

# Global governance/politics, climate justice & agrarian/social justice: linkages and challenges

An international colloquium  
4-5 February 2016

## ***Colloquium Paper No. 50***

### The Politics of Capitalist Enclosures in Nature Conservation: Governing Everyday Politics and Resistance in West Acholi, Northern Uganda

*David Ross Olanya*

International Institute of Social Studies (ISS)  
Kortenaerkade 12, 2518AX  
The Hague, The Netherlands

Organized jointly by:



ECOFAIR TRADE DIALOGUE

With funding assistance from:



**Disclaimer:** The views expressed here are solely those of the authors in their private capacity and do not in any way represent the views of organizers and funders of the colloquium.

**February, 2016**

**Follow us on Twitter:**

[https://twitter.com/ICAS\\_Agrarian](https://twitter.com/ICAS_Agrarian)

<https://twitter.com/TNInstitute>

[https://twitter.com/peasant\\_journal](https://twitter.com/peasant_journal)

**Check regular updates via ICAS website:** [www.iss.nl/icas](http://www.iss.nl/icas)

# **The Politics of Capitalist Enclosures in Nature Conservation: Governing Everyday Politics and Resistance in West Acholi, Northern Uganda**

*David Ross Olanya*

## **Abstract**

**This article examines the case of Appa village in the controversial East Madi Wildlife Reserve, how the people are attempting to resist and revoke their evictions by Uganda Wildlife Authority from the newly created Wildlife Game Reserve in 2002. This case analysis presents an important sites of struggle, illustrating the interplay of rationality [governing], everyday politics and political subjectivities. The legal and right-based practices of resisting only serve as interplays between governing and everyday politics through which the emerging subordinating groups is governed. This article presents how power produces resistance against capitalism and its enclosures. It is rooted in the notion that power produces resistance that are embodied in a particular actors or social groups emerging to challenge capitalist enclosures. It follows Foucault's notion of 'the will not be governed' in order to portray the relationship between forms resistance that opposes governmental rationality in nature conservation and the analysis is conducted within the 'analytics protest' of dissent, examining their mentalities, practices, and subjectivities which constitute forms of resistance. The 'analytics protest' is empirically mapped around the categorical fields of visibility, regimes of knowledge, techniques and technology, political identity and subjectivities portrayed in West Acholi. Mentalities are observed in terms of knowledge, rationalities and visibility at the sites of struggle on how these enclosures movement has generated protests and contestations against the demarcations between nature and politico-administrative boundaries in the forms of 'body politics' and the like. This is further illustrated when the subaltern groups invoke performative and moral registering to the extent of contrasting with or parallel to more scientific truth and rational arguments. Rather resisting enclosures through nature conservation shifts in between everyday politics to radical resistance. At the end, the analysis is focused on the how the state as a strategy can discipline this political society or dissent in multiple ways.**

**Keywords:** governmentality, depoliticization, nature capital, rationalization, state

## 1. Introduction

This article is based on the empirical work on ‘disciplining dissent’, examining how dissenting conduct is channeled into an acceptable and productive practices. It focuses on how government [as part of the state] to analyze dissenting refer as directing or structuring the field of action of others. Foucault’s notion of counter-conducts, describes as ‘the will not be governed thusly , like that, by these people, at this price’ (Foucault 2007b:75). It portrays the relationship between forms of resistance which opposes governmental rationality as a form depoliticization to diffuse contention between different actors – Uganda Wildlife Authority, together with the police and the army, the politicians and the people of Appa village. As such, the counter-conducts can be therefore be studied through ‘analytics of protest’ (Death 2011), examining their mentalities, practices, and subjectivities in ‘analytics of government’ (Dean 1999). In this case, the development in nature conservation is not only as a ‘good’ or activity, but falls within a broader discourse of ‘trusteeship’ (Duffield, 2007,p.8), as an enabling to ‘a series of political technologies intended to manage and give shape to the reality in a developing country context (Escobar 1995:11). It is Foucauldian perspective that challenges the assumption that power and resistance are located at the opposing poles, and argues power and resistance are embodied in particular actors or groups (Death 2011:427). This follows Odysseos’s (2011) illumination that subjects do not cease to be governed even when they undertake certain practices customarily categorized as ‘resistance’ or ‘dissent,’ but the dissenting practices itself ‘disciplines’ the conduct of subjects. This is to analyze the pivotal role played in the processes of subjectification, how governing (dissenting) behavior may well require the incitation of forms of subjectivity, and open up an acceptable forms of dissenting and resisting. The state agent (UWA) engages in the naturalizing the objectives of development as an art of governing (Escobar 1995).

The resource to courts allowed the Bushmen to take up legal and political subject positions to participate in the project of government – both claims of ‘legitimate expectation’ for consultation – highlighting the process of being governmentalized: subjects who take up their resistance along certain framework and in formal politics and legal spaces of action, neither these participation can be considered as ‘counter-conduct’, but just the ‘conduct of conduct’ – that is, the ‘struggle against the process of implemented for conducting others’ (Foucault 2007:201), or a ‘refusal of this kind of individuality’ (Foucault 1982: 216), yet discursive and legal challenges highlights the law as a tactics of government (Foucault 2001:211). These practices of forms of struggle that intensify and progress of subjectification of the Bushmen legal and political subjects with legitimate expectations and demands, cohering to a great degree with the operation of pastoral power (Odysseos 2011).

Apart from the legal and right-based forms of dissent or resistance (Odysseos 2011:440), there are other forms of dissent involving ‘negotiation strategy’ with the government and non-state actors whose role as the process of subjectification has largely been unexplored, especially on invocation of human and indigenous rights. Subjectification as incitation of new ways of being, thinking, and dissenting results from multifarious techniques of governing. These new subjectivities are reinforced, rather than resisted (Odysseos 2011:440), by legal and right-based practices of dissenting, a position of interplay between [the art of] governing and [practices] dissenting, through the subject’s dissent is governed.

This study was conducted in Appa village, located in East Madi Wildlife Reserve, but the area is being contested between Adjumani and Amuru districts, Uganda Wildlife Authority and the communities as the state reterritorializes control over and use of nature capital that can be exploited for development. At the same time, competition for territorial spaces in Appa village was observed beyond the geographical spaces of Kilak county, Amuru district into Adjumani district. This article starts by presenting the genealogy of capitalist enclosures in West Acholi, and then introduces how governing everyday politics is changing the policy and political landscapes. In the presenting everyday politics, it then presents the resistance it produces, and how the resisters are disciplined by the government in West Acholi.

## 2. Genealogy of Capitalist Enclosures

Having established the Uganda Game Department in 1925 with the principal task to control dangerous animals in the interest of the native population<sup>1</sup>, placing the legality to the game to be determined by the Provincial Administrator, the Game Department in the 1960s established Aswa-Lolim Game Reserve and Kilak Controlled Hunting Area (CHA) in order protect wildlife in the Northern Murchison National Park. Aswa-Lolim Game Reserve was gazetted in 1961 to protect wildlife along River Aswa, and it was later extended in 1968 to cover the areas of Paibwor and Panokrach in Alero sub county. Aswa-Lolim occupied 70.4 square kilometer and provided sanctuary mainly for elephants, and other animals such as buffalo, Uganda kob, hartebeest, black rhino, reedbuck and water buck that often dispersed out of Murchison Falls National Park. Aswa-Lolim has diverse habitats ranging from grasslands, woodlands to forests, but has fewer mammals; Uganda kob, hartebeest, reedbuck and warthog. The relative absence of large mammals that resulted from hunting however made the government to degazette Aswa-Lolim Game Reserve under the Statutory Instrument 54 of 1972.

Kilak CHA was initially created into protected area under the Legal Notice 364 of 1963, and then later amended by Statutory Instrument 17 of 1964 occupied an area of approximately 1800 square kilometer. In the 1960s, it had a high conservation value with 6,900 and 8 300 elephants and buffalos respectively. The Legal Notice Number 364 of 1963 and the Statutory Instrument 17 of 1964 specified area in Kilak Hunting Area comprised within the following boundaries:

Commencing at the point where Acholi-Madi District boundary meets the Albert Nile River; thence following the Madi-Acholi District boundary to the source of the Ceri River; thence following a straight line running in the southerly direction to a point marked with a cairn on the North bank of the Ome River in the Wiceriere Forest Reserve; thence following the east bank of Ome River to its junctions with Katatye River; thence following the eastern bank of Katatye River to its source; thence in a straight line in a southern direction to the Dengdonga River; thence following the eastern bank of the said river to its junction with the Aswa River to its point of entry into the Albert Nile River; thence following eastern bank of the said river to the point of commencement.

Animals used to migrate from Murchison Falls National Park through Aswa-Lolim Game Reserve, Kilak Controlled Hunting Area to Zoka Forest in East Madi Controlled Hunting Area. The vegetation in the area consists of primarily dry *Hyparhenia* grass savannas, and moist *Combretum* savannas, with borassus palms along water courses. There also exists extensive areas of Acacia and Combretum along the Nile. The area still has some Uganda kob, hartebeest and oribi. Uganda Wildlife Authority values the area as the potential ground for tourism. Kilak CHA that covered 1800 square kilometer was revoked under Statutory Instrument 55 of 1972 has shown in the map below:

---

<sup>1</sup> Game Report 1925-1960; National Parks, Trustee Report 1954.

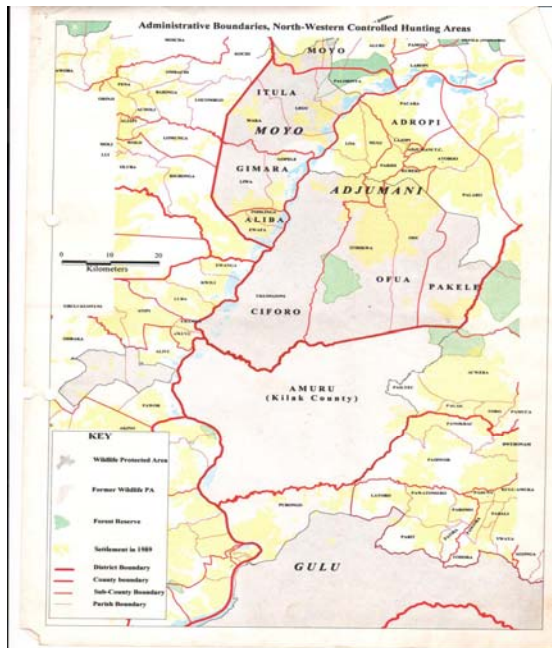


Figure 1: Kilak CHA

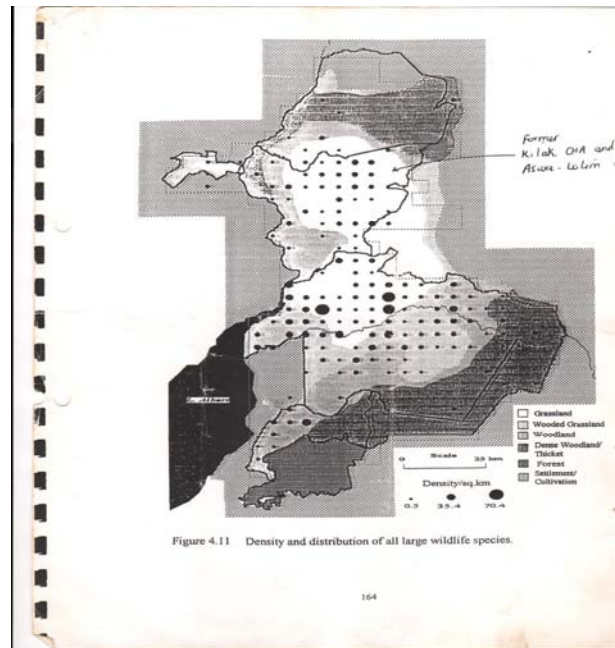


Figure 2: density and distribution of wildlife in Aswa-Lolim and Kilak CHA

In governing territorial landscapes for wildlife, Aswa-Lolim Game Reserve and Kilak Controlled Hunting Area were degazetted in 1972 to open way for private ranches and agricultural developments. However, the transformation ‘from above’ did not change the countryside in West Acholi. Rather development could not take place because of the insecurity caused by the Lord Resistance Army and the number of large wildlife species continued to be visible in the areas. Given the long period of underdevelopment in the former Aswa-Lolim and Kilak Controlled Hunting Areas, this prompted UWA to hold consultative meetings to have a proposal for regazettment of some parts of the former Aswa-Lolim and Kilak Controlled Hunting Areas under the new protected area.

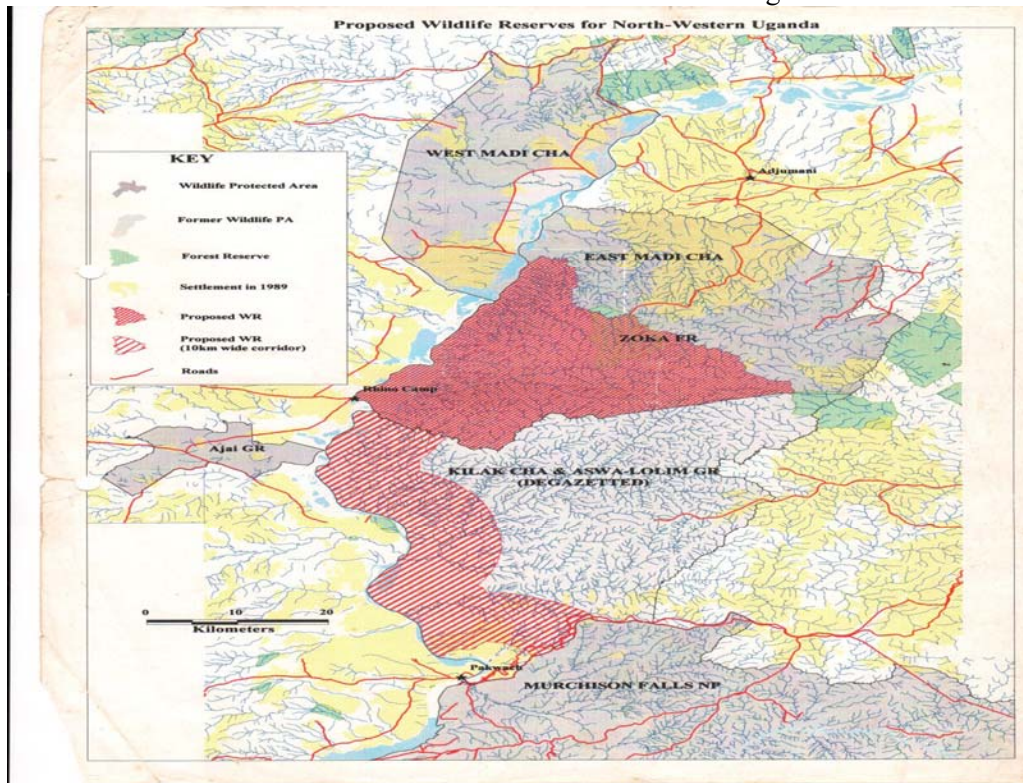
This marked the beginning of the (re)territorialization for nature capital by the UWA established in 1996 with a fundamental mission of conserving resource within national parks and other wildlife areas to enable people benefits from wildlife. In this regards, UWA was interested in assessing protected area network and attaching particular values in wildlife areas that protect natural vegetation types or species not found in protected areas, or that serve as corridors linking protected areas.<sup>2</sup> UWA had to engage neighboring district councils of Adjumani and Gulu to create animal corridor that links Northern Murchison Falls National park to East Madi Controlled Hunting Areas. In presenting the need to create animal corridor to Gulu District Council, Adjumani District Council had already agreed to established 800 square kilometer in Adjumani district between Zoka Forest and the Boundary with Gulu district in the southern half of East Madi Controlled Hunting Area. Gulu District Council was also requested to regazette part of former Kilak Controlled Hunting Area as a protected area in order to reestablish the former wildlife migratory route from Murchison Falls to Zoka forest reserve. This was a 10 kilometer wide wildlife corridor to be legally established in the former Aswa-Lolim Game Reserve and Kilak Controlled Hunting Area, following the Eastern side of the Albert Nile. It was further stipulated that the wildlife corridor will cover River Nile as its western boundary and extends 10 kilometer to the east of the Nile.<sup>3</sup> This animal corridor starts from Murchison Falls National until it

<sup>2</sup> Uganda Wildlife Authority Monitoring Unit, October 1998

<sup>3</sup> Those who represented Gulu District Local council in the mobilization for animal corridor were from the sub-counties of Pabbo, Alero, Purongo, Anaka and Amuru. However, when the proposal was presented in Gulu District Local Council, the proposal was rejected on the basis that Acholi – that is the only land left in Acholi. Uganda Wildlife Authority.



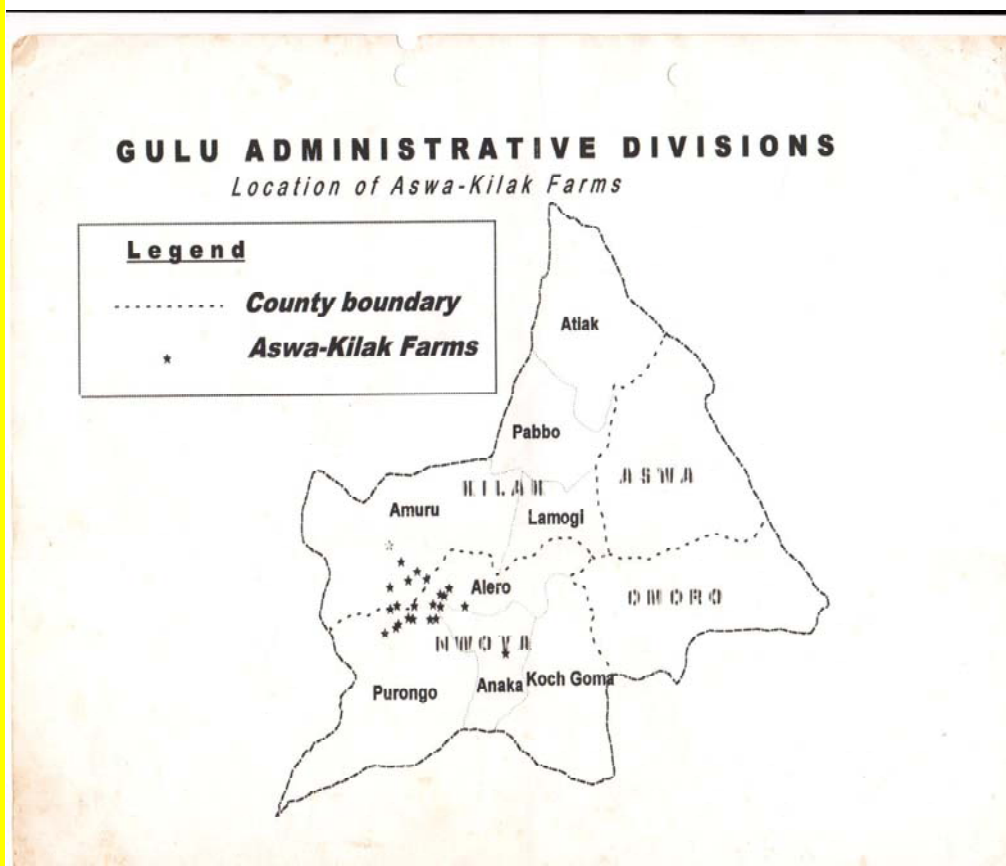
reaches the southern boundary of East Madi Controlled Hunting Area; covering a total of 615 square kilometer. From this governmental rationality by UWA; the corridor was supposed to serve as wildlife dispersal area, in addition to reestablishing the historical corridor between Murchison Falls National Park to the Zoka Forest Reserve, as well as the nearly created East Madi Wildlife Reserve. In their request to Gulu District Local Government; the corridor was supposed to be elevated to the status of a Wildlife Reserve as shown in the map below that was produced by UWA following the request to the district authority to be finalized with the proposal for the establishment of a wildlife protected area in the former Aswa-Lolim Game Reserve and Kilak Controlled Hunting Area.



*Map 1: 10 square kilometer to linking East Madi Wildlife Reserve and Murchison Falls National Parks.*

One of the technologies adopted was the surveillance of the former Aswa-Lolim Game Reserve and Kilak CHA through the commitment of UWA in 1998, together with a team from Gulu District Local Government including councilors and heads of department. Those district councilors and heads of department were flown over the largest tracts of unoccupied land. This was an affirmation of the detailed aerial survey conducted in 1995 on wildlife population in the areas. Moreover, the 1998 aerial survey found that the wildlife population had reduced drastically because of hunting in the areas, but there was a significant populations of Uganda Kob, waterbuck, hartebeest, reedbuck, and warthog. Rationalization is being practiced through depoliticization of governing nature. In this case, the emergence of UWA's proposal was generated to protect the wildlife populations in the areas that border Murchison Falls National Park, in addition to the historical role of Kilak; which once served as an important wildlife corridor, especially for elephants linking Murchison Falls National Park to Zoka Forest. UWA also depoliticizes its decision that during the time of the degazettment in 1972; its predecessor Uganda Game Department had earlier on agreed to maintain a wildlife corridor in the degazetted Aswa-Lolim and Kilak CHA as shown in map 1 above.

The land-use changes that had taken place in Aswa-Lolim and Kilak CHA before the proposal by UWA to create the animal corridor in the areas should have taken into consideration the original policy of maintaining animal corridor. These land-use changes were observed in terms of the allocation to individuals for farming and ranching. The assessment of expanding the protected areas had begun with the Gulu district councilors and heads of department and a study was conducted on the distribution of land holdings in the areas as shown in map 3 below:

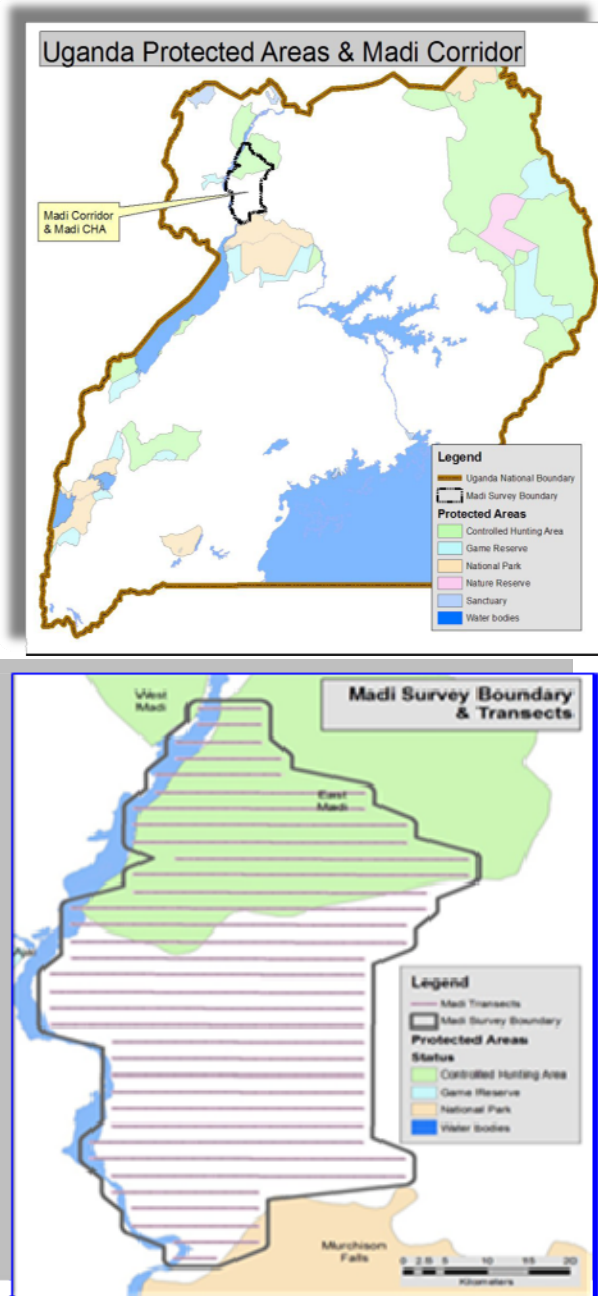


Source: Wildlife Survey 2008.

The second surveillance of wildlife population was conducted on 29<sup>th</sup>, March 2008 at Murchison Falls airstrip following a survey training sponsored by World Conservation Society, based on the request by UWA to conduct aerial survey and mapping of wildlife in East Madi Wildlife.<sup>4</sup> The Systematic Reconnaissance Flight to count large mammals and human activities was carried out over part of the East Madi Game Wildlife Reserve as well in the wildlife corridor that links East Madi Wildlife Reserve to Murchison Falls National Park – covering former Kilak Controlled Area and Aswa-Lolim Game Reserve as shown in map 2 below:

<sup>4</sup>The exercise was extended to Lipan Controlled Area, which had six transects flown on 1<sup>st</sup> of April 2008, and Kidepo National Parks.

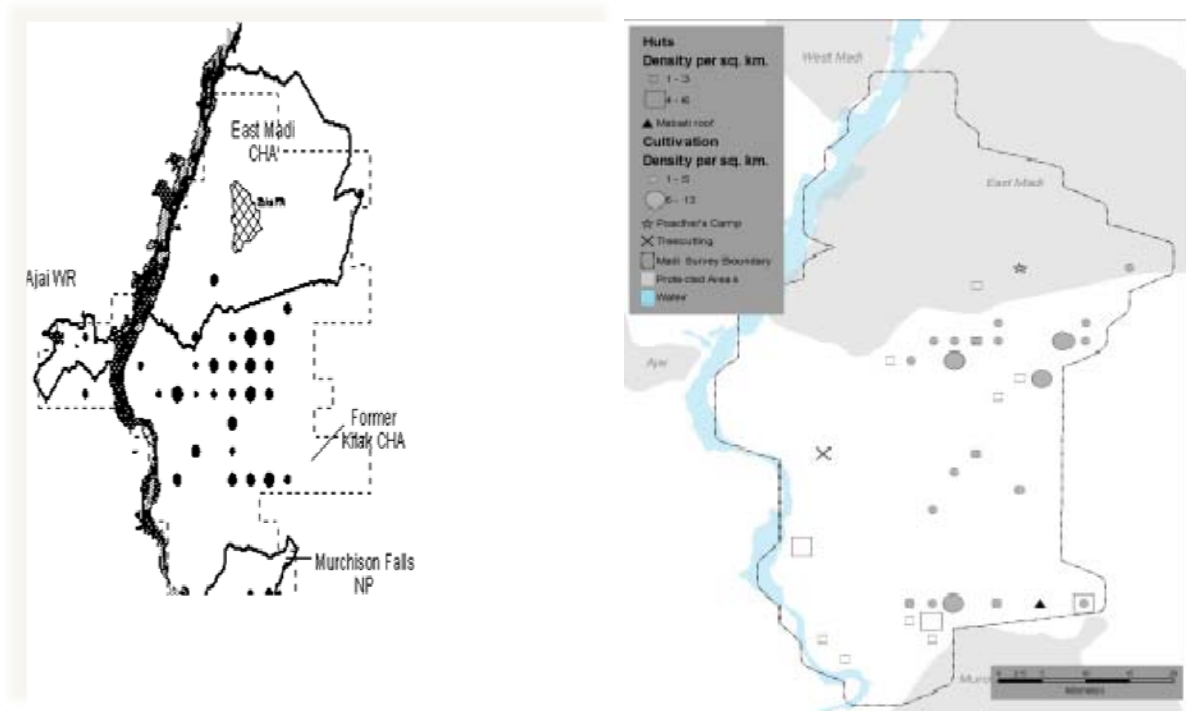




*Map 2: Madi corridor that links East Madi Wildlife Reserve and Murchison Falls National Park.*  
*Source: Wildlife Survey Report 2008*

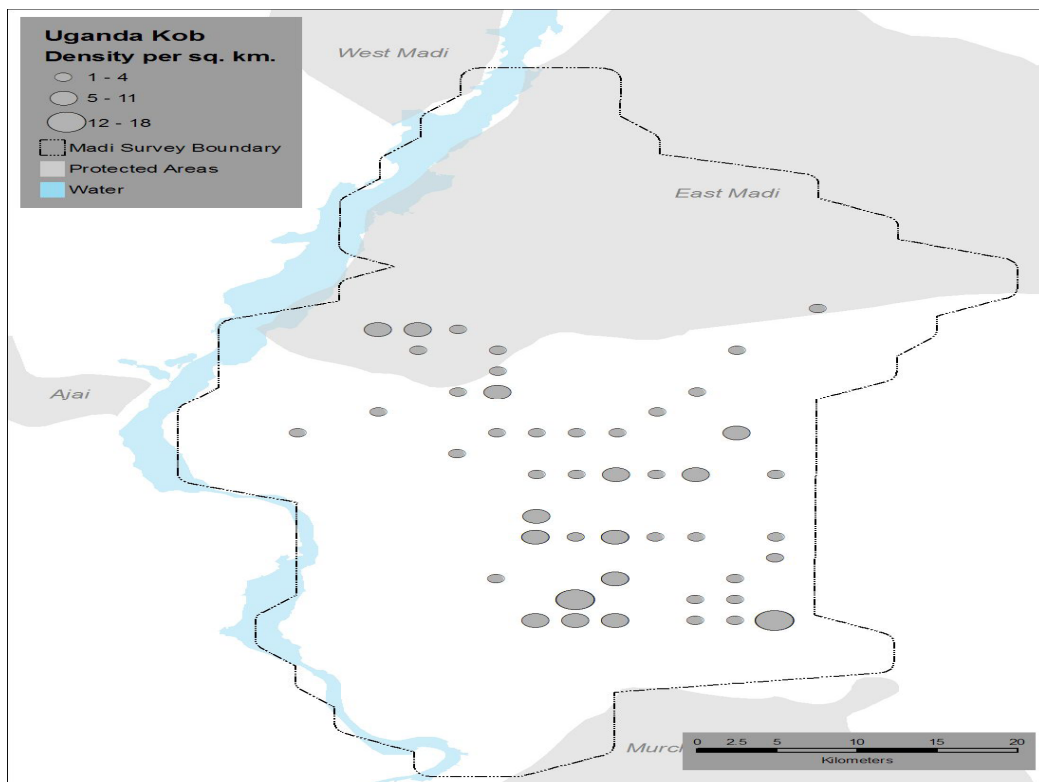
The study conducted in East Madi Wildlife Reserve and in the former Aswa-Lolim Game Reserve and Kilak CHA to Murchison Falls National Park was named as '*Madi Corridor*'.<sup>5</sup> The aerial survey estimated existence of many Uganda Kob and some few waterbuck and baboon. The human activities estimated were huts and tree cutting, old poacher's camp, a single mabati roof (a cotton store), and fish camp. Huts and cultivation were seen mostly singly or in scattered settlements as shown in the figures below compared with wildlife distribution in 1995 and the density and distribution of human activity in 2008.

<sup>5</sup> 34 transects were flown on 30<sup>th</sup> and 31<sup>st</sup> March 2008 in the east-west directions at 2.5 km spacing and each transect was divided into 2.5 km subunits as a standard requirement by Uganda Wildlife Authority methods.



Source: 1995 SRF in UWA 2007; Wildlife Survey Report 2008

This was compared with the previous survey that was conducted in 1995 SRF including Ajai Wildlife Reserve and the overall distribution of wildlife reserve was similar to the one of 2008. When compared the density of Uganda kob of 1995, it was estimated to be around 1,661 and the survey of 2008 also showed similar improvement.



source: Wildlife Survey 2008

### 3. Governing Everyday Politics: Developing East Madi Game Reserve

Appa village has been at the center of contention not only between Adjumani and Amuru districts, but in Amuru district itself. Both Amuru and Pabbo sub-counties claim administrative control over Appa village.<sup>6</sup> Whether Appa village is in Pabbo or Amuru is a matter of everyday politics being generated, but the boundary of former Aswa-Lolim game reserve area strides river Appa, which is clearly marked on the map sheets OME21/1 and Wiceri 21/2 at the scale 1:50, 000, map reprinted in 1967. It was this everyday politics in Appa village that a team from the Land and Surveys, Ministry of Lands had to organized a meeting, together with district officials, elected and non-elected officials in July 2007 on the administrative boundary of Amuru and Pabbo. It was however observed that people in Appa village seemed to be happy with the decision to let Appa village be under the administrative control of Pabbo sub county and the boundary of Amuru sub-county to follows River Omer as the dividing line between Amuru and Pabbo. The Land and Surveys requested for the final written up from Amuru district administration on the boundary of Amuru and Pabbo so that any adjustment can be made on the maps. Yet, the position of Land and Surveys is that the boundaries described by the 1966 constitution is a reference point and that any adjustment to be made is done following from the directive of the local government. It was an amicably way of agreeing on the position of the boundaries between the Amuru and Pabbo in Kilak county. When the Ministry of Lands followed up on the matter in December 2007 to confirm the agreed position and make adjustments, there was no confirmation.<sup>7</sup> The question of Pabbo/Amuru boundary is a complex issue for those interested on the land matter in West Acholi. When the issue emerged in 2006 after the creation of Amuru district, on whether Pabbo reaches the Nile or *not*, it was resolved that the land in dispute belongs to Amuru, Pabbo never since reaches River Nile. This is even more complex when it is interpreted in the current struggle of territorialization by Pabbo sub county up to Zoka River which is administratively created, not Amuru Sub-county contesting the boundary now. If so, why is that Pabbo Sub-county claiming its border Adjumani from Amuru sub county side up to Zoka River, instead of Amuru sub county. It was agreed that there is no change of boundary. Therefore, what has been happening has not been technically, but political in nature to defend the interest of Pabbo in Appa, and got nothing to with boundary.<sup>8</sup> This arose from fragmentation of the newly created districts that intensifies territorial control over land. Against this background, the Adhoc Committee on gazetement was created in 2007 and recommended that part of Appa village is in Adjumani district, and the gazettment of the area must be done in consultation, and Gulu district recommended that gazettment should wait because people were still in the Internally Displaced Persons camp. It was also observed that Adjumani had no settlement in the area as the gazettment starts from Amuru- Adjumani border. The residents were worried of evictions from the creation of the game reserve. Politicians from Acholi sub region however argue that the people were in the Appa before the war, and they argued that they are not against the creation of the boundary, but gazettment without consultation, which was done by Adjumani in 2002.<sup>9</sup>

Subsections (1) and (5) of Section 18 of the Uganda Wildlife Statue 1996 requires the Minister to consult with the local government council in whose area the Controlled Hunting Area falls and seek the approval of Parliament. It was from this legal requirement of consultation that the minister had complied and laid before parliament the proposal for degazetting and regazetting East Madi Controlled

---

<sup>6</sup> Report on the boundary between Amuru and Pabbo sub-counties.

<sup>7</sup> On 5<sup>th</sup> December 2007 a letter was generated from the Permanent Secretary, Ministry of Lands demanding that there was need to receive confirmation of the agreed boundary so that the ministry make adjustment on the records (LAD 112/186/01 – ministry of land lands, housing and urban development). This followed an earlier policy communication by the team of officials from Lands and Surveys on 4<sup>th</sup> July 2007 that attended the official declaration of the boundary between Amuru and Pabbo sub counties following the request from the LC V chairman, Amuru District Council officials for officials from Lands and Surveys to witness the function which was held at Ome 2 IDP on the 2<sup>nd</sup> July 2007.

<sup>8</sup> Interview with former Chairperson; Local Council III, Amuru Sub-County from 1999- 2005 on 21<sup>st</sup> May 2015.

<sup>9</sup> Interview with former member of the adhoc committee on boundary demarcation on 12<sup>th</sup> April 2015

Area that parliament resolved that East Madi Controlled Area found in Adjumani district be degazetted on 27<sup>th</sup> March 2002.<sup>10</sup> Developing East Madi Wildlife Reserve was then confirmed on 2<sup>nd</sup> of May 2002 when the former Minister of State for Tourism, Wildlife Antiquities, Hon. Jovino Akaki presented to parliament of Uganda motions on *sanctuaries, controlled hunting areas, community wildlife areas and wildlife reserves*. Therefore, whatever happened in Appa village arose from parliamentary approval of the creation of the East Madi Wildlife Reserve. In fulfilling the Wildlife Statue, 1996, Hon. Jovino Akaki admitted three important issues that were not properly addressed after the approval of sanctuaries, controlled hunting grounds, community wildlife areas and wildlife reserves: (i) there was no contention in these areas; (ii) where contention existed, consultation was made with respective area members of parliament; and (iii) where contention remains, it can be handled administratively.<sup>11</sup> It was on basis of the absence of contention that Appa village whose people migrated from Kilak County, Amuru district did not have consultation and that is why it is supposed to be handled administratively after parliament had approved the creation of sanctuaries, controlled hunting grounds, community wildlife and wildlife reserves as shown in table 1 below:

**1. Nine (9) sanctuaries to be created:**

***Dufile, Malaba, Kaherendero, Kanyanji, Kazinga village, Kisenyi Rweshama, Kansaka and Ntoroko, Kanahara, and Kyabugogo***

Remarks: Hon. Jacqueline Kyatuheire, women representative, Kanungu district however raised problem with the demarcations in Kazinga village, that had affected Nyanga and Rushoroza parishes. She claimed that the boundaries had been moved by 30 meters, and had affected 118 families. Hon. Jovino Akaki responded that those contention will be handled administratively during the process of clarifying the boundaries, and those affected will be compensated. What was important was the resolution to create protected areas.

**2. Thirteen (13) Controlled Hunting Areas to be degazetted:**

***North Karamoja, South Karamoja, Napak, East Teso, Sebei, West Madi, East Madi, Lipan, Karuma Falls, Kaiso Tonya, Buhuka, Semliki Flats, and Katonga.***

Remarks: No objection. The interests of the communities in the areas were respected and no representative raised any question.

**3. Five (5) Community Wildlife Areas to be created from some part of degazettted Controlled Hunting Areas:**

***Karenga, Iriri, Amudat, Rwengara and Kaiso-Tonga***

Remarks: No objection was also raised – since these areas were to under the management of the community

**4. Thirteen (13) Wildlife Reserve to be changed, that is, boundaries to be properly demarcated by status and retained:**

***Katonga, Kigezi, Kyambura, Karuma, Bugungu, Ajais, Pian-Upe, Bokora Corridor, Matheniko, Toro-Semliki, East Madi, Lomunga, and Kabwoya***

Remarks: Hon. Mindra Joyo, women representative, Moyo, disregarded the claim made the Hon. Minister Jovino Akaki that he had consulted the councilors. In 1997, people had run away from East Moyo and the area had been almost no people. However, all the people who ran away came back, now not cultivating cotton, but sorghum, peas and cassava. There are primary schools (Lamwa and Gopole) that will fall within the Lomunga Wildlife Reserve. There are no animal (wildlife). The white rhinos that used to be there were taken away to Britain in the 1960s. While consultation was done for Ajais, the committee did not visit Lomungi. A question was raised on how the committee wants to victimize the ordinary people who reside Lomungi, hence, there was no justification for creating a wildlife in Lomungi. This was still a controversy. Lomunga was gazetted in 1965, but many rhinos were removed, and people no longer need wildlife reserve because they were not consulted when animals were removed. The area is now highly populated. The controversy got the

<sup>10</sup> The Republic of Uganda, A.M Tandekwire, Clerk to Parliament, on the resolution of Parliament Authorizing the Minister of Tourism, Trade and Industry to degazette East Madi Controlled Area found in Adjumani District.

<sup>11</sup> Parliamentary decision to create Wildlife Reserves, changing, boundaries properly demarcated, and the status retained raised a lot of questions in parliament, especially from area representatives in those respected places.

attention of the speaker. Lomunga regazettement into a wildlife reserve was dropped, and decided to deal with those without controversy, and those with controversies, the district must first be consulted and sort it out. Those with controversies, were removed from the list: Lomunga and Karuma Falls. Hon. Sabiti however raises an important question on what we are witnessing in East Game Reserve, that parliament should be passing resolution that should be implementable. Where are you going to settled those who are going to be displaced? Hon. speaker responded, parliament role is to pass the resolution, the execution remains with the executive. Whatever happens in the implementation is executive role, not parliament. The minister was advised to do a lot of sensitization – so that people internalize what government passes to them. These resolutions were passed with a lot of contradictions. The request by Hon. Bintu Lukumu to degazette some 5 square kilometer along the roadside, to expand trading activities, was rejection because of the controversy, Yet Hon. Bintu only wanted a small portion of the wildlife reserve was not clear. The area wanted for degazettment was to support Dima trading Centre.

Source: The Republic of Uganda, 2<sup>nd</sup> May 2002

East Madi Wildlife Reserve original proposal was on the southern half of the East Madi Controlled Hunting Area, stretching from Zoka River to the Gulu district boundary occupying 834 square kilometer as the remainder was degazetted following the legal establishment Notice No. 352 of 1963, amended by the Statutory Instrument *No. 226-14 of 1964* that established East Madi CHA and the boundary description/plan follows:

Commencing at the confluence of the River Esiya with Albert Nile; thence following in turn the northern banks of the rivers Asiya and Ofoa to the source of the latter; thence easterly in a straight line to the top of Arawa Hill; thence easterly in a straight line to the junction of the Okwa and Eradzi rivers; thence along the east bank of the Eradzi River to its source; thence following the north bank of the Ummu River to its confluence with the Ceri River; which is at this point the Madi-Acholi district boundary, thence following the Madi-Acholi district boundary in the southerly then westerly direction to the Albert Nile; thence following the Nile to the point of commencement.

In the proposal, it was further raised that the boundary description is reasonably clear although ‘following the Albert Nile’ was opened to interpretation since Albert Nile is 3-5 Kilometer wide. The presentation to parliament did not pay adequate attention to boundary demarcation, but the boundary demarcation was to be handled administratively. What was critical was the need for having a *conservation area* in Adjumani district.<sup>12</sup> The biodiversity values including the landscapes are highly scenic encompassing a stretch to the Albert Nile, the escapement and hills on the Eastern side of the Nile and the rolling country of Southern Adjumani district. East Madi remains the highest tourism potential; diverse vegetation, comprising of medium altitude deciduous forest overlapping Zoka forest, forest-savanna mosaic, and wetlands; wildlife in the former East Madi hunting has large number of elephant, buffalo, giraffe, and kob despite the intense poaching during insecurity. Along the swamp of Albert Nile, there are sitatunga, few kob, waterbuck, and hartebeest. The area is good for biodiversity conservation. When cattle ranching schemes were planned for the southern section in the 1970s, the plan was not implemented due to insecurity in the areas that covered oyuwu-Ukusijoni and Itirikwa parishes in Ciforo and Ofua sub counties respectively. From 1991 census, the population in the East Madi CHA ranged from 12, 000 -15, 000 population respectively. However, the distribution was in Ciforo, Ofua and Pakele sub counties. In 1991, many people had left the areas as a result increasing rebel activity, and concentrated in villages and camps. Those degazetted areas of East Madi CHA was having more than 10, 000 people at the time of the creation of East Madi Wildlife Reserve, and only 15 percent of the CHA had settlement. The population density south of Zoka River has always been low. It was further pointed that there were no settlement between Zoka river to border in the south with Gulu district.

---

<sup>12</sup> Summary of the proposal for East Madi Controlled Area: Creation of East Madi Wildlife Reserve.

Governing East Madi Game Reserve was not through the UWA, but it participated in the consultation from 1997 to the 2002 parliamentary approved of East Madi Game Reserve. UWA also conducted numerous aerial surveys of 1997/98 and 25<sup>th</sup> – 26<sup>th</sup> June 1998, plus workshop with Adjumani district authority in order to ascertain workshop recommendations (3<sup>rd</sup> – 4<sup>th</sup> 1999) and lastly; consultative meetings with Local Council V on district resolutions (19<sup>th</sup> – 20<sup>th</sup> September 1999). The consultation meeting also found that farmers were encroaching on Zoka forest for agricultural land and timber products.

Everyday politics raised by those representing and speaking for the subalterns in the creation of East Madi Wildlife Reserve were not limited: (i) the need for a direct benefits to the local communities from the Protected Area after setting aside a portion of land for conservation; (ii) there might need for more land in future for settlement and agriculture, and prospecting the possibility of degazetting parts of the Protected Area may arise; and (iii) the need for a general knowledge about the wildlife statue, policy and wildlife law. UWA rationalizes governing East Madi as having diverse habitat of forest, open savannah, woodlands, thickets and swamps; and having large mammals: Uganda kob, hartebeest, waterbucks and *sitatunga* which are threatened to extinctions. Moreover, the has specular scenery from the forested edge of East Madi plateau across the Nile and has the potential for tourism.

What brings UWA closer to the politics of enclosures is unmarked boundary of East Madi CHA that was established in 1950 as an elephant sanctuary, gazetted a CHA (700 square kilometer) in 1964 under the Statutory Instrument 226-14 of 1996 and the boundary is very clear on the map but not demarcated. The idea to conserve vegetation types of East Madi CHA is that it cannot be found in the other protected areas in Uganda which might be lost with time. In addition, creating a corridor for animal, in this case, elephant migrations from Murchison Falls National Park to Zoka Forest Reserve. In the proposal in which meetings/workshops were conducted was upgrading 800 square kilometer of East Madi into a Wildlife Reserve status to enable animal migration between the two protected areas and therefore to conserve biodiversity. The meeting/workshop recommended that the provisionally, an area of approximately 800 square kilometer lying south of River Zoka through Baratuku to River Omuu of Adjumani district be reserved for wildlife conservation; and the area set aside for conservation purposes as mentioned above be given the status of Wildlife Reserve; and in case of a need for a change in the management of proposed Wildlife Reserve from UWA to a private investor, Adjumani district authorities should be consulted; and the detailed agreement be formally spelt out between the district and UWA later.

In short, it was proposed that the entire portion of East Madi CHA south of Zoka and Omuu rivers, as far as the Adjumani-Gulu border, be established as a Wildlife Reserve while the remaining be dedegazetted. The created East Madi Game Reserve affected both oyuwu-Ukusijoni and Itirikwa parishes, but only cover areas with no permanent settlement although there were small number of small camps along the Nile. The newly protected area was supposed to be governed as a two tier level: UWA was chosen as the management authority, management implementation was chosen based on concessionaire/NGO of any type, but in accordance with UWA policy. Revenue accruing from the conservation, it was based on concessionaire/district negotiable and the local community participation and benefit will be shared depending the various activities that will be taken in the protected areas including fish landing site be permitted within the Wildlife Reserve.

It was in the exercise of power conferred upon the Minister (Pro. Edward Rugumayo, minister of tourism, trade and industry) responsible for wildlife under section 18 (1) of the Uganda Wildlife Statue, 1996, after consultation with Adjumani District Local Government Council , after the approval of parliament, was when Uganda Wildlife Instrument 2003 created a Wildlife Reserve to be known as *East Madi Reserve*<sup>13</sup>. The area is comprised within the boundary described:

---

<sup>13</sup> Uganda Wildlife Instrument 2003, Statutory No. 14 of 1996. Boundary plan UG/Wildlife/EMWR/01 can be found at UWA Headquarters, and also at the Survey Records Office of the Department of Surveys and Mapping, Entebbe.



Commencing at the confluence of the Zoka River with the Albert Nile; thence following the northern bank of the Zoka River to its confluence with the Omuu River; thence following the thalweg of Omuu River to its source; thence due south to the Adjumani-Gulu border; thence following the Adjumani-Gulu district boundary in the westerly direction to the Albert Nile; thence following the Adjumani-Arua district boundary and the Adjumani-Moyo district boundary northwards along the main channel of the Albert Nile to the point of commencement. *[Map to be inserted]*

This was governing nature through depoliticization, when decisions regarding the nature conservation are removed the political domain to administrative agency, UWA. After conducting a review of its protected area network and developed a new Protected Areas System Plan, which was presented and approved by Parliament in 2002 as East Madi Wildlife Reserve out of the part of the former East Madi CHA, UWA rationalizes that East Madi Game Wildlife Reserve entirely lies within the boundaries of Adjumani District following the gazettement that followed consultation with the local council of Adjumani district, supported by a council resolution as provided in Section 17 (1) of the Wildlife Act Cap 2000 Laws of Uganda.<sup>14</sup> Those in Appa village are considered as illegal, and UWA urged that at the time of gazettement, there were no settlements inside East Madi Wildlife Reserve and further argued that the current camp (Appa village), with over 200 people was established at Wii-Appa and other areas in the Wildlife Reserve 07 km from the Amuru/Adjumani boundary, which also forms the wildlife reserve boundary. These illegal settlers [encroachers] were being offered security by a force of about 25 Uganda People Defense Forces of 31<sup>st</sup> Battalion commanded by a lieutenant, the subalterns getting represented and supported by local leaders to settle in East Madi Wildlife Reserve. The illegal settlement/massive encroachment has resulted into massive poaching, destruction of flora by tree debarking and brick burning. Under section 22 of the Wildlife Act, it is an offence to enter into or reside in any Wildlife Reserve and it is also an offence under the same Act, section 30, to hunt wildlife without use right permit. The penalty for this includes fines and imprisonment on conviction. Amuru district leaders were requested by UWA to prevail over and sensitize the people to respect the national laws.

This prompted Moses Ali, member of parliament for Adjumani and also second deputy prime ministers to communicate to those representing and speaking on behalf of the people of Appa regarding cabinet position decision reached on 1<sup>st</sup> February 2012 in which a committee was formed,<sup>15</sup> and agreed on the following:

1. That the encroachment on the East Madi Wildlife Reserve was illegal act and should be therefore be stopped immediately;
2. Ferrying of people from Amuru district to be given land in Adjumani district was wrong, since the two district had clearly marked demarcation boundaries;
3. That therefore, the Uganda Wildlife Authority (UWA) together with security agencies immediately move to stop the encroachment and protect the reserve Wildlife Reserve . The committee shall be kept informed of the progress;
4. That the ministry of local government, ministry of lands, and of the Presidency, together with the technical and security personnel immediately move to the site and hold a meeting with the people of the two communities and inform the communities about the existence of the boundaries between the two districts with a view to: (1) stopping further ferrying of the people to Adjumani and (2) relocating those already ferried back to their homes in Amuru district.

---

<sup>14</sup> Uganda Wildlife Authority, Damian B. Akankwas, Ag. Executive Director communicated [UWA/LEU/02/07] on 23<sup>rd</sup> February 2007 to the Chairperson, Amuru District Local Council V on the 'illegal settlement in East Madi Wildlife Reserve'.

<sup>15</sup> Moses's Ali Letter, Ref: DPM/2/2012 dated on 2<sup>nd</sup> Feb. 2012 on land conflict between Acholi of Amuru and Madi of Adjumani and Uganda Wildlife Authority, Over Appa and Zoka Areas. Cabinet decided a committee composed of the above ministers (Minister of Defense; Disaster, Management, Relief and Refugees; Security/in Charge of Presidency; Internal Affairs; Lands Housing and Urban Development; Tourism, Wildlife and Antiquities; and Local Government).

UWA alleged that it was some local leaders, and officers in government from Amuru district who have manipulated the implementation of the program by mobilizing the local communities and inciting them to settle in the East Madi Game Reserve to the extent that the locals are incited on emotional and sentimental beliefs alluding to the old history that this area belonged to their ancestors and therefore it is their land. Meetings were held and logistics were provided to ferry the people into the Protected Area. Ironically, now among the encroachers there has emerged an ethnic conflicts between clans who are rivalling over the 'genuine owners of this land'. The Pabbo and Lamogi clans are said to have recently most shade blood with each claiming right over the same area.<sup>16</sup>

#### 4. Resisting Enclosures: Forms, Tactics and Strategies

The enclosures movement by Uganda Wildlife Authority, supported by the parliamentary decisions to degazette and regazette East Madi Game Reserve has attracted dissenting practices against specific processes and forms of subjectification associated with the structuring of fields of actions including legal discourses of 'development' and 'human rights'. This article is not intended to 'appreciate' or 'improve' on the subaltern resistance in Appa village and those supporting the subalterns to participate in dissenting behaviors and further structuring their paths of action, but to portray how subaltern groups in Appa village responded to and transformed their conditions of subjectivities.

Having taken up the subject position, the people of Appa have questioned the logic of eviction in favor of newly created East Madi Wildlife Reserve. By taking the subject position, their logic of resisting goes beyond opposing any development in the area, but they resisted the processes 'from above' that were guiding the conduct of eviction. Unlike the Bushmen who took up the subject position by questing the logic of the decision to relocate from Kalahari Game Park where they used the same language of modernization, development and empowerment, but not resisting the processes of guiding the conduct (Odysseos 2009, p.448), the people of Appa however confronted the processing of the guiding principle of conduct. They employed multiple practices that may not be explain by Scott's "everyday resistance" as weapon of the weak or oppressed groups. They are engaged in legal and right-based as well as negation strategy as forms of dissenting.

##### 1. Empowering dissent:

The commitment by the UWA to evict the people from Appa village raises the question: *can the subalterns be represented or be heard?* Especially by those in authority of public policy to govern others. This article treats public policy of nature conservation as historical problem that produces fragmented agents either as authority or subordinated subaltern groups. UWA as the management authority in East Game Reserve emerged as a result of rationalization of nature conservation and biodiversity. However, the depoliticization of nature conservation through rationalization of expanding conservation areas get politicized. The subalterns must be represented or heard outside the rationality of government that legitimizes evictions to separate nature from humanity. The commitment by UWA to evict people from Appa village attracted attention from the elected and non-elected politicians and the civil society who argue that the state favors capitalist investors more than it citizens who subsist in and around nature conservation areas.<sup>17</sup> In responding to the UWA, together the police and army presence in Appa village, members of parliament from Amuru district, together with Acholi Parliamentary Groups (APG) came as participant observers in seeing the development of nature project in East Madi Game Reserve, directly negotiating with government as one ways of representing the subalterns through repoliticization of politico-administrative boundary that separates Acholi and Madi sub-regions drawn in the 1960s. In a politicization move, the APG responded to

---

<sup>16</sup> Uganda Wildlife Authority, Damian B. Akankwas, Ag. Executive Director communicated [UWA/LEU/02/07] on 23<sup>rd</sup> February 2007 to the Chairperson, Amuru District Local Council V on the 'illegal settlement in East Madi Wildlife Reserve'.

<sup>17</sup> Apart from elected politicians, the criticisms came from National NGOs, International Human Rights and the traditional leaders in Acholi sub region.

issue of Appa as regional (Acholi sub region) issue rather than being a localized issue in Appa village. In doing so, APG negotiated three issues with government on the boundary between Adjumani and Amuru demarcation to:<sup>18</sup>

1. use the British map of 1960 handed over to the Land and Survey Department that separates Madi and Acholi districts, a crown copy right reserved and handed over handed over to independent government.
2. acknowledge the individual capitalist interests as center of play in Appa village, especially from those in authority, not the Acholi/Madi as regions, yet it was being framed as 'tribal.' In this regard, investor's question through concessionaire came in. Mr. Martin Bruce, a south African based investors not known to many in Uganda became the focus of attention by the APG, and was alleged to be brought by Hon. Moses Ali, Deputy Prime Minister, and paid some money (in 10 billion Uganda shillings) in exchange to managing East Madi Game Reserve. APG argued that Acholi must respond as sub region since the issue involves capitalist interest and top government officials.
3. Uganda Wildlife Authority is yet to determine the boundary of East Madi Game Reserve that could even be in both Acholi and Madi. If found so, then Adjumani and Amuru should agree to share the benefits. While parliament believed the land was in Adjumani, Gulu District Council did not approve the gazettment in 1998 because Acholi had given enough to wildlife conservation. If Adjumani encourages wildlife in its own territories, then it should: (1) compensate, (2) resettlements, but not to evict the people force to Pabbo; and (3) also parliament should reconsider degazettment again since it establishes East Wildlife Reserve without consulting the people of Appa.

Within the camp of APG, a tendency of character assassinations was developed as they popularized representation of the subalterns in the Office of the Prime Minister. Those local leaders elected at the local levels (in Amuru district) were not representing the Acholiness to the extent that they were supporting the position of cabinet's decision of boundary demarcation between Adjumani and Amuru district. APG further argued that the demarcation follow the colonial mentality of creating boundaries using mountains, rivers and other physical features. For Example, Chairman LC III of Pabbo sub-county, Mr. Ojera Christopher had a different view that the demarcation should not be politicized, but should be considered in order to improve on the security situation in Appa. APG however argued that human rights of the people of Appa had been violated when UWA, through the police and army burnt houses and beating had been observed. Through representation of the people of Appa village, in the Office of Prime Minister, attended by both leaders (members of parliament) from Acholi sub-region (under the chairmanship of APG) and the West Nile (under the leadership of deputy Prime Minister, Gen. Moses Ali), eight resolutions were reached on the contention in East Madi Game Reserve as:

1. land problem, not ethic issues between the madi and Acholi,
2. the need to work for reconciliation 'ethnic cleansing' between the Madi and Acholi
3. ethnic wording be erase in parliament on the issue of eviction and boundary demarcation in Appa village.
4. removing party differences/issues on the land issue in Appa village. This arises when incumbent chairperson (NRM), Pabbo sub county and incumbent district chairperson, LC V, Mr. Omach (NRM) were not be victimized to take site with people of Appa village. It was commonly seen that the fight in Appa village was always between FDC and NRM in Amuru district.
5. Transparency in land transfers,

---

<sup>18</sup> APG represented the case of Appa village together with their counterparts from West Nile in the Office of the Prime minister.

6. Amuru/Adjumani boundary should be demarcated using the map of 1960s and 1962 respectively, but after the sensitizing the people,
7. those found in Adjumani should not be victimized, and
8. UWA to show their boundaries

## 2. *Recourse to the courts:*

The people of Appa in 2011 filed a legal suit [No.0062 of 2011] against Uganda Wildlife Authority.<sup>19</sup> It was from the legal recourse that High Court in Gulu on 15<sup>th</sup> February 2012 issued a court injunction restraining UWA and the Attorney General [in his capacity] from further eviction, destruction, confiscation or conservation and or interfering with land rights, occupation and the use of land belonging to the people of Appa [the applicants].<sup>20</sup> The subalterns in Appa were represented by those who were democratically elected and the non-elected against the UWA and the Attorney General [representing government]. It was on 15<sup>th</sup> February 2012 that they managed to secure a temporary court injunction against UWA and the Attorney General, including their agents or servants from further eviction, destruction, confiscation or conversion and or interfering with the land rights, occupation and uses of land belonging to the applicants in the areas of Lakang, Pabbo and Appa in Amuru district, pending determination of the main suit.<sup>21</sup> Despite the legal suit of 2011 and the court injunction of 2012, UWA continued to be defiant of the law amidst court injunction of 2012 that that issued out court injunction restraining UWA and Attorney General from further eviction, destruction, confiscation or conservation and or interfering with land rights, occupation and use of land belonging to the applicants. The army and the police were used by UWA to violently evict people in Appa village. In this respect, the discursive and legal challenges show how the law becomes a tactics of government (Foucault 2001, p.211), an important way in which dissent takes place through the legal space. This is what Scott (1995, p.208) had labelled it as a 'game of politics' that relies on the construction of a legally instituted space where legally defined subjects could exercise rights. It is 'legally instituted space' and the incitement of right-holding subjectivities that channel political and social resistance through the appropriate and 'permissible' paths (Odysseos 2009:450). It was again through the legal requirements that those representing the people of Appa and UWA were demanded by the Gulu High Court to provide a mediation report on 22<sup>nd</sup> April 2014 in order to come up with identify contentious or controversial issues: (i) UWA to present parliamentary documents that indicate the boundary of East Madi Reserve or conservation area which was degazetted in 2002 when it was still a Controlled Hunting Areas and immediately regazetted and elevated to a Wildlife Reserve in the name of East Madi Wildlife Reserve; (ii) the documentations were supposed to be presented in the form statutory instrument, and as the resolution of parliament; (iii) that the people in Appa were not interested in the administrative boundary between the two districts [Amuru and Adjumani] since they have the sovereign mandate, but they are against the unlawful eviction and destruction of properties; (iv) yet they had lived in Appa before UWA came in; (v) where Appa is located is not in East Madi Wildlife Reserve since geographically, Appa is in the southern part of Madi or Adjumani for the matter; (vi) and lastly the 1995 constitution of Uganda gives them the opportunities like any other citizens to settle in part of the country.<sup>22</sup>

## 3. *Invoking rights and mobilization*

Right framing shows historical injustices of colonization and dispossession of land, territories and resources, operating through what Escobar (1995) calls the 'regime of representation of underdevelopment'. The language of resistance is complex, it is not about boundary, but about the decision to gazette parliament did in 2002. One question puts by the people of the Appa was

<sup>19</sup> The Republic of Uganda in The High Court of Uganda at Gulu Miscellaneous application No. 004 of 2012 – arising from Civil Suit No. 006 of 2011.

<sup>20</sup> Hon. Gilbert Olanya letter to Principal Judge, Courts of Jurisdiction 19<sup>th</sup> March 2012).

<sup>21</sup> The Republic of Uganda, in the High Court of Gulu, 15<sup>th</sup> February 2012.

<sup>22</sup> interviews on the progress of civil suit No. 62 of 2011 and mediation on regarding court injunction and the demarcation of Adjumani-Amuru district boundary.

*which district has been surveyed in Uganda to differentiate between 'tribe'?* As in Antonio Gramsci's discourse of hegemony, this resistance is more knowledge driven rather than mere practices of resisting being observed. They resisting unknown consequences boundary demarcation between Adjumani and Amuru districts. The framing has been accompanied by a more different variants than what Scott's (1985) 'weapons the weak' or 'everyday politics', but closely associated more with Marxist conception of 'consciousness' being taken up against the creation of conservation project. It was more driven by psychological experiences of the previous exercise of evictions by Uganda Wildlife Authority in 2006, 2011, 2012. The framing of resistance portrays a new relay in politics against neoliberal conservation.<sup>23</sup> The resistance strategies were different forms: (1) mobilization is done to portray Appa to belong to Amuru district; (2) government is spearheading the boundary opening under the influence of deputy Prime Minister, Hon. Moses Ali; and (3) the land is sold, and the motive for boundary opening is to hand it over to a private developers.<sup>24</sup> Bushmen of Kalahari Game Reserve used the discourse of 'indigenous rights' under International Labor Organization convention on indigenous and tribal people of independent countries, which came into force in 1991 (ILO 1991) as right holder. The contour-conduct relating indigenous rights problematizes the government understanding of development under article 23 of 2007 UN convention as right holder. In a show of consciousness, more radical strategies were deployed by the subaltern groups in Appa village:

Blockage of road leading to Appa village either from Amuru and Pabbo sub counties at Corner Junction was conducted to prevent the government ministers and other state functionaries – the demarcation team. When the security team arrived on 31<sup>st</sup> March at Corner Junction, it was already blocked. The security team (police) had to open the road by coercion to reach Uganda Wildlife Authority camp near Appa trading Centre. On the side at Adjumani, at Zoka River, the bridges at Appa and Itirikwa were threatened to be blown up. The mobilized groups had their own check points on the police 'where are you going.' In addition, war songs and memories were used to reinforce mobilization. War time memories of the past, reflecting the hard time they had experienced when they were forcefully put in Internally Displaced Persons camp in 1996, as one of the strategy to defeat LRA rebellion in Acholi sub region to revoke emotions and remain united them against the state institutions, police and army and Uganda Wildlife Authority. These were collective effort from both the men and women and the young ones in the areas as role were divided among different social strata. Being part of the participant observation, sharing information to counter the state rationality was a collective responsibility of whoever has the ability to represent the interest of the people of Appa to the extent it helps in modifying subalterns argued against the state. Everybody was told to protest, but not to be violence against the state. In this situation, the women were playing their known role of providing food and group of 50 – 100 youth could fine those who did not comply with them, biting and taking chickens and goats for non-compliance amongst in defending the common cause.<sup>25</sup>

#### *4. Body politics- naked protest*

Naked protests in the presence of Minister of Lands, Housing and Urban Development; Minister of Internal Affairs and other government officials were practiced by the subaltern women in April 2014. The naked protests by women transformed the conduct in boundary demarcation when they undressed before the ministers who had come for consultative and sensitization meeting in Appa village. Women undressed before government ministers, local politicians and their children. In Acholi, undressed before men by women is a sign of bad omen, but also expression of being weak, and exposing vaginas to men to show how powerful women are in the reproductive politics, what Foucault called 'bio-politics.'

---

<sup>23</sup> Interviews on 12<sup>th</sup> April 2015

<sup>24</sup> Interviews, GISO Amuru sub county

<sup>25</sup> Interview with police deployed to provide security during the boundary opening.

## 5. Disciplining the political society or dissent

In disciplining this political society that had emerged in Appa village, the state deployed a number of strategies in order to keep the subordinating groups governable. The state in forms through the of police, the army and the media were seen deploying multiple ways to govern the people of Appa village as discussed below:

### 1. *Demarcating political-administration boundary between Adjumani and Amuru districts*

In keeping the subaltern groups governable, the state started to rally position on demarcation exercise between Adjumani and Amuru districts on 30<sup>th</sup> March 2015. The state as a strategy organized a consultative meeting between Adjumani and Amuru districts, chaired by the Minister of Internal Affairs, General Aronda Nyakairima, including the assemblage of directly elected politicians, appointed district officials (Resident District Commissioners), police and army. While advising the people of Appa to resort to legal means, but not to interpret the demarcation as conflictual. Yet recourse to the law is one way of governing the subaltern groups in the name of protecting the environment and natural resources. The state as a strategy governs the extent to which the current generation wants to grab everything while developing government policy document on climate change and environment.<sup>26</sup> The survey team was ready with the equipment and maps that that to be kept by the Regional Police Commander for protection. Encroachers were taken to be on the southern part and their presence is a big challenge to the extent that the National Forest Authority could not patrol the area because of illegal settlers.<sup>27</sup>

### 2. *Sensitizing the Subaltern groups*

Noting that sensitizing is one of governing subaltern group in West Acholi in order to conserve nature capital and biodiversity. The legal and right-based resistance practiced by the subaltern groups demanded that the state agents conduct sensitization in Appa village. The authoritative power of the government to create East Madi Wildlife Reserve had produced autonomous agents who had challenged the claim that Appa village falls within East Madi Wildlife Reserve. Sensitization of subaltern groups was necessary as one way of governing the autonomous or fragmented agents. The mentalities of the subaltern groups have to be changed through sensitization on the status of the land in Appa village is *public land* as per the parliamentary approval of 2002 when East controlled Hunting Ground was degazetted and regazetted at the same time to form East Madi Game Reserve and that Appa village does not belong to Amuru District, but in Adjumani district as per 1962 boundary demarcation between Moyo and Gulu District. It was on 22<sup>nd</sup> of January 2015, when the Adjumani and Amuru district officials organized a meeting to agree on how the sensitization process should be conducted involving all the actors. Following this meeting, the state [including government] organized a demarcation meeting on 30<sup>th</sup> March 2015 under the chairpersonship of the former Minister (Internal Affairs), General Aronda Nakainyima.<sup>28</sup> This article argues that the strategy has to precede the actual implementation as it was conducted by the state agents in Adjumani district. Sensitization was taken seriously to the extent that it did not create an autonomous agents within the subaltern groups. Rather it promoted calmness among the subalterns on nature conservation in East Madi Wildlife Reserve and Zoka Forest Reserve. On the contrary, the people in Amuru district were not sensitize prior to the creation of East Madi Wildlife Reserve. As a result, there was an emergent of autonomous subaltern groups in Appa village who sought not be governed by the UWA. Rather the subaltern groups can also be represented by both elected and non-elected politicians to disorganize meetings organize to subject them to be governable.<sup>29</sup> The Hon. member of parliament for Kilak Country, Gilbert Olanya and his

---

<sup>26</sup> Minister of Internal Affairs, Hon. Aronda Nyakairima, Chairperson Demarcation Committee, 30<sup>th</sup> March 2015). Minutes of an extra regional security meeting on Appa border conflict held on 30<sup>th</sup> March 2015 in Amuru District.

<sup>27</sup> Assistant Commissioner in charge of Survey, Kakoza Jasper, 30<sup>th</sup> March 2015.

<sup>28</sup> Chairman Adjumani district, 30th March 2015.

<sup>29</sup> Resident District Commissioner (RDCs), Adjumani district, Akello Agnes Ebong, 30th March 2015. Hon. member of parliament has often been accused appointed government officials (RDCs) for mobilizing the people



counterpart, the Amuru district Chairperson had capitalized on adversary politics in Appa village. The former accused Hon. Gilbert Olanya of shifting position on the location of Appa village. At sometimes he agreed that Appa village is in Adjumani district while at other times disregards the position in order to seek political capital from the subalterns, a turnaround strategy to disorganize government business of nature conservation in East Madi Wildlife Reserve, voicing war time in West Acholi when holding meetings with the subalterns in Appa village. Yet the people of Appa village are not against the opening of the boundary and the district council supports the boundary opening. Opposing the boundary opening have denied the Appa village access to basic services and whoever stands against should be handled.<sup>30</sup>

### 3. *Mediating the contention*

In the process of governing resistance, an international NGO Safer World organized a mediation meeting between the community of Appa and the UWA in Chobe Safari Lodge. SAVER World has been promoting the co-existence of the Acholi community and the UWA. It has tasked UWA to create awareness through meeting communities, and demands UWA to explain to those who are not aware on the issues of demarcation, eviction and degazettment. In a situation where UWA has a legal document, the community had no legal document, but claim the land as customarily owned. During a meeting at Chobe Lodge, 28<sup>th</sup> January 2015, Adjumani and Amuru districts had agreed that: (i) boundaries be reopened in order to know where Appa belongs in order to improve service delivery; (ii) East Madi Game Reserve be opened; and (3) sensitization of the community through joint process in which the two district leaders (LCV) will work together for the co-existence of the two communities (Madi and Acholi). The communities were assured that whoever falls on either of the size shall be protected. This was however politicized as the boundary opening exercise will favor Adjumani district – framing the land in Appa is already to an investor. Accusations were labelled against Hon. Gilbert Olanya (Kilak county) who opposed the boundaries opening and managed mobilized people from Amuru and Pabbo, besides the mobilization against government project in Lakang and Kololo in Amuru sub county who promised that ‘as long as he is a member of parliament, no activity will take place, to demarcate the land.’ In the process, around 18 people were injured. It was the political interest and power at play. The government also had the fear that victimizing Hon. Gilbert Olanya will make him a hero in the Kilak county. He has high respect especially among those the state consider illegal settlers in East Madi Game Reserve.<sup>31</sup>

### 4. *Detention of dissent and those speaking for and representing subalterns*

The people of Appa demanded the immediate release of those protesters detailed in Adjumani district. This followed the directive by president when he visited Lakang in Amuru sub-county to rally support for the Amuru Sugar Work. Having considered the state as strategy, the actions taken by the *Police* and UWA were outrageous. The president even ordered the UWA commander in Appa village because of the crimes that were committed against the people.<sup>32</sup> The police after camping at community school had turned into a barrack in order to provide security in Appa village. School desks were destroyed and were used as firewood.<sup>33</sup> The Hon. member of parliament for Kilak became the major problem in politicking the evictions by UWA in Appa village. He was alleged of disrupting the consultative meetings organized by government in Appa village, in addition to using derogative language against government officials to the extent of inciting violence and occasionally misinforms

---

of Appa against the sensation meeting organized by Adjumani and Amuru district regarding the creation of East Madi Wildlife Reserve.

<sup>30</sup> Chairperson LCV, Amuru District, Atube Omach Anthony, 30th March 2015.

<sup>31</sup> Interviews, GISO Amuru sub county

<sup>32</sup> This memo was generated to the Inspectorate General of Police, Minister of Internal Affairs, following the visit by the Area Member of Parliament, Women Representative, Hon. Betty Bigombe on 23<sup>rd</sup> May 2013 following her visit to Appa on 11st May 2012 to assess the situation in Appa, together with the regional Police Commander Northern Uganda. She was the former minister of State for Water.

<sup>33</sup> Out of the 131, only 55 remained in the community school.

the subalterns the boundary between Amuru and Adjumani is along the Nile and the government wants to their land, but not demarcation of the boundary. Mobilization of those subordinated groups has been conducting through transporting them as far as Gulu on motorcycles. He uses propaganda and false accusation against the army and the police agents of the state to torture the people of Appa using media platform (FM radio stations) based in Gulu to misinform the people of Appa.<sup>34</sup> Hon. Gilbert Olanya was labelled to have made government look useless as he held meetings, drums for war and wanting to die and promised not to die alone. This popularization made people to trust him that government will not open up the boundary. He was alleged to have list of people to be killed including the LC III chairperson of Pabbo, LC V chairperson, Amuru district, and Resident District Commissioner. He holds a broad daylight meetings and incites mistrust any stranger found in the area. The security was be stepped up and the Minister of Internal Affairs should visit the area and talk to the people and communicate that the boundary opening is not against them.<sup>35</sup> It was from these points that the security resolved that:

1. the state to restore its authority in Appa by: (i) dealing with imported people; (ii) isolate negative politicians; (iii) people remains where they were at that moment; (iv) no new activity by the government apart from service delivery.
2. mobilization was necessary in Appa to remove impunity and misinformation
3. a regional operational meeting be held to decide way forward under leadership of the police,
4. UWA and NFA to stay put until the boundary is re-opened.
5. Regional Police commander was advised to check the provision of public order management in order to arrest of an Hon. Gilbert Olanya for committing crimes which does not need pass through parliament.
6. decontaminate the area of threats
7. NFA to document encroachers and submit to the Minister of Internal Affairs, and the police
8. Political mobilization to pave way for the joint ministerial team's visit be done by RDCs and LCV chairperson
9. Intelligence to get evidence of wrong elements and give names of individuals who are anti-boundary opening.
10. The operation to start earlier before the opening up the boundaries
11. Security be beefed up to deter crime and weed out gunmen.

As a result, the police had subjected Hon. Gilbert Olanya, member of parliament for Kilak country, Amuru district was arrested on 9<sup>th</sup> September 2015 following the claims the legislature mobilized the subaltern groups against the state.<sup>36</sup> He was arrested in the company of Forum for Democratic Change official, the district chairperson, Amuru, Mr. Lakony Michael and the Women Member of parliament for Amuru District, Hon. Lucy Akello. He was arrested for inciting the subalterns to take up machetes and other weapons in order to protection of their land that is being grabbed by the government in the name of East Madi Game Reserve who were using the police, the army with armored vehicles deployed to oversee the erection of mark stones to open up the boundary between Adjumani and Amuru districts by providing security necessary for the boundary demarcation. Politicking the boundary demarcation exercise attracts the government to arrest politicians<sup>37</sup>:

We are going to open up this line and surveyors on the ground will be guarded by police for their own safety. After the demarcation; in the event that there are Madi people on the side of Amuru, they will stay there and the same will also apply to the Acholi people in Adjumani. They can move on the other side to vote. Should the boundary line cut through a

<sup>34</sup> RDC, Amuru District, Kidega N. James, 30<sup>th</sup> March 2015.

<sup>35</sup> Minutes of an extra regional security meeting on Appa border conflict held on 30<sup>th</sup> March 2015

<sup>36</sup> Hon. Gilbert Olanya was arrested in Parabongo, Pabbo sub county, Amuru district on his way to disputed village of Appa. For media reporting, see the Daily Monitor, Tuesday, September 2015: "MP Olanya arrested over Amuru land row".

<sup>37</sup> This was an assertive warning from Gen. Aronda Nyakairima, former minister of internal affairs.

school, it will remain where it is. Gilbert Olanya stands advised and warned not to attempt to stand in the way of this activity again in anyway.

Hon. Gilbert Olanya had long been framed as a saboteur that had cross the redline in the boundary demarcation exercise following the previous encountered with state agents.<sup>38</sup> A file was opened on Hon. Olanya and it waiting for sanctioning by the Director Criminal Investigation Department who will forward it to the speaker of parliament for action.<sup>39</sup> The government has the psychological edge in the area to give confidence to those who are for the opening of the boundary.<sup>40</sup>

#### 5. *Cessation of basic services*

Following the resettlement of people in 2006, in which the government provided security for the people returning to Appa village, the government later ceased the provision of basic social services. Most of the government services has been halted with the few services being offered by NGOs, including schools, health, water and other government services. The local leaders in the area were considered hostile and violence. The area has no police station, army or any security organs.<sup>41</sup>

### 6. Conclusions

Capitalist enclosures in West Acholi arose from the need for nature conservation through the creation of protected areas that were mainly driven by increasing the size of the protected areas. This article shows how public policy in nature is a historical problem of enclosures and evictions in which the state as strategy remains central in changing the policy of degazetting and regazetting, a practice 'from above' that exclude those subordinated groups from consultation and recognition of their rights. Governing protected areas through concessionaire has generated fragmentation of territorial over the management and control in East Madi Wildlife Game Reserve, in Appa village where the acts of resistance transformed how the state governs the governed subordinated groups. While the state [UWA] uses rationality to depoliticize the creation of East Madi Wildlife Reserve and boundary demarcation to conserve nature and biodiversity, it has to use the police and the army in disciplining resisters. This attracted what Marx called 'consciousness' that Foucault ignores in representing or speaking for the subalterns. The state as strategy continue to wield power on changing conservation areas in favor of neoliberal capitalism at the expense of social justice explained by lack of consultation in Appa village as the state justifies rationality through depoliticization in which the decision making on nature and rights are imposed from the national parliament without proper consultation. In seeking the alternative, politicization of enclosures is one way the people of Appa had deployed. However, empowering dissent, the laws, negotiations and biopolitics do not prevent the resisters from being governable. Mobilization against capitalist enclosures only fragments the forms, tactics and strategies of state. The state transforms from evictions strategy to boundary demarcation and redrawing the voting behaviors in Appa village to Adjumani district. In short, while power produces resistance that transforms it, resistance by the subalterns is subjected to the political subjectivities of being governable.

### References

- Dean, M. 1999. *Governmentality. Power and Rule in Modern Society*. London. Sage
- Death, C. 2011. 'Counter-conducts in South Africa: Power, Government and Dissent at the World Summit'. *Globalizations* 8 (4):425-438.

---

<sup>38</sup> Chairman Adjumani district, 30<sup>th</sup> March 2015

<sup>39</sup> Regional Police Commander, Aswa, Kwanya Wilson, 30<sup>th</sup> March 2015.

<sup>40</sup> Captain Vincent Bekuba, Regional Internal Security Officer, 30<sup>th</sup> March 2015.

<sup>41</sup> Care taking LC I Chairman, Appa village .

- Odysseos, L. 2011. 'Governing Dissent in Central Kalahari Game Reserve: Development, Governmentality, and Subjectification among Botswana's Bushmen', 8 (4): 439-455*
- Escobar, A. (1984-1985) Discourse and Power in development: Michel Foucault and the relevance of his work to the Third World, *Alternatives*, 10 (3), pp.
- Escobar, A. (1995) *Encountering Development: The Making of the Third World* (Princeton: Princeton University Press).
- Foucault, M. 2007. What is Critique. In m. Foucault, *The Politics of Truth*, S. Lotringer (ed.), L. Hochroth and C. Porter (transl.). Los Angeles
- Foucault, M. 1982. The Subject and Power, in H.L Dreyfus and P. Rainbow (eds) *Michel Foucault: Beyond Structuralism and Hermeneutics* (New York: Harvester
- Wildlife Survey Report, 2008. Aerial Survey of Kidepo National Park, Lipan Controlled Area, and Madi Corridor. March – April 2008.

**Global governance/politics,  
climate justice & agrarian/social  
justice: linkages and challenges**

---

An international colloquium  
4-5 February 2016, ISS, The Hague

**About the Author(s)**

**David Olanya** is a doctoral candidate at Institute of Development policy and management. He is conducting research on policy and politics: capitalism and resistance in Northern Uganda. His current publications are "From global grabs to African water grab (NAI, 2012), Primitive accumulation, Asian capitalism in Uganda (African Identity, 2014), Will Uganda succumb to resource curse (2015).