each. He then picked up another cane and began to beat them with a cane in each hand. The women were crying and another commander, Latoni, heard the commotion and asked what was happening. Ongwen explained that they had not made his bed and Latoni stopped him from beating the women any further. Lucy was left with scars on her breasts from this incident. Lucy would be beaten if she refused a command or questioned Ongwen.

[643] This is how Lucy describes this event in her testimony - she does not use the word rape.

Lucy had three children with Ongwen and found her pregnancies in the bush to be very difficult. She did not feel as though she had a choice in becoming pregnant. Lucy felt that eventually, Ongwen treated her and the other wives well and she would overhear soldiers discuss how Ongwen cared about people and had sympathy for them. He did not like berating soldiers but instead liked to teach them. After years in the bush, the LRA moved to a location in the Congo and Lucy and some of the other wives were brought together and told that Ongwen had said they were to go back home. Lucy was released and able to go back home with her children.[644]

Betty's Story: *'I could not refuse because I was not free. I was under his authority'*

Betty was eleven years old when three LRA soldiers approached and entered the house. She was grinding some millet and one of the soldiers said, "come here, young girl". Her Aunt signalled quietly to her that she should not go but the men insisted and demanded that she go with them. Betty was afraid, the men had guns and she had previously heard people discuss how they would frequently kill people who disobeyed their orders. Betty left with the soldiers and after reuniting with some soldiers in town, Betty was given some luggage to carry. Two young boys who were accused of escaping from Sudan were caught and Betty was forced to watch as they were brutally killed. Along with the other abductees, she was told that should they attempt escape; they would suffer the same fate.

[644] *Article 56 Proceedings*. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.

The group moved to Gulu where Betty along with the other new abductees were whipped ten times. They were told that it was part of their initiation. This was the beginning of a continuous threat of violence for Betty who would be beaten for many perceived infractions. Betty was assigned to Ongwen's household and one evening, he called her to his house. She was told to lie down on his bed. Betty did not feel as if she had a choice in the matter and so went towards the bed. He then told her to undress. As she was undressing, she looked around the room and could see a gun. Ongwen then had sex with her.[645] Betty felt that if she had refused she would have been in danger.

Betty was constantly guarded by Ongwen's escorts and she became close with one escort called Nyeko. Nyeko and Betty cared deeply for each other and would take the time to be alone together whenever they could. Nyeko became Betty's confidante and lover. One day Betty and Nyeko were discussing plans to escape together when someone overheard. They were arrested and taken to Kony who demanded to know what had happened between them. Betty denied everything. Kony stated that he did not believe her and that she would be killed if she did not tell the truth. Betty admitted to sleeping with Nyeko and he was taken outside blindfolded with his hands tied behind his back, and shot. Kony explained to Betty that since Nyeko was older than her it was obvious that she was persuaded by him and so she should not be killed. He then ordered her to lie down and she was caned one hundred strokes. After this punishment, Betty could not walk and was carried back to Ongwen's house where some of the other wives nursed her. Ongwen simply told her that if it was true, it should not happen again.

[645] Term used by witness.

Betty was disliked by some of the co-wives with one of the senior wives frequently accusing her of witchcraft. She claimed that she was getting headaches caused by Betty and her charms. Betty was investigated and interrogated but no evidence was found, so her name was cleared. Betty had two children with Ongwen and felt that she did not have a choice in the matter. She asked Ongwen to release her so that she could go back home with her children and he refused. Years later however, the fortunes of the LRA had become significantly worse and in September 2014, Ongwen sent a message stating that Betty and her children were to be released to go home. Betty's time in the LRA had finally come to an end.[646]

Jenti's Story: *'You're lucky your dead. I still have to continue with my own struggles'*

Jenti was sitting by the fireplace outside with her sister and mother. She saw some soldiers with guns approaching and immediately knew that they were not government soldiers as they were carrying goats with them. They pointed to Jenti and said, "little girl, stand up". She refused and they took out their gun and commanded her again along with her older sister. Her mother became scared and distraught and tried to stop them. She begged them not to take them both. The soldiers commanded her mother to be quiet and her mother began to weep as Jenti and her sister were forced to leave with the soldiers. Jenti's sister was released after being forced to carry things for the soldiers. The soldiers stated that she was ugly and to go home. Jenti was alone; at just seven years old, she had been abducted by the LRA.

[646] *Article 56 Proceedings*. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.

Jenti was given a bag of salt to carry and the group began to walk. In Pawel, they ran into some government soldiers and Jenti hoped that she might be rescued, but the soldiers were drunk and fired a few gunshots before running away. During the journey, it began to rain and the salt began leaking onto Jenti's head creating sores. After walking for weeks, Jenti was exhausted. She had sores on her stomach and head and her feet were swollen and aching. She asked the guards to let her rest and they stated that if she wanted to rest she could go under a tree and sit there and that's where she would be left. Jenti did not believe them as the last girl who had swollen legs and was told to sit under a tree was killed.

Jenti had been abducted in her school uniform but during the journey, she was given a black dress to put over it. By the time she reached Sudan, she was very dirty, in ragged clothes, and had open sores on her head and body. Jenti was put into a group with other abducted girls and her bedraggled appearance was deceptive to Kony who asked Ongwen, "why did you bring an old person here?". After Kony had finished selecting girls, Jenti was left standing so Ongwen instructed his escorts to take Jenti to his house. Jenti knew that she did not have a choice, if she refused; she would be beaten or killed.

Once at Ongwen's house, one of his wives was told to wash and dress Jenti. When Jenti had been cleaned up some people saw her and ran to Kony proclaiming that the girl he had not selected was actually young and beautiful. In response, Kony sent his escorts to collect Jenti but Ongwen would not allow her to leave. Ongwen began to hide her and forced her to sleep under his bed stating that other people wanted to take her away from him but despite this, Kony kept sending escorts to collect her. Eventually, Ongwen argued that he had

abducted her and so they should either divide her in two or kill her. After this, Kony stopped sending his escorts and Jenti became a Ting-Ting in Ongwen's house.

At only ten years old, Jenti was raped by Dominic Ongwen. Jenti was asked to bring him water and when she took the water to him, he held her arm and refused to take the water from her. He said that he wanted to have sex with her. Jenti became very afraid and dropped the water, it fell on the bed and she ran out of the room. Ongwen called his escorts and Jenti was beaten. Jenti was scared, she did not think she was sexually mature[647] and she would frequently see the other women crying after they left Ongwen's house. While Jenti was caned, Ongwen sat watching. Jenti was beaten for a week because every time Ongwen asked her to come to him, she would refuse and he would order the escorts to beat her. After a week of beatings, Jenti could no longer sit as her body was so swollen. One of Ongwen's wives still expected Jenti to complete her duties and she was beaten because her injuries prevented her from being able to. Over a week later, Jenti could not take the beatings anymore so she yielded and allowed Ongwen to have sex with her.[648]

Jenti was told to go to Ongwen's house and undress. She refused and he ripped her clothes off. She was too small to climb on the bed as it was high and so he lifted her onto it. Ongwen told her that he would kill her if she cried so she held her hands over her mouth. After he had sex with her, Ongwen told her to get up and go back to the house with the other forced wives. Jenti left crying and went to bathe because she was bleeding. That evening, when Ongwen was eating with his soldiers, Jenti heard him say, "Today I tore a polythene

[647] Term used by witness.
[648] Term used by witness.

bag".[649] Ongwen did not consider Jenti his official wife after this and it was two years later, at age twelve, that Jenti was considered Ongwen's official wife.

Many of the other wives were jealous of Jenti as Ongwen had determined that she would be the only one allowed to touch the cutlery and serve his food to him. Jenti maintained that she did not consider Ongwen to be her husband. When she was twelve years old, Ongwen instructed that she and another newly abducted girl be taken to his house. He had sex with them both and once again threatened that if the newly abducted girl cried, he would kill her.

Times became hard for the LRA and battles raged. After one particularly awful battle, Jenti saw lines of corpses and thought, "you're lucky you're dead. I still have to continue with my own struggles". She walked into a clearing in the forest and saw some government soldiers. She thought about approaching them but heard one of them say, "If I find anyone alive among them, I will rape them until they die". Jenti ran and hid in a banana plantation until the soldiers passed. After nightfall, she started walking towards the road and found a different group of government soldiers. They took her to the barracks in Gulu and then to the hospital where she was treated for eight months before being sent to GUSCO and eventually being re-united with her family.[650]

[649] This is a reference to having sex with a virgin. Jenti's age of 'becoming a wife' is unusual for the LRA which usually waited until the girl had started menstruating or was 12-13 years old. Ongwen's determination to make her his wife so young may be due to his fear that other commanders wanted her.
[650] *Article 56 Proceedings*. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.

Diana's Story: '*He asked me, "Have you seen this gun? If you refuse to sleep here, then you're going to face the consequences"'*

At fifteen years old, Diana was walking home when she was abducted by a group of LRA soldiers commanded by Dominic Ongwen. Diana was forced to walk for hours in her school uniform before the group set up temporary tents for the night. Another commander named Abudema said that the abducted girls should now be released to go home but Ongwen refused saying that he had already found his wife and would not release his new abductees.

That night, Diana was told to go with a female member of the LRA and sleep in her tent. Diana was exhausted and quickly fell asleep but was awoken hours later by one of Ongwen's escorts who told her to get up and come quickly. She was scared but followed the escort to Ongwen's tent. She knelt in front of the tent and was commanded to enter. She responded, "No, I'm not coming in. I'm not going to enter into your tent" before returning to her original tent to go back to sleep. Diana was very scared and was beginning to cry. She lay down beside the other woman to try and sleep. Seconds later, the escorts returned and grabbed her roughly. They were angry and marched her back to Ongwen's tent and ordered her to enter the tent and kneel next to the bed. She complied and was asked by Ongwen, "Have you seen this gun? If you refuse to sleep here, then you're going to face the consequences". Diana pleaded with him stating, "I'm still young. I haven't had any sexual relations with a man. You're older than me. I'm young. I do not know what you're talking about". Diana's pleas were ignored. Ongwen, along with his escorts, held her down forcefully

so that he could rape her.[651] Diana cried and bled; she felt her rights had been violated and there was nothing she could have done about it.

After this initial encounter, Diana did not feel like she ever had a choice to refuse to have sex with Ongwen. If she refused; she would be beaten, and in fact she was beaten multiple times for refusing to have sex with him. Diana had three children with Ongwen; two while in the bush and one upon her return (she was pregnant when she escaped the LRA).[652]

Harriet's Story: *'Kony gave the order that any commander who wanted to have me as a wife would first have to ask me and could only take me if I agreed'*

Harriet was asleep when armed men entered the house. She awoke and was told to go outside. Once outside, she saw a group already gathered and joined them. They were then told to start moving. Twelve women were taken, with ten released to go back home. Harriet and another girl remained and were taken to Sudan. Harriet was sent to Ongwen's house on her first night there and stayed there as a Ting-Ting. She was then taken to meet Kony. Harriet's uncle from her mother's clan was a colonel in the LRA and was in Control Altar.[653] Her uncle was very close to Kony and they would always move together. Harriet became a Ting-Ting in Kony's household and remained there for seven months. At this time, Kony had approximately forty wives. Harriet noticed that Kony would decide if a commander would have a wife and if a woman refused to be his wife, she would be transferred to another

[651] Term used by witness.
[652] *Article 56 Proceedings*. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.
[653] This was a group of high-ranking commanders that were close to Kony and directed military strategy.

household. Harriet quickly learned that she was not allowed to go home and that she would be beaten if she attempted to escape. Moreover, if anyone knew about her plan to escape, they would be severely beaten or killed.

After seven months in Kony's household, he asked Harriet to become his wife. Harriet said no. She did not want to stay in his household because she felt that he had too many other wives and she thought she was too young to have so many co-wives. Harriet sent a message to her uncle telling him that Kony wanted her to stay in his household as his wife but that she did not want to. Harriet's uncle went to Kony and told him this. Kony responded that Harriet should then be transferred to another household. She states, "Kony gave an order that any commander who wanted to have me as a wife would first have to ask me and could only take me if I agreed. Kony said I could not be forced to be anyone's wife. If somebody wanted me as a wife, they first had to ask Colonel [her uncle]. Then he would ask me and if I consented it was fine but I would not be forced. I was treated differently than other girls who were just given to soldiers as wives soon after your abduction".

Harriet could not remain single because Kony was worried that single women would create prostitution amongst his soldiers. Harriet rejected a few commander's proposals before she was approached by Ongwen. She felt obliged to accept and was transferred to his household. Harriet had sex with Ongwen because she felt that she had become of age. In her original statement, she had said that she did not want to sleep in his house but could not have refused and if she had refused she would be killed. When this statement was read to her in court, she said that it was incorrect. When questioned about the contradiction, Harriet argued

both that it was time for her to become a wife and that if she had refused she could have been killed or accused of promoting prostitution.

As the fourth wife to Ongwen, Harriet was expected to cook, gather water, and farm in the garden. Ongwen's escorts would accompany the women to the garden and if any of them refused to go or fulfil any of their other duties; they would be beaten. Ongwen had ten escorts who would beat the wives if ordered to. When Harriet was asked whether Ongwen would have killed her if she attempted to escape, she refused to answer the question. She explained her reasoning, "Yes, I heard the question, but you know all army worked based on orders and instructions, even if it's your mother's child. Let me take for example what my uncle, if he caught me escaping and was given orders to kill me, then yes, he would kill me because those were the orders".

Responding to questions from the defence during the trial, Harriet described Ongwen as someone who took care of his wives and all of his soldiers. She states that he would play with the younger boys and would make sure they had enough to eat. Ongwen never told Harriet that he wished to escape because it was a secret that was dangerous and you did not tell anybody out of fear for your life. Harriet eventually escaped, and in GUSCO she met one of Ongwen's babies who had been captured without its mother. The baby was very young and had not yet been weaned. Harriet went to MEGA, a radio station devoted to peacebuilding, in order to get a message to Ongwen. She told him to send his wife (the child's

mother) back home because the child was too small. His wife returned shortly after and told Harriet that she had been released by Ongwen after Harriet's request.[654]

Analysis

The stories of abduction and brutal initiations are well known within the context of the LRA and follow a typical pattern. A young girl is abducted and forced to walk miles by the LRA while carrying looted items. She is then distributed as if she were one of the looted items and is either chosen by or distributed to a commander. The distribution is based upon rank and the higher-ranking soldiers are given first choice to identify their 'wife'.[655] The above case studies demonstrate that, in most instances, this is what occurred with Dominic Ongwen, but there are some interesting events that deserve a more in-depth examination. The first rape is always clearly described as rape while sex that occurs afterwards is vaguely depicted as being less coercive. The forced wives describe the violence and the implied threat of violence that accompanied the first act of rape but for subsequent rapes, the descriptions change. This could imply that the sex became consensual but it is more likely that the women accepted that they had no other option if they wanted to survive and thus began complying.

Each of the women states that violence was generally ordered by Ongwen but carried out by his escorts. The sexual violence was exclusively carried out by Ongwen, while the physical beatings and the restraining of the women was heavily dependent on his escorts. The testimonies indicate that Ongwen was in control of when a forced wife was sexually violated

[654] *Article 56 proceedings.* ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015
[655] Mazurana, "Forced Marriage within the Lord's Resistance Army, Uganda."

which queries the arguments mentioned above regarding the level of coercion he encountered within the forced marriages. This also resonates with some of my findings that are discussed in chapter two concerning the delegation of gender violence in the LRA as juxtaposed to the violence that is carried out by the husband himself in peace-time marriages.

Many of the themes described by the forced wives in the case studies are perceived transgressions that would also lead to violence in post-conflict marriages. For example, as discussed in chapter three which focuses on post-conflict 'peace' time marriages, a woman cannot refuse to have sex with her husband, a woman must fulfil her domestic duties, and a woman cannot question her husband's authority. There are also specific rules relating to polygamy that would explicitly forbid having sex with two wives at once. This is described in Jenti's case study where she states that she, and another of Ongwen's forced wives, were forced to have sex with him simultaneously.

In Betty's case study, we learn that she had an affair while 'married' to Ongwen. The discovery of Betty's affair led to her being questioned by Kony and then beaten by his guards while the affair partner was killed. What is unique in this instance, is that Kony took the role of the clan in adjudicating the marital issue. Although this could also be interpreted as him simply demonstrating his authority, as he wanted to reinforce his rules around sexuality and reproduction. It is also interesting that Betty was considered to be persuaded into the affair by Nyeko as he was older than her. In 'peace-time' Northern Uganda, a woman is often severely beaten or killed if she engages in an affair while for men, affairs are acceptable and often condoned by society. Marital disputes in peace-time marriages are adjudicated by the man's clan and if the dispute continues, the woman's clan. Kony had taken the clan's role in

adjudicating the dispute and deciding upon a punishment. The punishment, death, was then carried out by his guards. In essence, the violence was delegated not by the husband (Ongwen) but by Kony himself. This may have been because Kony thought that infidelity would negatively affect his soldiers and cause disorder amongst the ranks.

Jenti's case study exhibits that Ongwen had a degree of choice in his actions and an ability to refuse certain orders. From Jenti's testimony we gather that when Kony was informed that she was in fact a young girl and very beautiful he decided that he wanted her as his wife. Ongwen resisted Kony's demands; he even hid Jenti under his bed so that Kony's guards could not come and take her while he was sleeping. This raises the question of the extent to which Ongwen was able to refuse commands, and to a degree, contradicts one of his defences that he, too, was forced into marriages. Ongwen may have been forced into certain marriages but in this specific case, he doggedly pursued a marriage with one of the abductees. Jenti was ten years old when Ongwen raped her which is considered too young according to the rules of the LRA. At the beginning of this section, a claim was made by the defence stating that Ongwen was pressured to have sexual relations by a young girl who demanded that she 'take him as a wife'. Ongwen was described as reluctant to do this but felt as though he had no choice. This may be a different interpretation of the same event. Either way, it would appear that Ongwen was not in fact reluctant to have sexual relations with a very young girl.

Ongwen may have insisted on raping Jenti at this young age because if he claimed her as a wife then he would be sure that Kony would not take her from him. From Jenti's account, it seems that Ongwen delighted in her rape as he gossiped about it with the rest of his

soldiers. Jenti only became an 'official' wife to Ongwen two years after her initial rape when she was twelve, suggesting that Ongwen had violated the rules regarding the age at which a girl could become a wife in the LRA and that he knew of this and therefore waited until she had reached a more acceptable age. Taking a girl who by LRA standards was considered too young may have been a regular occurrence for Ongwen as one of the forced wives stated in her testimony that, "Dominic was the worst when it came to young — when it came to young girls. He referred to them as ting-ting. But regardless of the fact that he refers to them as ting-ting, he still has sex with them at a very young age".[656] This demonstrates that although Ongwen may not have had a choice in marrying while in the LRA, he did have some choice in whom to marry and at what age he first, 'took them as a wife'. This relates more broadly to the argument about men in the LRA being forced into marriages as it becomes abundantly clear that men had the ability to exercise a far greater degree of choice within these forced relationships than women.

Harriet's case study represents a unique perspective, as in many parts of her testimony she is defensive of Ongwen. Harriet's experience within the LRA was exceptional. Her uncle was a high-ranking soldier who was in Kony's notorious 'Control Altar'. Harriet's relationship to such a high-ranking officer undoubtedly shaped her experience and her perception of events. She was able to reject Kony's advances and it stands to reason that this was because of her uncle. Harriet's uncle's presence and status meant that she was able to negotiate her marriage, which is more akin to what occurs in peace-time. She was not so disconnected from her lineage, and was able to strategically use a clan elder to negotiate for

[656] *Article 56 Proceedings*. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.

her and ensure she had an element of choice. This was different from the experience of other abducted girls. Harriet recognizes this as she identifies that she was treated differently than other abducted girls, however, she does not appreciate the extent of her exceptional treatment. For example, within her testimony, she argues that if a woman refused to be a wife to Kony then she would be transferred. This directly contradicts Evelyn Amony's account of her experience of first 'becoming' Kony's forced wife. Harriet received special treatment due to her uncle's high rank, but she may have been unaware of how extensively this influenced her experience.

Harriet's initial testimony explicitly stated that she was forced to have sex with Ongwen. Although when later questioned in court, she contradicted this and stated, "that is not correct".[657] Harriet's perception of this event had changed. She then refused to answer questions about the apparent contradiction before eventually providing an explanation that alluded to the fact that it was a constrained choice. During questioning, she highlighted that he took care of his wives and the soldiers under his command. She explained that when she escaped and found his baby and appealed to him to release the mother he complied. This depicts Ongwen as a man who cares for his children. Harriet's testimony in many ways appears to defend Ongwen. Although perhaps more importantly, it allows us to investigate the multitude of experiences that women in the LRA were exposed to and the various elements that shaped this.

[657] *Article 56 Proceedings*, 2015. ICC, *The Prosecutor* v. *Dominic Ongwen*, Pre-Trial Chamber II, September 2015.

6.4: A Possible Defence for Forced Marriage?

The previous section has critically examined the diverse experiences of a number of Dominic Ongwen's forced wives. The next section will consider a possible defence to the forced marriage charges; the suggestion that it is 'traditional' in Northern Uganda. A member of the defence team (who are currently presenting their case) has indicated that marriage by kidnap is traditional in Northern Uganda with the argument that, "In Lango, traditionally if a man liked a woman he would go to the market that he knew she visited with a few of his male friends and would pick her so it was not that different from tradition".[658] Can this assertion be verified?

The literature surrounding marriage by kidnap is scarce. Steiger Hayley, in his work on Lango marriage customs, is one of the few sources that mentions marriage by kidnap but he describes it as rare and states that,

> should a boy have seen a girl whom he desired as a wife, though he did not know her at all, he might go to the dance with a group of friends and they would seize her by force and would take her to his village. The boy would not have intercourse with her, but would try to persuade her to become his wife. If she would still have nothing to do with him after a week, she would be sent home.[659]

Although it is unclear what form the persuasion might take, this description is different from what occurred within the LRA. Women were distributed to commanders within the LRA as if they were property, and there was no element of choice or ability to resist. Also, Hayley states

[658] Interview with a member of the Defence, November 2016.
[659] Hayley, "Changes in Lango Marriage Customs."

that the boy would not have intercourse with the girl. In the LRA, the commander would rape a woman that he was given immediately, as the creation of the new Acholi race was an important objective for the movement.

Other sources describe the idea that marriage by kidnap was traditional as a misinterpretation of the culture. For example, the co-founder of an NGO in Northern Uganda who is from the Acholi society stated that it

> was done when two people had already met and talked about it and the abduction was just drama played out…this is the way we stage our marriage process to reflect something but it's not anything close to abduction and we do not mean 'let's abduct a woman' in the LRA they did not pay dowry and had sex in the bush which is a social taboo therefore the context in itself betrays the whole idea of marriage.[660]

The context of the forced marriage is important as the traditional marriage processes were not followed and the geographical location of 'the bush' was embedded with meaning and thought to bring disastrous consequences.

Did marriage by capture happen historically? Other than Hayley, J H Driberg describes a process whereby women and children were taken as spoils of battle. These women were then married either to or by their captors and the children were adopted. Driberg argues that there is no differential treatment for these women, rather, they are treated as any other wife.[661] Apio, in an interview, also described a process whereby a woman would be given as compensation to another community after a war had taken place that had resulted in the loss

[660] Interview with Boniface Ojok, United Kingdom, 2018.
[661] J H Driberg, *The Lango: A Nilotic Tribe of Uganda* (London: T. Fisher Unwin Ltd., 1923).

of many lives, and that this woman would be known as a Moo woman or Moo wife.[662] This is conceptually different from the idea of marriage by kidnap as women were given as a form of compensation rather than abducted for the purposes of becoming a wife. Driberg's description is slightly more akin to the marriage by kidnap argument, but again it is not entirely suitable, as women were abducted by the LRA for the specific purpose of procreation and creating a new Acholi race. They were not spoils of battle, as the LRA did not engage in regular or historical methods of warfare, but rather conducted targeted raids and employed other insidious methods to capture children.

The suggestion that marriage by kidnap is traditional in Lango society is difficult to substantiate. However, the argument that marriage by kidnap is traditional and therefore should not be considered criminal is interesting and reminiscent of Porter's findings in her thesis on rape in Northern Uganda. Porter describes marriage by kidnap as a historical practice that is used in contemporary society to justify rape.[663] She states that the disruption of social norms that occurred in the wake of the LRA war has allowed rapes to take place and be excused by society as 'traditional', when in actuality it is far removed from any previous tradition. The defence may be using the breakdown of the moral fabric of Northern Ugandan society due to the insurgency in order to justify the marriage by kidnap that occurred in the LRA, and to equate it with peace-time society.

Perhaps the more important question is not whether LRA forced marriages were akin to historical marriage by capture, but rather, if the defence chooses to employ this strategy,

[662] Interview with Eunice Apio, United Kingdom, 2018.
[663] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 188.

why might they believe it would be successful? This argument may be plausible because of the high levels of SGBV that is regularly found within Northern Ugandan society. The level of violence within forced marriage that forced wives in the LRA experienced was not far removed from what they might experience in regular civilian marriages. In fact, as seen in previous chapters, some former LRA wives stated in interviews that in some respects, their marriage when they returned was worse than their LRA marriage. In terms of levels of violence, this argument might be convincing; however, this is where the similarities cease as these women were not abducted by their post-conflict husbands and entered into the relationship by choice.

Tim Allen relayed to the court in The Hague that there was a diversity of experiences for forced wives, with some detailing their experiences as harrowing while others talked about it in positive terms.[664] Why would saying that LRA abductions are similar to 'traditional' 'marriage by capture' work in favour of Ongwen? Could it be that there is an assumption that 'tradition' was positive even when it involved practices that appear to be brutal against women? Does this logic betray an attempt to justify violence against women by lending to it the legitimating authority of 'tradition'? The high level of tolerance for peacetime gender violence would suggest that such an argument would not be too far-fetched. Until Northern Ugandan society criminalizes or rejects the high levels of violence that are present in peace-time marriages, the determination to pursue what are sometimes equal levels of violence in war-time marriages will be non-existent. The defence may choose to pursue this argument not because they believe it has merit but because they wish to highlight the context within

[664] *Trial Hearing Uga-Otp-P-0422 Icc-01/04-02/06*.

which forced marriages have occurred, and raise the issue of violence within peace-time marriages and the similarities that exist. To the international community, forced marriage may be a horrific crime, but to the LRA forced wives, it was only one of several violations they suffered and oftentimes continue to suffer today.

6.5: The Language of the Trial

Having explored the SGBV crimes that Ongwen allegedly committed, this section considers the terminology used within the trial. 'Sexual slavery', 'forced marriage', and 'rape' are the legal categories that are used by the prosecution. However, these terms were not used by formerly forced wives when discussing their experiences with me. Women would instead state that 'he took me forcefully'[665] and would describe that it was 'like a marriage from here'[666] but would explicitly state that it was not by choice. This contrasts with many NGO reports that are created in collaboration with the LRA forced wives, which do use the word rape. For example, the report by Watye Ki Gen and CAP International entitled, 'The Lord's Resistance Army's Forced Wife System' consistently refers to the experiences as rape and states that the women were taken like slaves.[667] This may however be due to the influence of the NGO CAP which is an American NGO committed to ending sexual exploitation. When asked about the use of these terms within the trial a member of the defence stated that,

> the prosecution is interpreting these events and telling the women how they should discuss them/what labels they should use. Before talking to the prosecution, they do not use these labels to describe their experience. White people tell them they are raped. In forced marriage, they do not see themselves

[665] See: Interview with Justine, Lango, 7 April 2017.
[666] See: Interview with Sylvia, Lango, 3 April 2017.
[667] Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System."

> as raped. In the LRA they were executed if they were a rapist, especially before 2006/2007 where the policy slightly changed after operation iron fist.[668]

This is similar to my research findings, where rape in Uganda was viewed as something that was committed by strangers.[669]

Although many forced wives did not believe that they were married, they also did not describe their experiences as rape.[670] Porter investigates this phenomenon and explains that the marriage in the LRA was considered normal for women 'in that context' and therefore it may not explicitly be conceived of as rape.[671] Marital rape is not illegal in Northern Uganda,[672] and many participants maintained that your husband cannot rape you and it was a wife's duty to submit. For example, one woman stated, "how will he have raped you and yet you know that is your husband? It happens outside".[673] The denial that marital rape can be seen as a crime - or even as rape - creates an interesting chasm between the international and local perception of the crime which indicates how the gender crimes Ongwen committed might be perceived in Northern Uganda. This was emphasized during a meeting that I had with a former forced wife who when discussing the Ongwen Trial stated that, "At first women didn't like the trial being at The Hague but now that idea has changed and they think *maybe he committed a crime that they didn't know* so it is good for him to defend himself at The Hague".[674] This quote indicates that the former forced wife who would have been subjected to most if not all

[668] Interview with a member of the Defence, January 2017.
[669] For more on this see: Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.
[670] Interview with Sylvia, Lango, 3 April 2017.
[671] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.
[672] There is ongoing debate about marital rape-the specific bill outlawing marital rape has not received parliamentary approval.
[673] Interview with Dorothy, Lango, 29 March 2017.
[674] Emphasis added. Interview with Barbara, Northern Uganda, 2016.

of the same things that Ongwen's forced wives were subjected to, does not consider the SGBV crimes enough of a reason for Ongwen to be on trial at The Hague.

During the questioning of the forced wives, the prosecution attempted to establish that the force or threat of force was present and consistent throughout the marriage but many times this was not confirmed by the forced wives themselves. The forced wives would always state that the first instance of rape was entirely forced by Ongwen under the threat of violence. However, subsequent rapes did not have the same level of threat. One forced wife explained why she went willingly to Ongwen's rooms after the initial rape had occurred, "Well, I went because he'd already had sex with me anyway, and there are other people who were in the bush were in the same position as I was, and if I decided not to go, then maybe I would get into trouble and that's the reason why I decided to go".[675] This shows that the law's sharp dichotomies are not always consistent with people's experiences. In this instance, the forced wife was not technically forced into sex but given the history of violence if she refused, it certainly does not appear to be a choice made freely. After establishing the first instance of rape by Ongwen, the prosecution had a tendency to change the language subtly to forced sex rather than rape. De Vos argues that this is important as, "While the emphasis on the continued forced nature of these subsequent acts of sexual violence is of course important, the subtle change in language from 'rape' to 'forced sex' matters. It suggests that the character of the crime is somehow different when the 'forced marriage' has been established".[676]

[675] ICC, The Prosecutor v. Dominic Ongwen, Pre-Trial Chamber II, Transcript of 4th November 2016.
[676] Dieneke De Vos, 2016, https://me.eui.eu/dieneke-de-vos/blog/icc-trial-against-dominic-ongwen-commences-some-thoughts-on-narratives/. 3.

The use of different labels for the same event suggests that there are different understandings of the event, but this does not alter the substance of the event legally. If a woman describes a rape but does not call it rape, it does not mean that it does not constitute rape from a legal perspective. The law does take the women's interpretations into account, but it judges according to legal definitions, which may not be the same as the women's choice of words. Also, the judgement of culpability may not be the same as that of the victims (or indeed the perpetrator). If a particular event corresponds to its definition in law, then this is how it will be understood legally, irrespective of subjective designations. However, the different labels are important in terms of how these women might conceptualize their LRA relationships or forced marriages, how these events are interpreted by the society more broadly, and how this interpretation interacts with the legal case.

Consent

The Rules of Procedure and Evidence at the ICC were applied to the forced wives' testimony regarding the threshold for consent in sexual relations with Ongwen. Rule 70, which relates to principles of evidence in cases of sexual violence, stipulates that

> (a) Consent cannot be inferred by reason of any words or conduct of a victim where force, threat of force, coercion or taking advantage of a coercive environment undermined the victim's ability to give voluntary and genuine consent;
> (b) Consent cannot be inferred by reason of any words or conduct of a victim where the victim is incapable of giving genuine consent;
> (c) Consent cannot be inferred by reason of the silence of, or lack of resistance by, a victim to the alleged sexual violence;

> (d) Credibility, character or predisposition to sexual availability of a victim or witness cannot be inferred by reason of the sexual nature of the prior or subsequent conduct of a victim or witness.[677]

Women in the LRA (and often men) were in a constant state of duress and therefore the question of consent is complex. By the court's threshold, all of the forced wives would have been considered not to have given consent to sexual relations at any time while in the LRA which does not reflect my research findings that indicate that relationships between forced wives and men in the LRA were fluid and constantly evolving with forced relationships sometimes becoming consensual relationships. Given this contradiction, it is important to examine whether this concept of consent is consistent with the idea of consent in Northern Ugandan society. Porter notes that consent in Acholi society is an ambiguous concept as Acholi courtship regularly involves women's reluctance and men's insistent pursuit of women.[678] Porter refers to an interview she conducted where the woman complained,

> Men of these days are becoming too polite! If you refuse, as good Acholi girls should do, he might not pressure you like you are expecting him to do. Both of you will end up getting disappointed! He will leave you alone when what you really wanted was to sleep with him.[679]

Porter acknowledges that there are clear delineations of what consent means in Acholi and that it is obvious when consent has been violated. It is notable that the definition of

[677] ICTY, Rules of Procedure and Evidence (8 July 2015), rule 70.
[678] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*. 106.
[679] Ibid. 109.

consent that has been established by the ICC is vastly different from the concept of consent for most women in Northern Uganda.

6.6: Questioned Narratives

The 'perfect victim' narrative is extremely powerful and we must consider why Ongwen is not included in this. Ongwen's narrative as victim of the LRA has been contested and Drumbl argues that this occurred as a result of the rejection of Ongwen's argument of duress which Drumbl equates with the erasure of his status as a child soldier. He states, "It's as if he lost that status, or ceded it. Hence, there is a proper way to be a victim".[680] Contesting the narrative of former LRA abductees is unusual as returnees are typically considered victims and therefore, calling into question their victimhood is avoided in the name of sensitivity. However, Ongwen is on trial and his version of the truth is questioned along with the testimony of his forced wives. Their version of events will be questioned and scrutinised with the objective of substantiating a specific narrative that the defence or prosecution presents. This raises the issue of representations of events of gender violence. The people who discuss these events are giving their account which may or may not closely resemble reality, however, it is their reality, or at the very least, it represents the parts of their reality that they are willing to disclose. There is a reluctance to question victims' stories in research regarding the LRA as it can indicate to the victim that perhaps they are not believed, but this reluctance is cast aside in legal cases as it is understood that the victim's story does not have the presumption of truth. The victim must be convincing. They can tell their story but there is no guarantee

[680] Drumbl, "Victims Who Victimise." 242.

that they will be believed, and the authenticity of their story will undoubtedly be questioned by the opposing side. This questioning of accounts that are not usually questioned represents an opportunity for researchers to gain a deeper understanding of the LRA movement, as 'imperfect accounts' are not aligned with the more standardised 'victim narrative', and therefore reveal perceptions that would normally be erased or silenced.

The prosecution has taken the testimony of seven of Ongwen's forced wives but Ongwen is accused of having had many more forced wives. This could indicate that only seven women were willing to testify against Ongwen and some of the other women might not consider themselves to be forced but instead simply wives. Alternatively, some of the women could be deceased, or they may not have been able to find them. The ultimate objective for both the prosecution and the defence is to win the case. Any narratives that do not necessarily help them achieve this objective, may be excluded. Although law is considered to be based on fact, it cannot be ignored that these facts are carefully chosen, or excluded, based on whether they will positively contribute to the specific argument put forth by either side. One of Ongwen's former forced wives who was previously mentioned, Caroline, has not been called to testify by either the prosecution or the defence. My interview with her was facilitated by a member of the defence who would have believed her to be on their side and would have had an indication of what she would have told me.

Caroline was very defensive of Ongwen and is one of the many forced wives that have not been called to testify in the trial. Caroline was an original and so is not considered a 'pure

victim'.[681] When I met her, she was adamant that she was Ongwen's forced wife. She stated, "he is talking to all his wives but not me even though I am the first wife. There is a cousin of his who was Kony's wife and she is even talking to him but I cannot and I am his first wife".[682] Caroline's testimony is different from the testimony of most of the other forced wives that have testified at the ICC. Caroline demonstrated a desire to contact Ongwen and be considered his wife officially. Instead, she has been excluded from the trial and neither she nor their children have been contacted by Ongwen. During a meeting with one of the lawyers for the defence team he stated that the defence were in the process of getting Ongwen's wife and three children to visit him at The Hague. He stated, "He and his wife are like two teenagers - they are absolutely giddy when they see each other. He is already trying to decide what to cook and saying that he needs to make sure he has all of his clothes ironed."[683] The defence has an interest in presenting Ongwen as a victim who was forced into multiple marriages against his will yet through this ordeal found love with one of the women and has a legitimate and un-forced wife and children. Caroline does not fit into this narrative which may be why she has been excluded from the proceedings by both the prosecution and defence.

6.7: Conclusion

There has been a tremendous amount of research on gender violence within the LRA. The Dominic Ongwen case allows us to more thoroughly investigate how this gender violence was enacted. Marriage became a site of violence within the LRA where husbands could correct or

[681] The originals are considered 'worse' by many LRA women survivors. See, Watye Ki Gen and CAP International, "The Lord's Resistance Army Forced Wife System."
[682] Interview with Caroline, Lango, 23 November 2016.
[683] Interview with a member of the Defence, January 2017.

punish their forced wives for any perceived infractions. As in peace-time, a certain level of violence within marriage was considered legitimate. Within the LRA, Ongwen was rarely questioned for gender violence that he either personally perpetrated, or ordered his guards to carry out. But the degree and nature of violence he was allowed to perpetrate against his forced wives was more extreme. The Ongwen case is complex for multiple reasons. Dominic Ongwen was initially a child soldier, and yet, this does not erase the atrocities that he committed or the cruelty that he exhibited towards many of his forced wives. The tensions that exist between the ICC and the local NGO are representative of the broader disconnect between the local context and international law. The terminology that is used within the trial illustrates the various subjective interpretations that exist and the challenges inherent in universally applying international law. Dominic Ongwen is on trial, which means that his version of events is being intensely scrutinised, but so is the testimony of the forced wives. This represents a unique opportunity, as these narratives are generally unquestioned in order to remain sensitive and respect the victim.

Amongst the local population, there are varying perceptions of the gender violence that occurred within LRA forced marriages. Many of these perceptions indicate the broad acceptability of gender violence within society. Interviewees who were not abducted by the LRA favoured punishment, but did not specifically cite the gender violence that Ongwen committed as contributing to their decision. Those formerly abducted, including the forced wives of Dominic Ongwen, had varying perspectives but predominantly urged clemency and again, did not single out GBV crimes as worthy of severe punishment. Why is the gender violence committed by LRA commanders not condemned specifically by former abductees? Marriage can legitimise certain types and levels of violence, as well as influence perceptions

of the Dominic Ongwen trial. To the ICC, gender violence was an extreme violation and constitutes a crime against humanity deserving punishment. To the people of Northern Uganda, gender violence was a shocking element of the LRA insurgency but not the worst atrocity committed during the war. The banalization of gender crimes committed by the LRA reflects the normalization of gender violence in everyday life.

CHAPTER 7: CONCLUSION

It is May 2020, and gender-based violence remains a pervasive problem in Northern Uganda.[684] From an early stage of conducting research for this thesis I realised that gender violence within LRA forced marriages had been extensively researched, but little was known about how wartime violence related to violence within marriage in the periods preceding and following the conflict. One of the aims of this study was to contextualise the violence that occurred within the LRA. The LRA influenced gender-based violence in post-conflict society, but was also influenced by pre-existing attitudes toward gender violence. It soon became clear to me that violence must be thought of as a phenomenon that occurs on a continuum, rising and waning under the influence of a broad range of factors, but never remaining static. Without investigating the violence that occurs in everyday marriages in Northern Uganda, we cannot properly understand the phenomenon of gender violence in wartime. In turn, this raises the question of how those directly involved conceptualise violence: how they make sense of it, and how their perceptions inform their actions. Prevalent representations of violence influence its acceptability in wider society. Such representations are linked to different people's motivations to engage in violent behaviour, resist it, or tolerate it. '*Cui bono?*' (who benefits?) is an inescapable question when attempting to interpret acts of violence.

A large proportion of the gender violence that takes place within society predominantly happens within marriages. Marriage as an institution can legitimize certain

[684] Cissy Makumbi and Suzan Nanjala, "Police Search for Man Who Kicked His Wife to Death," *Daily Monitor* 2019.

forms and levels of gender violence. Violence that happens within the marital sphere is granted an air of legitimacy that protects the perpetrator (generally the man) and makes the victim (generally the woman) more vulnerable. This legitimacy is based on a multitude of factors but relies heavily on colonial influences and religious texts that describe men's authority as absolute and women's subservience as natural and moral. Many of the acts of gender violence committed within the LRA forced marriages, and the justification provided for these acts, also occurred within peace-time marriages, albeit on a lesser scale. Low levels of gender violence are accepted and normalised in many marriages. Occasionally marriage can also sanction higher levels of gender violence. Women who had been severely beaten with metal objects or sticks described the ambivalence and inaction of local authorities when they reported the violence. To many local authority figures, the physical chastisement of wives was a normal part of marriage and indicated nothing more than the wife's disobedience and bad-tempered nature, a sentiment shared by many other community members. The LRA insurgency influenced gender violence in post-conflict society in complex ways; it limited women's coping strategies in some regards (ex. reduced power of the clan), but increased their coping strategies in other areas (ex. The increased availability of NGOs).

NGOs are important actors in Northern Uganda. However, there has been relatively little critical analysis of the discourses of these NGOs. NGOs perceptions/ideals of gender frequently come from 'western' ideologies. Some of the discourses of NGOs have the potential to increase gender violence, although this is possibly mitigated by women having more space to leave abusive relationships due to their new economic activities and opportunities. Men are frequently critical of the women's empowerment programs that NGOs offer. They feel excluded and devalued. They are envious of the attention that women

are receiving, and there is a belief that empowerment programs are causing women to become stubborn and thus increasing gender conflict. Women who are economically empowered no longer rely on men to pay school fees or rent and are reluctant to give the money they earn to their husbands. This creates tension within the relationship as traditionally, women are supposed to be subservient to men in Northern Uganda and men are entitled to the products of the woman's labour. Women's empowerment programs are important; but men should not be excluded from the discussion. Men were also subject to the consequences of war, such as poverty and reportedly developed alcohol addictions. If women's needs are prioritised over men's this could lead to a backlash of violence.

Research focusing on women's agency within wartime is an emerging field. Women in wartime are often depicted as a homogenous group that have the same amount of agency and the same experiences. This is false; hierarchies and power structures exist among women as they do in society as a whole. The suggestion that there is a 'typical' LRA experience for women erases their oftentimes unique story. For example, when given a choice to release someone or kill them, choosing to kill them. This phenomenon can also be identified within the trial of Dominic Ongwen at the International Criminal Court. Ongwen's main defence rests on the argument that he was under extreme duress and 'had to follow orders', an argument that was frequently observed in the Nuremberg Trials after World War II. Researchers, NGOs, and the International Court are at risk of creating an environment of moral judgements where stories and experiences of survivors cannot be safely recounted unless they conform to specific narratives that unquestioningly present violence as perpetrated only within episodes of extreme duress.

Associated with this narrative boundary, is the exclusion or silencing of certain groups of people. Particular groups of LRA survivors have chosen to speak out while others have remained silent and this deserves further investigation. An example of this is the 'originals' of the LRA who are frequently cast in a negative light and have certainly not received the same amount of research interest as other LRA groups.[685] Further research of this group would encourage a more nuanced record of the LRA and provide information about hierarchies of power internal to the movement. It would also be interesting to discuss why they are so often excluded. It could be because they do not conform to the 'pure victim' narrative. Information about the originals highlights that they were in the movement for a long time and some chose to follow Kony. This choice means that their status as 'victim' is called into question. Rather than focusing exclusively on women who were forcibly abducted and perceived of as 'pure victims', we should also pay attention to those who are silenced.[686]

It is important to look not only at who is being silenced but also at what topics have received little attention. Rape that occurred outside of forced marriages deserves further investigation. Reports allude to rape occurring on the way to LRA camps perpetrated by the originals but the pervasiveness of this has not been studied.[687] Women who endured rape within forced marriages are heavily stigmatised in Northern Ugandan society, and therefore women who experienced rape outside of forced marriages may be unwilling to recount their experiences due to a fear of double stigmatization. There is also a determination of many

[685] For research on the originals see: Erin Baines, Buried in the Heart: Women, Complex Victimhood and the War in Northern Uganda, (Cambridge: Cambridge University Press, 2017).
[686] James Ferguson, *The Anti-Politics Machine: "Development", Depoliticization, and Bureaucratic Power in Lesotho* (London: University of Minnesota Press, 1959).
[687] See Holly Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda* (Cambridge: Cambridge University Press, 2016). And, Watye Ki Gen and CAP International, "The Lord's Resistance Army's Forced Wife System".

women to insist that they were not raped by multiple men, as this accusation is a common source of stigma and rejection by potential new partners. There would be tangible consequences to such disclosure for these women. A closer examination of this phenomenon could call into question ideas about the conformity to strict rules of sexual access within the LRA.

Research has shown that where GBV occurs, it is predominantly violence committed by men against women. This thesis has explored some common justifications for this violence, such as a woman questioning her husband or refusing to become a co-wife in a polygamous marriage. Although when interviewing men, they were determined to argue that women often instigated violence against them. This may be related to the cultural belief (discussed in Chapter Three) that describes how some women perceive violence to be a sign of affection in relationships. Some women justify male violence against them by presenting it as a sign of concern: 'he beats me because he cares'. During my field research, I heard of women discussing bruises they received from their husbands in a positive light. Other women informally recounted that they would ask their husband, 'what is wrong with you? Why won't you beat me?' if their husband refused to engage in violence. This is troubling and must be investigated. It is possible that women are convinced by society and cultural leaders that violence is in some way 'good' for them. They could 'buy into' the notion that it is a sign of affection. More research is necessary to exact implications of these statements and determine their origin, however, this could explain Speizer's findings that women are more likely to justify wife-beating than men.[688] This thesis found that there are acceptable levels of

[688] Ilene S Speizer, "Intimate Partner Violence Attitudes and Experiences among Women and Men in Uganda," *Journal of Interpersonal Violence* 25, no. 7 (2010).

physical force within a relationship which are most easily identified when they are surpassed. Violence that results in permanent injury, prevents the woman from fulfilling her duties, or draws the attention of the community is considered to exceed acceptable levels. These levels are determined by the community who will not respond to low levels of violence but will often intervene in persistently high levels. Additional research is needed to explore these findings, just as we also need to gain a better understanding of men's experiences of gender violence.

The rigid gender roles that affect women in Northern Uganda, also affect men. Men are forced to conform to a narrow model of masculinity both in war-time and peace-time. Men are not supposed to show signs of weakness and can be humiliated if they do. Men who are beaten by their wives are subject to ridicule and one participant stated that if they went to the police with such a claim, the police would insist that they had beaten their wife or otherwise provoked the attack. This is an unexplored phenomenon and the extent to which violence against men occurs is difficult to determine without further research aimed at exploring male victims of sexual violence carried out by male and female perpetrators.

This thesis found that the reasons provided for the violence perpetrated in war-time are surprisingly similar to the reasons given for violence that is enacted in peace time. Let us for example reflect on the Dominic Ongwen trial. The violence that occurred as a result of the forced wives refusing to have sex with Ongwen, failing to fulfil domestic duties, and questioning his authority featured in charges of sexual slavery and forced marriage and constitute a crime by the standards of international law. However, these are crimes that also occur in marriages and other intimate relations occurring outside the LRA context. The women's testimonies indicate that they did not perceive the LRA marriages as legitimate,

suggesting that the latter were condemned in part because they took place outside of socially sanctioned institutions. The extreme violence committed within LRA forced marriages was denounced as a major violation, not only because it was substantially more brutal than the violence occurring in peace-time, but also because it lacked the legitimating sanction of the appropriate actors and institutions.

In order to understand the intricacies surrounding violence a fluency in and semantic analysis of Luo is required. Holly Porter adds another dimension to her research by investigating that the metaphor for sex in Acholi is food.[689] Similarly, research on gender violence would also benefit from a semantic analysis and investigation of metaphors in order to understand the language used and the local meanings/ moral connotations of words. I believe that understanding gender violence requires a close engagement with the meanings and values relating to the physical chastisement of women in Luo culture and language.[690] How do Luo speakers represent gender violence? What are the metaphorical associations (e.g. women are like children?), the moral connotations (certain levels of violence attest to caring)? Are the words used to describe legitimate domestic violence the same as the ones used to designate 'unacceptable violence' or LRA violence? An analysis of the morality of gender violence as expressed in Luo language will certainly yield a deeper insight into Luo speakers' assessment of the behaviours described in much of the thesis, for example wife beating.

[689] Porter, *After Rape: Violence, Justice, and Social Harmony in Uganda*.
[690] For an example of this type of analysis see: Maria Agren, "Introduction," in *Making a Living, Making a Difference: Gender and Work in Ealry Modern European Society*, ed. Maria Agren (Oxford: Oxford University Press, 2017).

The Dominic Ongwen trial exemplifies the difficulty in determining the applicability of legal concepts and terms across local languages and cultures. This is an area for further research that would also benefit from a semantic analysis. In the report by Watye Ki Gen and CAP International, legal terminology is frequently used but this is distinct from interviews I conducted with former LRA forced wives. The legal terminology of 'sexual slave' and 'rape' was not used while 'forced wife' was not explicitly used but the participant indicated that it was not a real marriage and was 'by force'. What implications might this have on the trial? Is the defence's argument that women are told they are raped by the prosecution and prior to this, do not consider what happened in the LRA to be rape valid? To investigate this, we would need to determine which Luo terms are being used and how they are being translated into English. Would there be English alternatives for the same Luo term and vice-versa? Rape is clearly defined in law (although the definition varies across countries) but the term is also used in every-day language without the same definitional clarity. Therefore, it is possible that the term used in the Watye Ki Gen report is used in the more colloquial way and not understood as having particularly 'legal' implications. If this is so and women are reluctant to use legal terminology it deserves further investigation. Terms are imbued with meaning and if women are choosing to use some terms instead of others it informs their interpretation of the event and how it is portrayed.

Whether in war-time or peace-time, gender violence is a persistent problem in Northern Uganda but it is also common in other countries and societies around the world. The universality of gender violence sheds light on the pervasiveness of the issue and the fact that it is not 'culture' that is to blame unless we can blame a universal culture. In this regard, marriage is one way in which violence is institutionalised in society and institutionalisation

affords a degree of legitimacy. The idea that marriage is an institution in which violence is somehow acceptable or less morally reprehensible is a concept that transcends cultural boundaries and countries. For example, arguments between men and women within their home are frequently considered a 'private matter' that does not require state intervention. But there are consequences for this. By stating that such violence is a 'private matter' we are implying that violence that occurs within a household is somehow more acceptable than violence that occurs between strangers in public. It also cannot be ignored that domestic violence disproportionately affects women, so perhaps, as the Ugandan MPs indicated, violence is not perceived as a problem until it negatively affects men. By accepting violence against women as an acceptable tradition, we are implicitly condoning it. There are many stories of resilience and women's successful navigation of a patriarchal system, but such stories should not – in my view – obfuscate the systemic ways in which violence against women is allowed to happen on such a massive scale.

Throughout this research, I often felt defeated. Gender violence was an impossible problem that had no real solutions. I was keenly aware that it was unlikely that this research would have any effect on the women in Northern Uganda who experience violence on a daily basis. Stanley Cohen once asked, "what do we do with our knowledge of the suffering of others, and what does this knowledge do to us?".[691] He goes on to suggest that if nothing else, bearing witness to a person's suffering informs that person that they matter, and that their pain and suffering matters. There is a long way to go for the eradication of gender violence, but I hope that this research can inform some relevant reflections.

[691] Stanley Cohen, *States of Denial: Knowing About Atrocities and Suffering* (Cambridge Polity Press, 2001). X

APPENDIX B

Map of Uganda



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[692] *The Times Comprehensive Atlas of the World*, 15 ed., Times Comprehensive Atlas of the World (United Kingdom: Harper Collins Publishers, 2018).

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Interviews

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Interview with Judith, Lango, Uganda, 7 April 2017.
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Interview with Margaret, Lango, Uganda, 28 March 2017.
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Interview with Matthew, Lango, Uganda 20 April 2017.
Interview with Boniface Ojok, Birmingham, United Kingdom, January 27 2018.
Interview with Paul, Lango, Uganda, 4 April 2017.
Interview with Ruth. Lango, Uganda, 7 April 2017.
Interview with Samuel, Lango, Uganda, 20 April 2017.
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Interview with Teresa, Lango, Uganda, 27 March 2017.
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Interview with Women's Group 2, Lango, 29 March 2017.
Interview with a member of the Defence, November 2016.
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Field Notes

Fieldwork notes, Lango, Uganda. October 2016.
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