

SOCIETY AGAINST STATE OR STATE AGAINST SOCIETY? THE UNFOLDING OF VIOLENCE IN CONTEMPORARY UGANDA'S RWENZORI REGION

David Ngendo Tshimba*

ABSTRACT

Addressing violence has remained a salient challenge worldwide. Yet, what is even more challenging has been the possibility of gaining a fuller understanding of how violence, especially when on a large scale, unfolds in specific places as well as the ways in which its aftermath (re)shapes state-society relations. This article takes the case of the mass violence of 05 July 2014 in Uganda's Rwenzori as an entry point for a critical-historical engagement with the state's organising power of society in the Rwenzori region under the National Resistance Movement (NRM) rule. The main argument of this article, informed by an ancillary ethnographic fieldwork carried out between July and September 2017, runs counter to the narrative of vulnerability and marginality of Rwenzori borderlanders—a narrative much vaunted in most of contemporary Africanist scholarship on the region. In its final analysis, the article maintains that the anti-state character manifested in the unfolding of the July 2014 attacks can best be understood as an ongoing querying, on the part of society, of the state's organising power. Evidently, this querying reached a cataclysmal level when the state under the NRM rule moved to refashion differently society in the Rwenzori region following the official recognition of the cultural institution of Obusinga Bwa Rwenzururu.

I. INTRODUCTION

On 5 July 2014, a reportedly vigilante group of Bakonzo youth attacked key Ugandan state security installations (police stations and military barracks) in the districts of Kasese, Bundibugyo and Ntoroko—Uganda's Rwenzori borderlands—unfolding yet another episode of atrocities in the post-independence era that caused hundreds of

* Research Fellow, Centre for African Studies, Uganda Martyrs University. Email: <dntshimba@umu.ac.ug>.

injuries and death on both sides of the confrontation. Meanwhile, armed conflict and a series of massacres in bordering Democratic Republic of Congo's Rwenzori—particularly the territory of Beni in North Kivu Province—had been unfolding in ways not unrelated to previous armed conflicts in Uganda's Rwenzori. This article seeks to cast a historical light onto the Rwenzori region as a borderland constitutive of a historically distinctive political and socio-economic complex, in a bid to render the attacks of 05 July 2014 in Uganda's Rwenzori more intelligible.

The article, for its temporal scope, engages with the aftermath of the Rwenzururu Movement,¹ which was marked with a disputed end on 15 August 1982. Here, the article benefits from an ethnographic fieldwork as well as a documentary analysis—privileging discourse *à la* Michel Foucault—as methods of inquiry into the relationships between state and society in contemporary Rwenzori region. The inquiry ranges from the official laying down of arms by Rwenzururu Movement fighters in August 1982 through the emergence of the National Army for the Liberation of Uganda (NALU) in late 1980s and enmeshed with the Allied Democratic Forces (ADF) in mid-1990s, to the official recognition of the *Obusinga Bwa Rwenzururu* (OBR) under the omusinga-ship of Charles Wesley Mumbere Irema-Ngoma in the late 2000s and the subsequent violent outbreaks in Bundibugyo, Kasese and Ntoroko districts in July 2014.

By critically engaging with the vaunted hypothesis of marginality and vulnerability of the Rwenzori region as a borderland available in much of Africanist scholarship on the post-colonial state and its peripheries, this article foregrounds the political agency of contemporary Rwenzori *borderlanders*—principally shaped by the historical unfolding of violence—as an entry point for an illuminating understanding of society's response to the state's social organising power in that region under the current National Resistance Movement (NRM) rule.

1. For a detailed treatment of the Rwenzururu Movement, see A. Syahuka-Muhindo, *The Rwenzururu Movement and the Democratic Struggle*, In *AFRICAN STUDIES IN SOCIAL MOVEMENTS AND DEMOCRACY* (M. Mamdani & E. Wamba-dia-Wamba eds., 1995), at 491-543; A. Syahuka-Muhindo, *The Role of Violence in State Formation in Mid-Western Uganda, 1850-1982* (Unpublished PhD thesis, Queen's University at Kingston, Ontario, Canada, 2004); as well as D. PETERSON, *ETHNIC PATRIOTISM AND THE EAST AFRICAN REVIVAL: A HISTORY OF DISSENT, c. 1935-1972* (CAMBRIDGE: CAMBRIDGE UNIVERSITY PRESS, 2012).

II. CONTEXTUAL BACKGROUND

Oral tradition indeed testifies to the unfolding of political violence² in the processes of state formation in pre-colonial Rwenzori region, microcosmic of the African Great Lakes region and Africa in general. The last episode of political violence in this region, prior to the advent of British colonial rule, stemmed from the attempt of the breakaway of Toro from Bunyoro-Kitara Kingdom under *Omukama* Kyebambe Nyamutukura III around 1830.³

Following over half a century of violence-stricken British colonisation in mid-western Uganda, the last colonial governor of Uganda British Protectorate, Sir Frederick Crawford, instituted on 06 September 1962 a “commission of inquiry into the recent disturbances amongst the Baamba and Bakonjo people of Toro.” The most decisive occurrence of then British imperialism in mid-western Uganda, it is argued, was the 1900 Toro agreement made between the emerging ruling oligarchy (the Babiito) and the British colonialists, and in which the Toro oligarchy was given the mandate to extend their suzerainty to the areas inhabited by the Baamba and Bakonzo (Bwamba, Busongora, Bukonzo).⁴ So, not only was the Toro kingdom-state a British creation, but it also derived its colonising strength from subsequent collaboration with British imperial power, notably its means of violence. Graphically put, the Toro kingdom-state “was one behind which were the British suckers of human blood.”⁵

2. Mahmood Mamdani makes not only a qualitative but also a quantitative distinction between criminal and political violence. Qualitatively, Mamdani argues that political violence “requires more than just criminal agency; it needs a political constituency.” That constituency, in turn, is held together and mobilized by an issue. More than criminal violence, political violence is “issue driven.” Quantitatively, the distinction is that of “sheer scale.” The larger its scale, the more the likelihood that the violence is either unleashed by the state or is part of an anti-state mobilization, i.e. civil war or an insurgency, or both. See, M. Mamdani, *Beyond Nuremberg: The Historical Significance of the Post-apartheid Transition in South Africa*, 43(1) POLITICS & SOCIETY (2015), at 61-88.

3. For a detailed treatment of this subject, see A. DUNBAR, *A HISTORY OF BUNYORO-KITARA*. OXFORD: OXFORD UNIVERSITY PRESS, 1969); K. INGHAM, *THE KINGDOM OF TORO IN UGANDA* (LONDON: METHUEN & Co., 1975); E.I. STEINHART, *CONFLICT AND COLLABORATION IN THE KINGDOMS OF WESTERN UGANDA*. PRINCETON: PRINCETON UNIVERSITY PRESS, 1977); as well as Syahuka-Muhindo (2004), *supra* note 1.

4. M. Syahuka, *The Origin and Development of the Rwenzururu Movement: 1900-1962*, 5(2) MAWAZO (December 1983), at 60-74.

5. *Id.*, at 63.

Against this backdrop, it is perhaps no exaggeration to argue that the state—as a political community in the modern Westphalian sense—in the case of the Rwenzori borderlands was imposed upon Rwenzori *borderlanders* (predominantly the Baamba and Bakonzo) by the Batoro ruling oligarchy with the help of British colonialists. To the extent that the Baamba and Bakonzo were subjected to the vices of (a colonial) state precipitately, to that extent the state was a new and a rapid development, and became manifestly an arrangement set against society in the Rwenzori borderlands. Little wonder, therefore, the recommendations made in light of the inquiry commissioned by the departing colonial governor (eventually made known by the Ssembeguya report, 1962) having been thought within the framework of the colonial modern state, did not bring a resolute answer to the so-called disturbances.

The implosive walk-out of Baamba and Bakonzo representatives from the Toro *Rukurato* (council) on 13 March 1962 thus marked the beginning of the Rwenzururu Movement in the quest for freedom outside the Toro kingdom-state arrangement, to begin with. This historic event set in motion the consciousness of the Bakonzo and Baamba about their identity.

According to Syahuka, a 'nationality consciousness' rather than a 'national consciousness' came to be a defining feature of the social reality in the Rwenzori region, perhaps more acute than anywhere else in post-independence Uganda.⁶ These unresolved 'disturbances' in the Rwenzori at the eve of independence eventually leaped into the post-independent era, and so far seem to have survived all subsequent post-independence governments.

The ceremonial laying down of arms by *Rwenzururian* forces, following the 1980 peace deal whose negotiations were painstakingly led by a native Kasese politician of the UPC government, Amon Bazira,⁷ was in return for a degree of autonomy and the integration of the Rwenzururu leaders into the Kasese district

6. *Id.*

7. Amon Bazira was a Member of Parliament for Kasese West (in what it is now Bukonzo West constituency) and served as Deputy Minister of Lands, Minerals and Water Resources as well as Director General of Intelligence in two governments of post-Liberation War Uganda (after the Amin regime). A highly schooled (B.A. Hons. in Political Science and Philosophy as well as M.A. in International Law) and key figure in the UPC party since Obote I regime, Bazira designed an intricate plan to end the 20-year old Rwenzururu armed struggle. For a treatise on this brokered peace deal, see A. BAZIRA, *RWENZURURU: 20 YEARS OF BITTERNESS* [MONOGRAPH] (KAMPALA: MAKERERE UNIVERSITY PRINTERY, 1982).

administration, in addition to a range of economic benefits.⁸ Addressing a mammoth crowd on 15 August 1982 at Kasese Boma Ground where the ceremony of handing over Rwenzururu soldiers and their arms to the re-emerging Uganda People's Congress (UPC) government was performed, Charles Wesley Mumbere Irema-Ngoma underscored the following in his speech:

[...] Today is a day that will go down in our history, particularly the history of this region because it is a great milestone that has brought in a new era of peace, stability and tranquility and understanding between the people of this district [Kasese] and the rest of Uganda... Our paramount consideration has been to ensure that we are considered like all other Ugandans. Everything else had to be subordinated to this one goal... We had to wage our struggle by all available means since all peaceful attempts at solving our problems were cynically rejected by authorities at that time...

[...] Today's occasion spreads over three Uganda governments since 1979... The way I understand politics is that: Politics is war without bloodshed; while war is politics with bloodshed. When I was declaring peace in 1980 I told all of you through a decree I had signed that from hence we the people of Kasese were prepared to turn our spears into writing pens. Our fighting sticks into pencils... I would like my appearance here to be understood very clearly as an act of restoring the Rwenzururu people to the fold of the Ugandan society... So today I am handing over my soldiers to the government of Uganda and I am handing over the guns as well, so that the security of my people will from today be vested in the government of the Republic of Uganda. We have come down prepared to contribute to the concept of one government, one Nation and one Parliament.⁹

8. It is reported that C.W.K. Mumbere Irema-Ngoma I himself resigned as 'king', in return for promises of development funds for social welfare and education as well as material incentives including a bus, a pickup truck, a car, two shops, a residential house, and a government scholarship for study abroad, which was to materialise in the United States of America. See, Syahuka-Muhindo (2004), *supra* note 1.

9. Excerpts of the solemn speech by Charles Wesley Mumbere Irema-Ngoma on 15 August 1982, who up until then was King-President and Commander-in-Chief of the Rwenzururu Movement. The speech was delivered at Kasese Boma Ground in the presence of Hon. Chris Rwakasisi, then Minister of

Indeed, as a mass movement of struggle, Rwenzururu had various lessons for different audiences, especially through its effective use of ethnic mobilisation coupled with an unrivalled knowledge of the terrain to withstand the pressures of the state in the 20 years of its post-independence existence. To a faction of the movement, disillusioned by the brokered peace deal under the auspices of the UPC government, the latter found no satisfaction with the settlement of 1982 and thus reverted to their mountain bases, claiming that the objectives of the movement had not been achieved and that the struggle must *ipso facto* continue.

Led by Richard Kinyamusithu, the former Rwenzururu Movement chief of staff, this faction regrouped as the Rwenzururu Freedom Movement (RFM), and headquartered further back in the northern spur of the Rwenzori mountain ranges. Undoubtedly, the RFM replayed a decisive role in the political developments of the mid-1980s when a rebel outfit, the National Resistance Army (NRA), pitched camp at Katebwa in April 1985.

Germane, however, is to underscore that the entrenched concept of an ethnic homeland then at the core of RFM's *raison d'être* had come to depict territorial-administrative jurisdictions of the Rwenzori borderland districts—more so Kasese—in some sort of 'Yira Zionism.'¹⁰ This where all other ethnic groupings other than the Bayira (Bakonzo), whether minority or otherwise in the future, in that geo-cultural space could only be tolerated. Relatedly, this would conversely hold for Bundibugyo

State in the Office of the President and representing H.E. the President of Uganda on that occasion; the Chief of Staff of UNLA, Brigadier David Oyite Ojok; Hon. Members of Parliament; Hon. Government Ministers; Religious Leaders amidst a mammoth crowd. See, Bazira, *supra* note 7, at 45-56 for full text of the speech.

10. Elsewhere, still in popular accounts from the press and policy narrative—including the one produced by the Ugandan state itself—mention of 'Yira (Federal) State' is made. Amon Bazira is arguably the first member from the intelligentsia to jot down the terms 'Yira' and 'Bayira' in widely circulated literature. In his cursory history of the peopling of the Rwenzori region, Bazira notes that "no sooner had the Babiito family installed itself in power than the Baganda seceded from Bunyoro-Kitara, setting up an independent kingdom... About six generations later, Ankole as well as Busoga, Karagwe and Rwanda peeled off from Bunyoro-Kitara. Finally, in the fourteenth generation (about the 1830's), one of the Babiito from Bunyoro Kitara defected and founded the Kingdom of Toro in a land that was partly dominated by the Bayira... The Bayira had their own autonomy and their own political system before the Babiito took over the Land" (Bazira *id.*, at 2). I use the term 'Yira' in this article to refer to an ethnic nomenclature generically deployed for Bakonzo people (in Uganda's Rwenzori) and Banande people (in DRC's Rwenzori) and so goes Yira Zionism for a territorial-jurisdictional claim made on both sides of the Rwenzori mountain ranges peopled by the Bayira.

District with regard to the Baamba, whose subsequent pursuit and affirmation of Bwambaland—a form of ‘Bwamba Zionism’¹¹ in yet another pluri-ethnic district of Bundibugyo, like Kasese—could only strip other ethnic groups of agency in the public realm.¹²

A. The NRM take-over

In mid-western Uganda, two forces were instrumental in the takeover of Yoweri Museveni’s guerrilla movement, the National Resistance Army/Movement (NRA/M): the first was the Batoro as a group who had lost their kingship during the republican reforms of 1967. The Toro king had gone back into exile after electoral defeat in 1980, where he was a legislative candidate for Fort Portal Municipality representing the Museveni-led Uganda Patriotic Movement (UPM) party.

Generally, the Batoro elite class was unhappy with the fragmentation of Toro District under the Amin regime, giving away resource-rich areas (Busongora and Bwamba counties then) to Bakonzo and Baamba. They hence sympathised with the NRA against the state. The second force was the Kinyamusithu-led group of former Rwenzururu fighters,¹³ still in the mountains on the basis of unfulfilled group demands. In a strategic move, the NRA allied with the two opposing forces without publicly committing to satisfy the demands of either. Collaboration with both forces gave the NRA the much-needed rejuvenation to take on the Obote-led government and

11. Unlike ‘Yira Zionism’, the claim of ‘Bwamba Zionism’ is here referred to a territorial-jurisdictional claim of Uganda’s Bundibugyo District—and more so Bwamba County—as exclusively Baamba-owned in terms of sole proprietorship entrusted to the Baamba people of Uganda, although little recognition is extended to their kin (mythic and real) across the Rwenzori mountain ranges in the DRC, including the Batalinge, Bavira, and Bulebule.

12. For a more detailed exploration about this topic, see F.B. FORREST *SUBNATIONALISM IN AFRICA: ETHNICITY, ALLIANCE, AND POLITICS* (LONDON: LYNNE RIENNER PUBLISHERS, 2004).

13. Syahuka-Muhindo lucidly notes that a regiment of disgruntled former Rwenzururu who rejected the 1982 reconciliation, formed a new movement that they named ‘Rwenzururu Freedom Movement’ (RFM) under the leadership of Richard Kinyamusithu. Some of its fighters, who had served in the Uganda Army during Amin’s military government, joined the NRA for its guerilla war. See, Syahuka-Muhindo (2004), *supra* note 1.

eventually capture power in Kampala in January 1986.¹⁴

Unsurprisingly, the restoration of a number of kingdoms—previously abolished during the first Obote government—by the Museveni government in 1993 induced the demand for Rwenzururu Kingdom's recognition, albeit being restored as the cultural institution with its *Omusinga* (king) in the person of Charles Wesley Mumbere Irema-Ngoma.

In parallel, when the NRA had taken over government, Kinyamusithu and his Rwenzururu Freedom Movement (RFM) certainly felt to have had a major stake in Museveni's victory and so expected to benefit from it. Kinyamusithu's RFM made demands for the fulfilment of the privately made NRA promises¹⁵ and was instead given a bus and a house. The NRM government's rejection of Kinyamusithu's demand for a political role was eventually extended to the newly restored kings and other cultural leaders as per the enactment of the *Institution of Traditional or Cultural Leaders Act, 2011*.

B. Subsequent insurgencies in Uganda's Rwenzori under the NRM rule

1. The NALU rebellion—Following the rejection by the NRM government of the RFM demand, the relations between the two former allies soured. By the end of 1987, Kinyamusithu relocated his camp in the hills on the DRC side, and occasionally crossed back into Uganda but his movements were restricted to the far northern spur of the Ruwenzori Mountains. Later on, his remnant RFM force allied to Bazira who too had started his National Army for the Liberation of Uganda (NALU)¹⁶ operating in the

14. For a detailed historical account of the NRA/NRM take-over of power in 1986, see A.B.K. KASOZI, *THE SOCIAL ORIGINS OF VIOLENCE IN UGANDA, 1964-1985* (KAMPALA: FOUNTAIN PUBLISHERS, 1994); T.B. KABWEGYERE, *THE POLITICS OF STATE FORMATION AND DESTRUCTION IN UGANDA* (KAMPALA: FOUNTAIN PUBLISHERS, 1995); as well as G.W. KANYEIHAMBA, *CONSTITUTIONAL AND POLITICAL HISTORY OF UGANDA: FROM 1984 TO THE PRESENT* (KAMPALA: CENTENARY PUBLISHING HOUSE LTD, 2002).

15. Considered opinion in Kasese has it that that Kinyamusithu conditioned his RFM surrender to the NRM to the latter's restoration of a federal system of governance, whereby the head of the RFM (Kinyamusithu himself) would be the overall political leader of a revised Kasese District.

16. Bamusede Bwambale and Augustine Kyaminyawandi write: "Amon Bazira who had been arrested on charges of murder and other atrocities he committed during the UPC government, jumped bail after being released from Luzira Prison and fled up the hills on the DRC side. [T]here, he met with other dissidents including Kinyamusithu and his soldiers and organised them into another political rebel army

very northern spur of the Rwenzori Mountains in 1989—the year when Kinyamusithu was reported dead by Uganda government security operatives. Bazira who had been Deputy Minister of Lands and Mineral Development in the second Obote government (1980-1985) and where he doubled as Director of National Intelligence, launched war on the Museveni government using the former Rwenzururu bases.

While the RFM fought a local (Rwenzururu) struggle for a specific cause (revised Rwenzururu demands), NALU was fighting a national struggle—the Museveni government which, among other things, did not want to recognise the rights and political role of local customary chiefs. In 1993, the NRM government forces defeated NALU after a failed attack on Kasese earlier on in 1992 and Bazira was subsequently killed in Kenya in August 1993, reportedly by Ugandan government security operatives.¹⁷ By 1995, NALU remnants in DRC (then Zaire) joined forces with members of the Salaf Tabliq sect¹⁸—a radical Muslim group, which wanted to establish an Islamic state in Uganda with support from the Sudanese government—and together they started the Allied Democratic Forces (ADF) to fight the Museveni government.

2. *The ADF insurgency*—What became known as the Allied Democratic Forces (ADF) arguably began from an internal debate within the Tabliq variant of Sunni Islam in Uganda in the late 1980s. Its history is embedded within the discourse of the reform of the state arising from social groups, particularly, the intra-Muslim debate in

which he named National Army for the Liberation of Uganda (NALU).” See, B.B. BWAMBALE AND A. KYAMINYAWANDI, *THE FACES OF THE RWENZURURU MOVEMENT (KASESE: THE TRIPLE “B” ENTERPRISES*, 2000) at 76. Syahuka-Muhindo (2004), *supra* note 1, however, posits that the view that Bazira and Kinyamusithu jointly formed NALU is misleading: there were some in RFM who did not join NALU and there were also some former Rwenzururians in NALU who had not joined RFM. What stands indisputable, nonetheless, is the view that Bazira did tap into the dissatisfaction of Rwenzururians that the NRM system had excluded.

17. For a detailed treatment of this subject, see K. Titeca and K. Vlassenroot, *Rebels without Borders in the Rwenzori Borderland? A Biography of the Allied Democratic Forces*, 6(1) *JOURNAL OF EASTERN AFRICAN STUDIES* (2012), at 154-176.

18. According to the 2001 report of African Rights, the Tabliq is a Muslim sect calling for a return to the ‘pillars of Islam.’ Originating from India in the 1930s, this sect was established in Uganda in the 1970s, although its puritanical movement came to prominence in early 1990s following clashes within the Muslim community, which led to confrontations with the government. See, AFRICA RIGHTS, *AVOIDING AN IMPASSE: UNDERSTANDING THE CONFLICTS IN WESTERN UGANDA* (KAMPALA AND LONDON: AFRICAN RIGHTS PUBLICATIONS, 2001).

Uganda. The history of the marginalisation of the Muslim society in the Ugandan polity, particularly following the demise of the Idi Amin regime in 1979, culminated into a debate about how the reform of Muslims' practice of Islam could also be proceeded with a reform of the state.

In this Islamic reformist debate, some elite Muslim leaders perceived the reform of the state to be the epitome of how Muslims could efface their marginalisation from within the state by holding political power. Others, however, saw the reform of the state as unnecessary. How this internal debate within the Tabliq transpired in the course of the articulation of Islamic reform had implications for the relationship between society and the state and how the split in the former invited an interventionist role for the state to thwart the violent articulation of the reformist debate.

The actual formation of the movement allegedly began in 1996 with the attacks directed at government barracks in Hoima District. The ideological psyche of the ADF, however, does have a long pedigree and it is said to have been influenced chiefly by the wave of Salafist ideology sweeping across the globe. With regard to the broader region of the Horn of Africa, Sudan is the birthplace of this ideology and the credit goes to the role of Hassan Ali Turabi in the Sudanese Islamic Revolution. Turabi, it is argued, ideologised a role for Islam that did not entirely rely on its Arab version. While many groups such as the Muslim Brotherhood had equated Islamic reform with Arabism, Turabi was confronted with a new reality in Western Sudan (Dar Fur) where many Muslims were non-Arab and therefore realised the need to tailor the Islamic state beyond the dominant Arab ethnicity.¹⁹ Accordingly, Turabi's influence reached Ethiopia in 1991 when it precipitated the independence of Eritrea; and Turabi's idea of an Arab and Islamic Conference, which was a "militant rival to the Arab League and Organization of the Islamic Conference" that helped to "sponsor" various "Jihadist" organisations across Africa.²⁰ Having backed "rebel movements" in 1990-91, Turabi and his cohorts aimed at undertaking a massive political transformation to change political regimes "from Cairo to Kampala" and could fulfill this by supporting "ideological fellow-travellers." By 1994, their influence led to the wars of destabilisation in Egypt, Eritrea, Ethiopia, and Uganda.²¹

19. A. DE WAAL AND J. FLINT, *DARFUR: A NEW HISTORY OF A LONG WAR* (LONDON: ZED BOOKS, 2008).

20. *Id.*, at 19-28.

21. *Id.*, at 28.

Interviews with prominent members of the Tabliq group in Uganda have confirmed that indeed the beginning of the Jihadist language in the movement is identified with visits by prominent leaders to Khartoum to discuss the idea of an ‘Islamic sphere’ in the Horn of Africa:

[...] these leaders that went to Khartoum to discuss ways to topple Christian forces in Uganda met with and were supported by Turabi’s ideas... It was however not enough that foreign elements perceived of change in the state; it was important that it should be seen as coming from internal demands of social need.²²

Thus was the ADF initially born as the military arm of a splinter group of the Tabliq Sunni Muslim group led by Jamil Mukulu and other prominent Sheikhs. The state marshalled its military power to thwart the ADF threat. This, it primarily did by a military attack of the ADF camp in Hoima, after which “remnants of the ADF force crossed Lake Albert and eventually set up camp in the Rwenzori region.”²³

Although the ADF managed to make periodic ambushes against state forces in 1996 and 1998, it was largely defeated when the state used its military to infiltrate the ADF camps and lure its leaders to the negotiating table. The fighters were promised Amnesty and an office was established for this purpose; returning rebels were given the choice of “either joining the state army and a military training was required for this choice while others would become state spies and were taken to the Military Intelligence section of the army in Naguru.”²⁴

On 27 September 1998, Moses Kigongo, the Vice-Chairperson of the ruling NRM, together with Crispus Kiyonga (then Minister for Health), chaired a meeting at Mweya Safari Lodge and tabled ‘evidence’ of the involvement of the ex-Rwenzururu

22. Excerpts of records from an in-depth interview with one prominent Muslim cleric (name and other details withheld) in Kampala on 20th July 2016.

23. Recapitulation from a chat with a senior intelligence officer (name and details withheld) of Uganda’s External Intelligence Organisation in Kampala on 20th August 2016.

24. Excerpts of records from a focus-group discussion with former ADF rebels (details withheld) in Kampala on 20th June 2016.

king, Charles Wesley Mumbere, in the NALU/ADF rebellion.²⁵ The ADF had launched their first attack in November 1996 when they invaded western Uganda from eastern Congo. Since November 1996, the ADF have operated in the Rwenzori borderland of mid-western Uganda and upper-eastern DRC.

No doubt, the Mweya meeting did change the dynamics of politics in Uganda's Rwenzori region. It was reported that not only was the Mweya meeting allege Charles Wesley Mumbere's involvement in the ADF rebellious activities, but it also proposed to strip him of his 'Irema-Ngoma' [Keeper of the Drum] title. The latter's attempt, more than the allegation that Mumbere was a suspected rebel, incensed the *Rwenzururians* [Bakonzo] who regarded the Mweya meeting as an effort to frame the leaders and supporters of the historic Rwenzururu Movement and take advantage of the ADF turmoil to extinguish the existence of movement in all its forms (and more so its kingdom so much wanted to be revived by the *Rwenzururians*).

Meanwhile, those associated with the NRM government in the region appeared especially keen to highlight the ADF's Islamic terrorist tendencies. After all, they trace the origins of ADF to the followers of the Salaf Tabliq, who claim that Muslims are marginalised by the Ugandan government. During protests around a Kampala mosque in the early 1990s, it is reported that a police officer was killed and many members of the sect were charged with murder. Eventually, "the arrest and trial of the members of the sect increased their disenchantment with the government and seems to have galvanized the Tabliq into taking a more radical action."²⁶ Nonetheless, the ADF and their operations between 1996-2003 cannot be explained with sole reference to explanations reliant on state-centric concepts of proxy war or the influence of transnational forces of Islamic terrorism, although it is of course necessary to recognise their role in the ADF's recruitment, retention, and organisation practices.

Despite being initially repulsed, the ADF were soon launching regular attacks in Kasese, Bundibugyo, and Kabarole districts of western Uganda from their camps in eastern Congo and the bordering mountains of Uganda. Having taken the populace –

25. The letters were dated 1994 after the death of Amon Bazira, when Charles Wesley Mumbere Irema-ngoma accepted to temporarily take titular leadership of NALU outfit's command. It is however argued that none of the letters indicate any correlation with the then ADF rebellion. Conventional wisdom in Kasese then held that to link the two rebellions because the latter had recruited the former's combatants was what consisted of the state's accusation of the ex-king's involvement in the rebellion against the NRM government.

26. African Rights, *supra* note 18, at 4.

not to mention Ugandan government – by surprise, it was difficult at first for outsiders to discern exactly who this force was. In the final analysis, the ADF force came to comprise a wide-ranging conglomeration of various borderland-based groups, foremost among these being the NALU. In fact, after their defeat in Buseruka in Hoima District, these Tabliqs had chosen to relocate to the Rwenzori region precisely because of NALU's presence there.²⁷ In an interview with one senior member of the OBR cabinet, the following insights about the presence of the ADF in the Rwenzori Mountains were alluded to:

As a member keenly engaged in humanitarian work at the peak of the ADF insurgency here [Bundibugyo], I visited the district council of Busoga in the aftermath of the ADF rise in our Rwenzori region. I was told by those people in Jinja that Hajji Jamil Mukulu had a plan to Islamise the Republic of Uganda and that could only happen after taking over the country's presidency. Aware of the fact that Museveni's bush war, which had been in limbo in the Luweero triangle, picked up after the shift from Luweero to the Rwenzori Mountains, ADF's choice for the latter was therefore in the footsteps of the NRA's bush war.²⁸

The micro-region's long-standing tradition of rebel resistance against central authority, compounded by the proximity to the border, and the Congolese state's lack of effective authority over its territory, represented ideal rebel terrain. In an interview with a former senior military officer in the NRM government forces, the Uganda Peoples' Defence Forces (UPDF), this point was further alluded to:

To the best of my recollection and as far as I know, the ease of military operations which comes with the mountainous area was a key factor in giving rise to the ADF's presence in the Rwenzori Mountains.

27. For an extended argument in this optic, see L. Jourdan, *Ambiguous Borders: The Case of Rwenzori*, in *RWENZORI: HISTORIES AND CULTURES OF AN AFRICAN MOUNTAIN* (C. Pennacini & H. Wittenberg eds., 2008).

28. Excerpts of records from an in-depth interview with that member (name withheld) in Bundibugyo Town, 28th July 2017.

Besides, one needs to remember the bushes on the slopes on the Ruwenzori mountain ranges on the side of DRC—virtually under no government control—as the perfect ADF rear base. On these two grounds, the ADF literally needed little to no population support per se to enable them carry out their rebel activities in the region which serves them both as a shield and a natural provider for subsistence.²⁹

While it can be debated as to what degree Sudan engineered the initial merging of these Tabliq and the remnant NALU force, it is important to note that by no means were those the only two groups that came together to comprise the *Allied Democratic Forces*. The NALU remnants who had been operating in then Zaire (renamed DRC) joined forces with members of the Tabliq sect—now in its radical stance of wanting to establish an Islamic state in Uganda—in 1995 in the aftermath of the demise of NALU founding leader, Bazira.³⁰ Those who were a part of the force in the initial phase included former Idi Amin loyalists, *ex-Forces Armées Rwandaises* soldiers, Rwandan Interahamwe, and remnants of various other Congolese rebel groups living in North Kivu.³¹ Reducing the Islamic element of the ADF to being merely a ‘ticket’ or façade is going too far; but so too is understanding the entire human resource dimension of the ADF through this lens.

The various other actors that formed the ADF had nothing to do with fundamentalist Islam, were by no means Sudanese pawns, and nor were their goals strictly Ugandan-oriented ones. Arguably, the most influential faction in the ADF was actually the NALU, a group that substantively composed of Bakonzo, derived from the remnants of locally rooted rebellions (RM and RFM).

Between 1996 and early 2003, the ADF were principally active in mid-western Uganda and had rear bases (including training camps and headquarters) across the border in eastern DRC. The ADF inflicted attacks on Kasese, Bundibugyo, and Kabarole districts leading to the displacement of hundreds of thousands of people. The towns of Kasese and Bundibugyo were particularly hard hit, and so were the

29. Excerpts of records from a structured interview with a former UPDF senior military officer (name withheld) in Fort Portal Municipality, 12th November 2015.

30. A. Syahuka-Muhindo and K. Titeca, *The Rwenzururu Movement and the Struggle for the Rwenzururu Kingdom in Uganda*. IOB Discussion Paper 1, 2006.

31. For a detailed argument on this subject, see, L. Scorgie, *Peripheral Pariah or Regional Rebel? The Allied Democratic Forces and the Uganda/Congo Borderland*, 100(412) *THE ROUND TABLE* (February 2011), at 79-93.

surrounding rural areas. Not only were the majority of people forced into one of 84 internally displaced persons' (IDP) camps, but agricultural productivity came to a standstill as the local economy subsequently collapsed.

However ill-defined the stated objectives of the ADF may have been, it cannot be disputed that elements within the group had serious political and socio-economic grievances. Indeed, the various factions comprising the rebel force harboured individual and quite distinct agendas of their own—as can be seen with NALU. Perhaps most important, though, NALU members (former *Rwenzururians*) continued to exude a deep sense of resentment and frustration over the unresolved status of their long-standing grievances. Foremost amongst these now was, of course, the OBR recognition issue.

Although initially slow to respond, military operations in the borderland by the UPDF against the ADF managed to partially quell the rebellion. As a result, their numbers dropped from 4,000-5,000 combatants in 1996 to an estimated several hundred by early 2003, and the rebels were forced to withdraw from mid-western Uganda.³² Nevertheless, and contrary to what Ugandan officials led the public to believe, they were by no means fully eradicated. The rebels were able to retreat to the relative safety of eastern Congo and worked at rebuilding their force.

A significant development in early 2003 concerned the ADF's behaviour towards civilians. During the previous phase, while the UPDF had technically been the ADF's enemy, it was nevertheless civilians who had borne the brunt of the conflict. As a result, the public had generally been hesitant to collaborate with the rebels and the ADF experienced minimal popular support. Soon after, however, up until 2011, the ADF's relationship with the surrounding population was markedly improved. The ADF's interests were primarily about maintaining their place in this micro-region of the Rwenzori borderland.³³ By and large, they had always been embedded into the political, social, and economic fabric of the Rwenzori borderland to an unprecedented level.

So, what then accounts for the ADF proven resilience from 1996 to date? Three strands of explanation have been advanced: (i) proxy warfare, (ii) Islamic terrorism, and (iii) spill-over violence from the collapse of the Zairian state. The first is the idea that the ADF served as a proxy force for Sudan – a pawn in the

32. *Id.*

33. *Id.*

ongoing hostilities between Kampala and Khartoum. Because they represented an opportunity to counter Uganda's support for the Sudan People's Liberation Army (SPLA), Sudan was willing to shore up the ADF, not only financially, but also in terms of recruitment, training, material and supplies.³⁴

The second strand of explanation stems from the observation that the ADF has been seen as a radical Muslim group intent on terrorising the Museveni regime. The Tabliq, it is argued, were responsible for operationalising various lucrative transnational networks for the ADF, such as funding from foreign Islamic charities and countries.³⁵

The third is an understanding that the ADF were significantly influenced by the violence leading to and ensuing from the collapse of the Mobutu regime.³⁶ In early 1996, the Congo was engulfed in armed conflict and served as the epicentre for battles between the militaries of nine African countries, numerous Congolese and foreign rebel movements, and countless militias. It is hence thought that the political violence and the instability ushered in by the short-lived Laurent Kabila regime in the DRC had a 'contagious' element, and had 'spilled over' into western Uganda. The ADF's transnational activity was perceived as having been incited and stimulated by conflict spreading from the DRC to Uganda.

Existing analyses of the ADF rebellion have applied traditional (state-centric) transnational concepts of cross-border conflict such as proxy war, foreign sponsorship, and spill-over and contagion. These, however, have been unable to account for the ADF's strength. Most of these explanations are pertinent to the ADF for only a limited period of their existence, concern only certain factions of the group and not the rebellion as a whole, and discount the wider environment in which the ADF operates.³⁷ Besides, while many analyses of the ADF paint a picture of an overwhelmingly Islamic-heavy force, it is worth bearing in mind that the ADF's military leader, the chief commander, Yusuf Kabanda, was a Mukonzo from NALU.³⁸ Many other military

34. For an extended argument in this, see G. Prunier, *Rebel Movements and Proxy Warfare: Uganda, Sudan and the Congo (1986-99)*, 103(412) *AFRICAN AFFAIRS* (2004), at 359-83.

35. Titeca & Vlassenroot, *supra* note 17.

36. For a detailed account of this subject, see G. Prunier, *L'Ouganda et les Guerres Congolaises*, 75 *POLITIQUE AFRICAINE* (1999), at 43-59.

37. Scorgie, *supra* note 31.

38. Kabanda originated from Kasese and had fought in the RFM and NALU; he did convert to Islam from Catholicism, and changed his name from Bwambale to Yusuf. However, many argue that this was done for strategic reasons (for example to appeal to Arab donors), as was often the case in the early

commanders in the ADF too were former Rwenzururu leaders such as Christopher Ngaimoko and Fenahasi Kisokeranio.

The rebels continued their practice of capitalising on the disenfranchised status of the borderland, namely through tapping into the borderlanders' meta-narratives of marginalisation and discrimination by the centre. Both parts of mid-western Uganda (especially the districts of Bundibugyo and Kasese) and most of the eastern Congo remained underdeveloped (especially with regard to important physical infrastructure and social amenities), conflict-ridden (whether in terms of 'negative peace' as is predominantly the case of today's mid-western Uganda or almost uninterrupted direct violence as with the case of much of the eastern Congo since the demise of the Mobutu regime), and ignored spaces by their respective central governments.

As such, the ADF found that promises of employment and education opportunities resonated with the borderlanders. In a region confronted with an abundance of ill-demobilised but non-reintegrated combatants as well as a lack of job opportunities for multitudes of able-bodied young people, ADF's gainful rebel activism proved enticing for many. Undoubtedly, the sustained perception on the part of the state—especially under the NRM rule—to frame the unfolding violence in the region since the NRM takeover as essentially criminal and hence bereft of any political content, let alone intent, is born out of sheer misdiagnosis of the nature of the unfolding violence. It is a paralysis in analysis that has thus far fronted a two-pronged approach by the state to its resolution, namely, militaristic (joint security forces operations) and legalistic (blanket amnesties and/or criminal prosecutions).

C. The OBR under the omusinga-ship of C.W. Mumbere Irema-Ngoma

In the mid-1990s, Uganda too as was pretty much in vogue in most of sub-Saharan Africa, witnessed a thorough constitution-making process which, among other issues, revived the traditional structures of governance (cultural institutions) hitherto banned by the post-independence nationalist governments. Thus, the 1995 Uganda constitution reinstated the existence of kingdoms as well as chiefdoms previously banned in 1967 under the first government of President Milton Obote. Important to note is that these traditional structures of governance that were banned in 1967 were restored as 'cultural institutions' rather than 'political kingdoms' they had been before.

years of ADF. *See*, African Rights, *supra* note 18.

Suffice, however, is to note that the subsequent legislation pertaining to this reinstatement—The Institution of Traditional or Cultural Leaders Act, 2011—particularly its article 6 stipulates that where a traditional or cultural leader has been declared to exist in any area of Uganda in accordance with the culture, customs and traditions or wishes and aspirations of the people, the minister shall cause the declaration to be published in the Gazette. The related legal provision in the constitution (article 246 (2)) underscores that, in any community where the issue of the institution of traditional or cultural leader has not been resolved, the issue shall thus be resolved by the community concerned using a method prescribed by Parliament.

Against this backdrop, *Rwenzururians* (eventually subjects of the OBR) ardently mobilised for the recognition of their kingship with C.W. Mumbere Irema-Ngoma as *Omusinga* in view of the fact that “theoretically the restoration of the Toro kingship could indeed have referred to the boundaries of the former Toro kingdom thus again comprising Bakonzo, Baamba and other non-Batoro.”³⁹ Thus, clamours for the recognition of the Rwenzururu Kingdom as the cultural institution of the *Obusinga Bwa Rwenzururu* gathered increasing momentum from the mid-1990s. In emulation of the restoration of Toro Kingdom—and perhaps out of a deep-seated wish to be at par with the latter—the *Rwenzururians* claimed that their very own kingship, albeit a novel one, should as well be restored.⁴⁰ In early 2000, the OBR Recognition Committee formally petitioned the government to recognise the existence of OBR as a cultural institution for the Rwenzururu community explained as being “multi-ethnic—comprising Baamba, Bakonzo, Basongora, Banyabindi, and other people who may subscribe to the spirit of Rwenzururu (such as amongst recent immigrants).”⁴¹

In April 2005, a four-member ministerial commission of inquiry committee was instituted by President Museveni and was chaired by then Second Deputy Prime Minister Henry Muganwa Kajura, to make recommendations over the contentious issue of the Obusinga. Following its probe into the issue, the Kajura Committee recommended the recognition of the OBR as a cultural institution for the Bakonzo within the Rwenzori region in accordance with article 246 (1) of the constitution. Four years later, President Museveni confirmed his government’s position to officially

39. For a detailed argument of this subject, see M. DOORNBOS, *THE ANKOLE KINGSHIP CONTROVERSY: REGALIA GOLRE REVISITED* (KAMPALA: FOUNTAIN PUBLISHERS, 2001), at 95.

40. Syahuka-Muhindo & Titeca, *supra* note 30.

41. *Id.*, at 14.

recognise OBR, for which the coronation ceremony of C.W. Mumbere Irema-Ngoma as the crowned *Omusinga* took place on 19 October 2009.

In its reinstatement of traditional/cultural structures of governance, the NRM government's innovation in regard to the legal framework governing the latter was indeed quite telling. At the core of this reinstatement of traditional monarchical orders under the NRM rule lies the ingeniously crafted legal toolkit for prescribing kingship-making processes. Was the reinstatement of these traditional governance structures as cultural institutions under the NRM rule intended to be yet another experiment of client-ship relational politics between state and society? If serious questions regarding power can be asked, to paraphrase Pierre Clastres, at issue here too was (and still is) the space of the 'political' at whose centre 'power' poses its questions.⁴²

On the very day of OBR official recognition by the government, the coronation ceremony of C.W. Mumbere Irema-Ngoma seems to have pointed to the contentious nature of such experiment of client-ship relations of society with the state, whether envisaged or otherwise. One keen commentator from the grassroots in Kasese echoed the following:

It was indeed conspicuous that the OBR recognition by the government was not done in good faith, but rather under the latter's intense political pressure, especially in view of the 2006 NRM electoral performance in the region. But what is more, the very presence of Kizza Besigye—the emblematic figure of national political opposition—whose coming in was accompanied with great ululation and far more triumphant than that of President Museveni, did not bode well with the government. There was a sort of a clear writing on the wall about who society in the Rwenzori then could express utmost gratitude for the day [coronation ceremony]. The fact that it was the crowned king's brother [Christopher M. Kibanzanga] by then from the opposition party [Forum for Democratic Change, FDC], who had arranged for the celebratory presence of FDC presidential flag-bearer Besigye at this coronation ceremony, was indeed a subtle vote-of-no-

42. For extended discussion of this subject, see P. CLASTRES, *SOCIETY AGAINST THE STATE: ESSAYS IN POLITICAL ANTHROPOLOGY* [trans. R. Hurley in collaboration with A. Stein], (New York: Zone Books, 1989).

confidence in the NRM government. What followed thereafter, one may say, was the state's deliberate move to reverse all gains made by society in the region regarding the official recognition of OBR.⁴³

Article 246 (1) of the constitution (as amended in 2005) stipulates that the institution of traditional or cultural leader may exist in any area of Uganda in accordance with the culture, customs and traditions or wishes and aspirations of the people to whom it applies. Even more emphatically, Article 4 (b) of the Institution of Traditional or Cultural Leaders Act, 2011, underscores that a traditional or cultural leader may be instituted in accordance with "the wishes and aspirations" of the people to whom it applies, through a resolution of not less than two thirds of all members of the district local councils and sub- county local government councils respectively 'in the area.' Differently put, if the people of an area 'so wish,' the institution of a traditional or cultural leader can therefore be instituted in that area even when the latter had not existed there before. This, in the already culturally mosaic region of Rwenzori, did not bode well with the very aims of nation-building there.

Exactly 21 years ago to the July 2014 attacks in Bundibugyo, Kasese and Ntoroko districts, members (representatives) from Kasese District warned the government in the National Resistance Council (NRC) meeting that "it should not become responsible for 'another Rwenzururu rebellion'"⁴⁴ at the height of the debate over the restoration of the Toro kingship following the lifting of the passing of monarchical restoration bill by Parliament in 1993.

At the heart of contention then were the territorial limits of the restored Toro Kingdom, which prior to its abolition in 1967 included Kasese and Bundibugyo districts. There was massive agitation, especially in Kasese, against Toro's tentative claims over the salt-rich Lake Katwe as well as Kasenyi salt deposits on the shores of Lake George, which had hitherto constituted an important source of revenue for the Toro Kingdom government. Twenty years later, the very NRM government chose not to take heed of the clerical warning repeatedly made during the NRC phase. To this deliberate option taken by the NRM government to refashion society in the Rwenzori after its legal 'innovation' of Article 264 of the constitution (and further reiterated and

43. Excerpts of records from an in-depth interview with a senior member (name withheld) of a renowned civil society organization in Kasese, 10th October 2017.

44. Syahuka-Muhindo & Titeca, *supra* note 30, at 12.

elucidated in the act of 2011), there emerged drastically radical options on the part of some vanguard elements in the Bakonzo society:

By late 2013, numerous Bayira youths had been mobilised for war against the NRM new developments in what was considered the cultural preserve of society in the Rwenzori. These young men were keenly and secretively set apart under the cover of the *Esy' amango sy'Obusinga*, generically known as royal guards. Key among the NRM-led cultural developments in the region included the swift official recognition of the OBB [Obudhingya Bwa Bwamba] in Bundibugyo and the Busongora king coronation in Kasese. The recruitment of one medicineman [name withheld] from a prominent Yira Mai-Mai vigilante group in the DRC was made; the medicineman passed on key psycho-spiritual lessons to the boys we had mobilised, which included the use of anti-bullet magic! We guardedly built up our resilient force, which was about 1,500 young men, to settle our scores once and for all.⁴⁵

Indeed, in the immediate aftermath of OBR recognition, the latter faced even more tremendous challenges of emerging cultural institutions within its perceived areas of jurisdiction. More than any other development, the rather rapidly ensuing official recognition of the *Obudhingya Bwa Bwamba* (OBB) as a cultural institution of Baamba-Babwisi, three years after OBR's recognition, was a key game changer insofar as state-society relations in the Rwenzori region were concerned. Conventional wisdom among the Konzo society, both in Kasese and Bundibugyo, holds that elements allied to or in the NRM government encouraged new contestants of the OBR for new cultural institutions parallel to, if not diametrically opposed to the latter—a state-led development, which increasingly drove the OBR leadership to the political opposition. As was graphically put elsewhere:

45. Excerpts of records from an in-depth interview with then high-ranking official of the OBR (name withheld) who attended the said Yira Annual Conference as an OBR representative, Kampala, 04 October 2017.

The *de facto* NRM bigwig in the region, Crispus Kiyonga who was then Minister of Defence and NRM chairman in the region, did oversee the creation of OBB with the assistance of one Mwamba academic at Makerere University, Dr. S. Kyomuhendo. All this was in a bid to forge different centres of power in the region outside the ambit of the OBR and so to see the latter considerably weakened.⁴⁶

Thus, just like the Baruli and Banyala in Buganda were encouraged to emphasise their former identities in the wake of the reinstatement of Buganda Kingdom under the NRM government, the Baamba-Babwisi in Bundibugyo District as well as Basongora (Bahuma) and Banyabindi in Kasese District were mobilised to dissociate with OBR and seek their own cultural institutions—not least for all political and economic benefits thereto accrued. The instrumentalisation of ethnicity in the aftermath of OBR recognition, more than ever before, became the defining feature of politics—insofar as state acts upon the society and how the latter responds to the former and vice-versa—in the region. Henceforth every development in the region would be cast into the prism of ethnicity and interpreted in ethnic terms.

Particularly for Bundibugyo where the area of jurisdiction of OBB had theoretically corresponded to the district map—the culturally diverse district of Bundibugyo now seen as *Bwambaland* in the aftermath of the OBB recognition—the ensuing tension there played out beyond the direct binary of state-society relations, but rather as one part of society against the other, each of which in particularly distinct relation with the state. Already since its creation in 1974, the people of the district—with Bakonzo predominantly inhabiting the highlands of Bughendera County and Baamba-Babwisi in the lowlands of Bwamba County—together with its assorted economic landscape dominated by commercially viable farming of cocoa plant predominantly by members of the Konzo society yet in the lowlands of Bwamba under the political leadership of Baamba-Babwisi, seem to have thrust the emotive character of ethnicity into long-standing structural issues pertaining to governance and production.

In a focus group discussion with five Bakonzo youths who hail from Bughendera, the latter defined Konzo society in Bundibugyo as “the non-hegemonic

46. Excerpts of records from an in-depth interview with a Konzo member of the OBR (name withheld) in Kasese, 12th September 2017.

ethnic minority meant for deputizing role in all spheres of leadership’ in contrast to the Baamba-Babwisi society as ‘the hegemonic ethnic majority with undisputable privilege in all decision-making processes.’⁴⁷

These youths further enumerated the said structural issues facing Konzo society in Bundibugyo as follows: (i) the gazettement of Rwenzori National Park in the northern spur of the mountain ranges and of Semliki National Park in the valley; (ii) the sheer deficiency of physical infrastructure, including road networks, water and electricity as well as key social amenities such as hospitals and schools in Bughendera County; (iii) the sheer intolerance of OBR cultural presence in the district coupled with discriminatory treatment of Bakonzo members at the hands of both the district local government and institutions of the central government, including the police and Uganda Wildlife Authority; and the ring-fencing of district political and administrative leadership by one ethnic category, regardless of the merit from the other categories. That a good number of the so-called Bakonzo vigilante youth⁴⁸ (*esy’amango sy’Obusinga*) that took part in the July 2014 attacks came from Bughendera is indeed of little wonder.

Meanwhile, tensions in Kasese post-OBR recognition did transcend the simple binary of state-society as in one state (by the NRM government) versus one society (*Rwenzururian*). The acute heterogeneous nature of society in Kasese, which conspicuously came to surface in the wake of OBR recognition, had increasingly pitted the numerically dominant Konzo society against a host of numerically dominated societies in the district—each of which again characterised with a particularly distinct

47. Excerpts of records from a FGD with Bughendera youths (more details withheld) in Bundibugyo Town: 15th August 2017.

48. Les Johnston definition of ‘vigilantism’ can closely be associated with conduct of these ‘*Esy’amango sy’Obusinga*’ (most of whom generically known as OBR royal guards) in the build-up to the 05 July 2014 attacks insofar as his approach is distinct from attempts to define vigilantism as mere “establishment violence” and neither assumes vigilante engagement to be extra-legal nor to involve the necessary imposition of punishment on victims. Johnston’s definition of vigilantism has six necessary features: (i) it involves planning and premeditation by those engaging in it; (ii) its participants are private citizens whose engagement is voluntary; (iii) it is a form of ‘autonomous citizenship’ and, as such, constitutes a social movement; (iv) it uses or threatens the use of force; (v) it arises when an established order is under threat from the transgression, potential transgression, or the imputed transgression of institutionalized norms; (iv) it aims to control crime or other social infractions by offering assurances (or ‘guarantees’) of security both to participants and to others. See, L. Johnston, *What Is Vigilantism?* 36(2) THE BRITISH JOURNAL OF CRIMINOLOGY (1996), at 220-36.

relationship with the state. More than anywhere else in the region, Mamdani's thesis of 'define and rule'⁴⁹ as a colonial technology of rule ingeniously adopted by the NRM government had come full circle in Kasese, particularly since 2012 when the annual OBR royal visit to Kirindi—a cultural site for the OBR in Bwamba County of Bundibugyo—was vehemently proscribed by the state's security forces for reasons espousing security concerns in the region.

Akin to the British colonial division of those who lived in the colony [Uganda Protectorate] into two broad categories, namely races and tribes—in that, one was counted as a member of either a race or a tribe but one could never be a member of both⁵⁰—the NRM rule in Uganda's Rwenzori borderlands too proceeded to define members of the politico-historical-cultural formation of Rwenzururu in terms of specific tribes such that two differently identified tribes could no longer belong to the one cultural institution as was the case with the Rwenzururu Movement-cum-OBR cultural institution.

So pervasive was the tension (born of this 'governmentality technology' of *defining and ruling* society in Uganda's Rwenzori in distinct tribal groups with distinct cultural institutions for each) undergirding relations between one tribe and the other vis-à-vis the state that OBR king's address during his visit—two weeks before the 05 July 2014 attacks—at Mitandi Seventh Day Adventist Church gave ample clue about the unfolding violence in waiting:

In almost no uncertain terms, the king's address was a declaration of war. The king went beyond conscientising the Bayira Youths in his audience to mobilizing them to resist both Ugandan and Congolese governments against Yira [Konzo/Nande] oppression, both real and perceived. Indeed, in view of what eventually ensued two weeks, this speech by the king remains revelatory.⁵¹

49. M. MAMDANI, *DEFINE AND RULE: NATIVE AS POLITICAL IDENTITY* (CAMBRIDGE, MA: HARVARD UNIVERSITY PRESS, 2012).

50. *Id.*

51. Excerpts of records from an in-depth interview with a previously high-ranking official of the OBR (name withheld), who was part of the entourage during the OBR royal visit to Mitandi SDA Church. Kampala: 04 October 2017.

It is Pierre Clastres who, perhaps more lucidly, acknowledged that power and speech cannot be conceived of separately, whether in stateless social formations or formations with a state.⁵² Michel Foucault, however, in his *Discipline and Punish*, is credited for espousing a notion of discipline referring to a mode of social organisation that operates without the need for coercion.⁵³ As a modernist form of power discipline, for Foucault, thus imbues the individual with particular ways of thinking, knowing and behaving, thus instilling modes of social consciousness that make social action predictable. Such disciplinary power, Foucault would argue, which does not necessarily consist of the rules articulated within the pages of the law (whether the constitution or any other piece of legislation), is rather concerned with ‘norms’ and the generation of ‘normalisation.’ Thus, to the extent that the king’s address at Mitandi SDA Church premises was articulated within the frame of disciplinary power, it can be argued that his address consisted not merely of a way of describing external reality—labelling objects—but rather to signify generalised, socially constructed categories of thought to which important social meanings and values are attributed.

As a discourse *à la* Foucault, the king’s address then could be construed as promoting particular categories of thought and belief that guide people’s responses to the prevailing social environment, although not always self-consciously. Discourse (as a key modernist technique of governmentality) here acts as the meeting place for knowledge and power. The truth-claim made self-evident in the king’s address (that Yira oppression, along the Rwenzori mountain ranges from Kasese through Ntoroko to Bundibugyo and across both sides, Ugandan and Congolese, is undeniable) carried with it the manifestation of violence that ensued on 05 July 2014.

Refashioned by the state’s organizing power, not in terms of the historical-political Rwenzururu (with the *Rwenzururian* identity having historically transgressed tribal bounds) but rather as cultural Bakonzo—particularly in the wake of the official recognition of the OBB in June 2013—the radical response on the part of members of the Konzo society thus found both expression against this state’s organising power and fertile ground in society for translation in action:

52. Clastres underscores that “if in societies with a State speech is power’s *right*, in societies without a State speech is power’s *duty*... Speech is an imperative obligation for the chief. The tribe demands to hear him: a silent chief is no longer a chief.” See, Clastres, *supra* note 42, at 153.

53. M. FOUCAULT, *DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON* (NEW YORK: PANTHEON BOOKS, 1977).

As the M23 rebellion unfolded in eastern DRC, with dire consequences on our kin and kith, the Banande of Congo, it became so clear to us that the Bayira have become an endangered species on both sides of the Rwenzori mountains. Already, from the side meeting of the *Ekyahanda* [Yira Annual Conference] that took place at the Catholic Parish of Kyondo [Beni Territory of DRC] in December 2011, the idea of building a regional Yira force was vehemently fronted by members who attended that side-meeting. We agreed in principle that there is need for a selection of potential able-bodied male youths across the Rwenzori mountains [Bakonzo and Banande] to resist, whenever possible, the eventual Hima-Tutsi empire seemingly in the making in this region. Finally, it was agreed that, initially, this indigenous Yira regional force will be based in Rutshuru [DRC] for starters and then roll out to the Beni side peopled by Bayira. Its cardinal role, to begin with, was to fight against the M23 rebellion in Kivu's Yira-peopled areas.⁵⁴

Hailing from the highlands of Uganda's Rwenzori, most especially Bughendera County, the mobilised youths who carried out the attacks on Kanyamwirimu army barracks in Bundibugyo on 05 July 2014 had been "both exposed to the ideology of the side-meeting of that *Ekyahanda* and acquainted with the techniques of warfare according to the Mai-Mai style of DRC Bayira."⁵⁵

It can thus be argued that at the heart of the unfolding of the July 2014 attacks was the querying of the NRM state's organising power that had increasingly fashioned society differently in the Rwenzori region, particularly since the official recognition of OBR. Salient indeed was this refashioning of society in Bunbibugyo District following the official recognition of the OBB, thanks to "a state-orchestrated move to support the hitherto docile Bundibugyo Elders Development Association for a rapid king-making

54. Excerpts of records from an in-depth interview with then high-ranking official of the OBR [name withheld] who attended the said Yira Annual Conference as OBR representative. Kampala, 04 October 2017. Mention of the Hima-Tutsi Empire, the interviewee underscored, is made in reference to the Ugandan state currently headed by the president of Ankole-Hima descent coupled with the then predominantly Tutsi-led M23 rebellion in eastern DRC, allegedly with military backing of the Rwandan state headed by a president of Tutsi descent and diplomatic backing of the Ugandan state.

55. *Id.*

process in the district.”⁵⁶

Whether legitimate or not as a case of violence is a concern that misses the important point that even legitimate exercise of power also excludes, marginalises, silences and prohibits alternatives. Equally so is whether it was, in the final analysis, the case of violence of society against the state or of the state against society.⁵⁷ Here, at any rate, the essential lines—on the one side, society’s consolidated cultural forces, on the other, and standing against them, the state’s organising power—crisscross.

VI. CONCLUSION

A close gaze at the 05 July 2014 attacks speaks historically to society’s response to the state’s actions and inactions in Uganda’s Rwenzori borderlands, for which a distinct historical-political imaginary of dominium-outside-the-state-domain structurally shaped the agency of many Rwenzori borderlanders. That this imaginary undergirds a deeply anti-state character both in the colonial and more so post-independence periods of Uganda’s Rwenzori is perhaps undeniable. To which historical momentum can this anti-state character since the colonial state formation in mid-western Uganda be traced if not the lingering legacy of the criminally crushed Abayora revolt (1919-21), which in turn found new expression in the Rwenzururu Movement, twenty-years into the post-independence era?

In this optic, the political ghost—whose survival has trumped both militaristic and legalistic deployments of the state—hovering the contested demise of Rwenzururu Movement is instructive and remains central to one’s understanding of the dynamics of state and society in mid-- western Uganda. This is even more so following the state’s official recognition of the OBR. First, this political ghost had endured all waves of state assault; second, it was effective in using the mobilising force of ethnicity in advocating and setting up an intransigent kingdom-- state that—whatever its shortcomings—was preferred to the state of Uganda. Third and perhaps more enduring of all, it attained a legacy that translates itself for political agency in every suppressing occasion faced by Bakonzo *borderlanders* in view of state’s action and/or inaction.

56. Excerpts of an e-mail reply from a senior civil society activist (name and details withheld) in the Rwenzori region (dated 24th October 2017).

57. This is so, even though Clastres foregrounds the struggle of society against the state as that consisting in the refusal of separate political power, the refusal of the state.

The passage of the Rwenzururu Movement to the OBR cultural institution here presaged weakening of the latter, particularly animated by the NRM king-making politics in the region. It may thus be no exaggeration to argue that violence remains a tenacious element in the ways in which the state refashions society in a bid to deconsolidate any emergent power centres in the region through its ingenious schemes couched in terms of cultural heterogeneity (kingship creation) and political decentralisation (district creation).

To the extent possible, however, the state may indeed win the war but society (in part or as a whole) will always carry on with the struggle. If for Marxist historians, the history of a people is said to be the history of class struggle, it seems that the history of Uganda's Rwenzori borderlanders is the history of their struggle against the state's organising power of society in the latter's likeness. How should the current Ugandan state act in the Rwenzori borderlands in order to soothe demands for political justice beyond the trappings of a colonial mode of governance is perhaps a worthwhile preoccupation that should animate political imagination at the core of state-building itself. At any rate, making the political—an inquiry into power relations of state and society—subaltern in the quest for justice after mass violence becomes counterproductive to peace.