

WRITE –UP OF JAKA PARISH.

When we were in the sub-county there were some other papers being filled but for Jaka parish was not filled.

How is land in Jaka parish being controlled? Is it being controlled by the kaka or the dogola?

Since is a very big parish the land is being controlled by the kaka. Though, the people of Jaka are living in one parish there are many kaki that control their own lands. However, the land is enough for the different kaki in Jaka parish.

As earlier on mentioned that in Jaka there are many kaki but to a greater extent the land in Jaka to me it's being controlled by the dogola though the different kaki are living together and this brings me to a conclusion that it's each dogola that controls the land where it's working, though the land might belong to the kaka of Jaka. And if the land is to be controlled by the kaka then it might be a little bit difficult because of the kaka Langi are also living in Jaka and the kaka Jaka are also living in the land of the Langi as well as the kaka Palaro are also living in the land of the kaka Jaka. Therefore, there are other kaki that are mixed up the kaka Jaka and this makes the land of Jaka parish to be controlled by the kaka. Langi kaka is a [kaka in the Lango sub-region that borders Jaka parish]. However, it will be much easier if the land is controlled by the dogola because each dogola knows the land boundaries as well as the next dogola who is the neighbour.

How is the process of land use in Jaka parish? Do people cultivate only a piece of land yearly or do they cultivate from garden to garden?

Most of the people in Jaka parish have more than one garden hence they cultivate in their own lands therefore, one may decide to dig in one of the garden and the following cultivation period he will leave the land and goes to cultivate another land. They can even leave the garden for more than five years main while leaving the other land to gain fertility.

How do people of Jaka parish consider the issues of gazette and hunting lands?

In Jaka parish we use to have a gazette land for hunting called Gungu but sometime back this place was bought by someone thus nowadays there are a lot of disputes on the land and people are not allowed to go and hunt and graze in that particular land.

We still have this gazette lands though it's not being fully used because the owners have not allowed the people to use the land. It used to be a big land since it was a grazing land but nowadays, part of it is being used for cultivation. However, in the past this gazette lands were very big lands that any person could go and graze his cattle freely. Currently, this gazette lands have been taken by the owners and we don't have any authority to graze there anymore. On the other hand, it might be that the owners of these lands might not have cattle for grazing in that very gazette land but we who might have cattle should graze on our lands without any trespass. But there can be mutual understanding between the owner of the gazette land and the cattle owners so that the land is used for grazing for a specific period of time as agreed.

What are the duties and responsibilities of the rwodi kweri?

The duties and responsibilities of the rwodi kweri is that we mostly settle the cases of land disputes amongst the local people though in the past it was the duties and responsibilities of the LC 2 and it's committee and I really don't know how it was brought back to the rwodi kweri. Another duty and responsibility of the rwodi kweri is the handle the cases of theft and other minor cases like fighting amongst the community members.

Most commonly we the rwodi kweri mainly don't deal directly on land disputes but on the boundaries of where the land dispute could be taking place[garden boundaries] and the rwodi kweri are mainly being helped by the immediate neighbors of where the land dispute could be happening.

What are the criteria of electing the rwodi kweri in jaka parish?

In my own village the criteria that was taken is that the community members gather together as the elders will act as observers and amongst the elders one will temporally act as the chairman of the election. Therefore, one can qualify to be the rwot kweri through his capability, not a jealous person and a person who likes cultivation/digging. However, the community members should also have the trust in the person being elected.

To supplement, there were others who were elected in the past who had mugungu and this mugungu will be as the returning officer. the mugungu calls the people under the each rwot kweri and sits down with them and the people are to elect the person of their choice as the rwot kweri and later he submits the name of the newly elected rwot kweri to the sub-county and in the process of the election there should be the LC 1 of the village.

What are the problems the people of Jaka parish do face as concerns land issues?

From my side in my village, first and far most the problems that the people of Jaka are facing is also being caused by some of the community members because one might decide to transfer from his land to stay next to another person and in the long run he starts annexing his land to the neighbor's land and worst enough he might be having livestock and because he has come with ill intentions he'll let the livestock to destroy the crops of the neighbor thus causing land disputes.

There are other people with a lot of children hence he does things deliberately in comparison with the past events. Because of the many children he might be having, he will tell the children that the land the other person is using was given by your grandparent and because the child has heard from his father he will feel what has been said is the truth thus the child starts causing land disputes by constructing houses on that land without further consultation and the father will have the opinion that the land has now been taken. Therefore, the child will do this because of the father's instructions of wrong allegations.

Another problem of land in Jaka is that there are other kaki that could have stayed in a land for a long period of time and later he tells his friend or relative that he can even stay next to him on another piece of land. Since nowadays people have returned home, the person to whom the land was just given will not accept to leave the land hence this will cause a lot land disputes.

But on the other hand, the owner of the land owners might not have the tendency of chasing the person but he would give as a piece of advice for the neighbor not to annex his land to his land but eventually, the person the land was given will not accept thus causing land disputes and wrangles.

The high need for money to me it's the major factor causing land disputes in Jaka parish. Though the government has granted the people to own their land and it is also good that each Ter kwaro also have the rights of controlling it's own land. And because of the land control that most of the people are having, they also decide to give out the land for rent or hire and the people renting these lands may encroach to the neighbor's land and this causes a lot of land disputes. However, there are other people who will even just sell off the land to another person. On the other hand because one sees that one is gaining from leasing the land he starts bringing what had happened in the past like claiming for the land through the great grandparents that they might not even know the origin of the land hence sparking land disputes. In Jaka I have ever witnessed that if the case of the claimed land is settled and one happens to win the case, within few days he would sell off the land immediately for the gut of money. However, to a greater extent I personally blame the elders who either start by claiming the land that it was a land that was given by the grandparent and what the grandparent could have discussed no one knows and you go to claim the land that causes land disputes in the community.

How many land problems do you know as land disputes are concern in your own village?

LCs

As the LC 1 in my own village there are three cases of land disputes and to supplement, as a LC 1 too, in my village I have five cases of land disputes.

Rwodi kweri

I as the rwot kweri, I have only one case of land dispute and another rwot kweri say that in my village I have two cases of land disputes.

In Jaka parish, what are the problems the disadvantageous group of people like widows, orphans, returnees, elders and the girls who have returned from their husband's home faces?

As concerns the issues of land problem toward the widows, we as the local leaders are getting a lot of such issues. These problems are caused by either the brothers or the father of the deceased against the widow. They usually tend to take away the land the widow use to dig with her deceased husband and because the widow has children she has to have land for living and it could be that the deceased had a big land and the brothers has a small lands thus they have the target of grabbing the land so as he could help with his own many children. For instance, one of such a case happened here in Jaka parish, where by there was a NGO called CRR really intervened so the truth was revealed that the widow was on the

right because initially before the death of her husband they use to dig together on the land. Therefore, it was said point blank to the brothers of the deceased that they don't have the right to take the land from the widow and more so this widow do also have children hence she must use the land. The NGO called CRR gave full authority to the kaka of the deceased that within a week they should have made up a proper resolution of the land because they would like to come and put a mark stone on the land and give the full ownership to the land to the widow.

As concerns the returnees, however, categorically they are not so many. And in Jaka I have witnessed two of the returnees that are not really allowed to use their own land and they are being ordered to look for their parents who are not really not there [dead] and there are ever being provoked using vulgar languages and whenever they try to utilize their land they are prevented by telling them that "has your father given or shown to you any land here" hence making them to get a lot of problems as land issues are concern.

There are categories of children to say [orphans] because the father could have died but the mother got another man and she wasn't married by the time of the death of the second husband. And because the mother got another man with the children of another man and because the mother wasn't married, she may decide to go back to their home leaving the children at the home of their stepfather. Because their mother has gone back to their home, the land they use to dig even has been taken and they are told to look for the home of their biological father or else they should follow their mother and this is one of the problems the orphans are facing concerning land in Jaka parish.

As concern the girls who have returned from their husband's home to me, their problems of land is not all that very bad or touching. It could be she was chased by the husband to return to their home for at least a year. Therefore, most of them on return, they are warmly welcomed and they are given land for cultivation but to the few of these girls who return they are not welcomed at home and within days they are sent back to the husband's home. However, to me, the problems of land the girls are encountering are not all that very harsh as that of the other disadvantageous group mentioned.

To supplement on the issues of both the girls and returnees concerning land problem is that for the girl she could have never gone to the husband's home i.e. she produced the children from their home and these are the kind of girls that causes a lot of problems to her family members concerning land issues. For the returnees, is that since they have returned from the bush some of them are not considered as part of the family members because once they try to dig in a piece of land they are barked at saying "you are big headed because you have developed it the bush hence it should not be applied at home" these words makes them feel debarred from the use of family land hence making them more traumatized. Therefore, this is the problem the returnees are facing as land issues are concern.

What do the leaders or the people of Jaka parish usually do to end the problems of land disputes?

In Jaka parish, what we usually do to end the problems of land disputes is that first of all the case starts from the rwot kweri because as the LC1 if the case is brought to me, first I advise them to take it back to the rwot kweri. This is because this rwodi kweri knows the land and garden boundaries. Therefore, the rwot kweri has to engage the elders for a proper decision making.

However, when the rwot kweri has gathered the community members, then they all go the garden where the dispute is all about and from there it is not handled as a court but a way of mediating a mutual understanding. They rwodi kweri are not even paid any money for their work. But unfortunately, there are other people who at the point of settling the dispute amicably, they could have developed or made up their minds and once the judgment is against his wills he continues to the LC 1, LC 2 though he is being told the truth and lastly he goes to the High Court where he would still be referred to the village court/level. To the ones who prefers mutual understanding, from the rwodi kweri, elders and community members, their case will also end up at that level thus that is how we solve the cases of land disputes in our community.

In Jaka, does the rwodi moo from the Ker-Kal Kwaro often attend such kind mediatory settlement of land disputes?

The rwodi moo do come so long as they are near and informed. But on addition the reason to why the name of the rwodi kweri are tarnished is because of the little token of appreciation that they are given after their work and this is because of the gathering that he has mobilized and a token of appreciation is given by both the complainant and the defendant. This token of appreciation is not more than UGX 2,000 and it is not requested for by the rwot kweri. It's not only the token of appreciation but at time they even prepared food for the local leaders.

In case the government or NGOs would like to buy land in Jaka parish, what do the local leaders of Jaka usually do?

As a local leader and the LC 1, the first thing I would do is to know how many acres or square meters are needed for sale. And before I may come to know, the owner of that land will first come for consultation from me as a local leader thereafter, I will ask on how many acres or square meters that are for sale and if I prove that he wants to sell a bigger portion more than his, then before the sale of the land I first gather the all community members more especially his neighbors and if the wholly agree that the sale should continue then the NGO or the government can buy but if there is no agreement then to me there must be no sale of the land. I do this because the seller might extent the boundaries of the land by 10 meters so if I do this it will help prevent immediate or future land disputes.

As the rwot kweri, we really do not have much to do because we are just call to be as witnesses in the process of the land sale. And it's good enough that any seller and buy first of all contact the LC 1 and the later the rwodi kweri are contacted for further notification and proper assurance that the land belongs to the seller hence we are witnesses.

Do these apply the same method to a rich man from Jaka parish who might want to buy land from Jaka?

Yes, it's the same method that is applied to any seller and buyer that would like to sell or buy land in Jaka parish. Though on the other hand there must be critical study on the person who is coming to buy the land since not all people have the same character. It might be the buyer is a stubborn person from the place where he comes from thus it very important for the buyer to come with an introductory letter

from the leader of his current residential place and the letter should state clearly the conduct of the buyer and the reasons to why he wants to buy land in Jaka parish. This will give a up hand for him to acquire the land on condition that the leaders and community members of Jaka parish accepts.

What are the fears as the people of Jaka parish on the aspect that you might lose your land? If yes, what are the fears?

The fear that we have as the Jaka community of losing land is that as it is happening in Amuru district it's because the government has a upper hand in governance hence it could forcefully buy the land thus it's the easiest way of losing the land. In this kind of situation we the leaders can't do anything to help the community safe the land because though if we are to forward the case, the case will be again forwarded to another government office and automatically there will be no feedback thus that is our greatest and biggest fear of losing our land.

Another fear that we have is the procedure that the government is trying to bring that each and every one should have the letter showing the land title which implies that one is renting his personal/own land for specific period of time. Now for instance in the past our great grandparents, grandparents and parents were not subjected to this letter of land title and today they are wanting us to have it which needs a lot of money and incase I fail to meet the payments, don't you think I'll obviously lose my land? However, we usually hear over the radio and this has made us to have the hope that we are going to lose our land.

Another reason to why we have the fear is because of the increasing number in population which has also led to high level of land disputes. Therefore, due to the rapid increasing population growth rate in Jaka compared to the becoming small land it will depend on the numbers of children one might have i.e. if you have many children you take a larger portion compared to those with few children that will take a smaller portion. And the ones who have many children will start digging forcefully in your land because they know you have few children you would do nothing hence that is causing land disputes and more so that is internal losing of land. Therefore, individuals are already losing their lands at the expense of others.

Secondly, the rich are also disturbing us so much in Jaka parish and if they prove that you are poor then they will also start grabbing your land forcefully. Though you forward the case to the High Court, he will use his superiority of having money for bribery thus you will never win the case in the High Court and though you are talking of the truth you become an inferior that no one will listen to your complaints. On the other hand, in case I win the case one might not accept still to leave my land thus there is need first to pay money to bring the court brokers to come and evict one from my land. Therefore, if I don't have the money one should still continue using my land though from the High Court the judgment was clear that I have won the case. All this kinds of acts are causing for us fear because if you don't have the money you have to lose the land which gives advantages to the rich of exploiting the poor of their land in the context of money.

To supplement on what has just been mentioned, the rwodi kweri has really tried their level best to handle the cases of land disputes, the court council have also tried and defendants have totally failed and it's forwarded to LC 2 and later forwarded to the sub-county and very clear that the complainant still win the defendant, but you find that up to now still these defendants haven't evicted the lands hence making these High Court system hasn't helped any one making it to become useless because it is not helping us the grass root people. Therefore, it is a way of triggering people to do what they want and more especially a situation where we have the so called lawyers. It's because though one loses the case he will have the tendency of not evicting from the land but in the past they would bring the Police to forcefully evict the loser from someone's land.

Another fear is that the policy of the government of often changing the land bills is causing for us fear because for you who have a bigger portion of land with the continuous changing of the land bills we might even lose our land by forcefully buying the land by the government for any development in plan.

What should the people of Jaka parish or the Acholis do not to make them lose their land?

Firstly, to me, though we try our level best to protect our land, if the government still has the policy of attaining land titles and the land bills keeps on changing automatically we shall never be above the government but it's the government to think deeper as land issues are concern. And it's heard that the government is planning to know the number of acres of land one owns and they find that you have bigger acres therefore, you are forced to start paying for the leasing of the land to the government and if you don't pay for the land leasing then automatically the land should be taken away from you because you are considered unable to pay for the land leasing. Therefore, what can we do so as to stop all this kind of things?

To me, in order to stop all this things happening, the procedure of the court should first be revived so that it can really help us the grass root people on the issues of land. If the people agree amicably on land issues it should really carry it's weight but not for money matters only [bribery]. Otherwise, if land issues are to be mixed up with bribery there will be continuous land disputes.

Secondly, there is that attitude the people of Acholi has developed of brain washing the ideas of the elders on the issues of land. The elders of nowadays are not like of the past since they makeup very raw and bias decision and judgment on the land issues. There are categories of the Acholis who are found of giving wrong information to the elders. And if these ideas are stopped then our land will also remain safe. For instance an elder tells a young person that the land so and so is using belongs to you because it was given to so and so to squat in. The child will know the he has got the best advice and defender therefore, he will be deceived that the constitution of land states clearly that he is the owner hence disputes and lastly both will lose the land. The elders should therefore, make the right decisions of showing the right boundaries to the younger people by not encroaching to another person's land but if an elder says the opposite yet targeting at expulsion of the squatters and yet these squatters have lived in the land for more than 70 years. Will the squatters accept being expelled and where do you think the will go?

Therefore, I strongly urged the people to stop the high rate of producing children hence moderate population and there will be maximum/proper utilization of the available land.

To me it is that the government should provide to the land owners free letters [certificates] without any payment so as all the people should have the land title. This will help the people to protect their land without any kind forceful grabbing or lose of land. The process of acquiring this letter is very long which starts from sub-county level to the highest level and if you are poor you will never manage to acquire the letter.

Briefly, if anyone know the origin of the kaka Jaka and can you explain before the coming of the British how were people living in Jaka parish and which kaka start the Jaka parish?

The kaka Jaka came from the north eastern part of the country mainly from the Karamoja sub-region and they came together with the kaka Lamola.

In Jaka parish how were the people of Jaka living during Obote 1 regime? Were there sub-counties, villages etc.

During Obote 1 regime people were living together and there were no other kaka in Jaka that could stay their own life in a different land. Initially, the person who was leading these various villages [kaka] was called the rwot kaka and the rwot kaka was elected on the aspect that the person is an elder that can lead the kaka that are together in one parish and there were different rwot kaki for the many kaki but thereafter, there was the introduction of the mugungu that was leading what we called the parish and after the mugungu there was won paco. The won paco almost acted as the rwot kaka because he was supposed to control a vast area like the rwot kaka and his work were directed by the rwot kaka though with less power. Therefore, the order of hierarchy from the highest to the lowest was from the rwot kaka, mugungu, rwot kweri and lastly won paco. However, in the past the won paco was in control from villages to villages as instructed by the rwot kaka. In the past one won paco control from Jaka to Ocim and one from Ayomlony to Lamin onami. Therefore, one parish it consist of two wengi paci [plural of won paco]. This was also during Amin's regime and in Obote 2 regime it never changed.

But during Museveni's regime from 1987 there was introduction of the RC system [RC means Resistance Council]. Therefore, one RC could control the wengi paci. However, the name won paco was changed to RC but in Obote 1 regime there was that won paco, in Amin's regime there was mulango kumi [one dogola]. Therefore, it was the mulango kumi to head one dogola and to differentiate between the youths from the head of dogola and this was for the purpose of paying tax and it was only the head of dogola to pay the taxes i.e.it was taken as ten dogola comprise of one mulango kumi. However, the payment of taxes was from one aspect to another like instance, one has a goat he was to pay like UGX 1,000 and a person with a cow should pay like UGX 1,500 and if one has no wealth he can pay like UGX 100. But, in Museveni's regime after the introduction of the RC system thereafter it was changed to the LC system[LC means Local Councillor].

How were people living before the IDP camp, during and after leaving the IDP camp and how were the kaki and dogola living as concerns the issues of land in Jaka parish?

I start with the life people were leading while in the IDP camp as concerns the issues of land. While in the IDP camp most of the people were facing the problems of lack of enough land for them to cultivate their crops and because the IDP camp was situated in other people's land, we who come from far distance we were renting/hiring the land for digging which it wasn't even enough and the issues of kaka upon return it wasn't so much, though in other kaki it was existing slightly. There were other people who were really considerate that use the give their land for free to other for digging.

Now that you returned from the IDP camp how is the issues of land?

On return from the IDP camp there were a lot of land disputes and this is because in the past those who were given land were not being accepted back in that land and this was also done toward the close relatives and friends. The issues of gardens was that before going to the IDP camp and on return most people were considering the gardens that their mothers were digging not the father and this caused a lot of land disputes.

The reasons to why nowadays there are a lot of lands disputes are because of the life people were leading in the IDP camp. People use to be escorted from the IDP camp to go digging and on return to the IDP camp they are also being escorted therefore, most people preferred hiring gardens that are now by the IDP camp and the garden that one is hiring is being targeted by so many people and they owners were found of fooling people because we were in need and this was giving to many people a lot of thoughts of the land back the village and all this set back was not being considered by the government and the government should have granted authority for the use of any land that is accessible for cultivation rather than leaving the all authority in the hands of the land owners that the IDP camp has occupied. Therefore, the land owner were being paid for the rent of their land and once you go harvesting your crops they still take part of the small harvest. And before, coming to the IDP camp, people use to give land to others freely for cultivation. Therefore, because land owners were mishandling the land tenants these people in turn decided to apply the same method to the ones that don't have land for living or digging. This has created some of the few people to be as slaves in the community they are living and this has made people to realize that there is nothing for free hence selfishness and land disputes.

The life in the IDP camp wasn't easy because you have to rent a land and after paying the money and digging it and before planting the owner decides to lease it to a different person. Therefore, after return from the IDP camp most people had in mind that they should also revenge thus you find that a person from Acet may not accept to lease land to a person from Lalogi and vice-visa, hence creating division amongst the people on return from the IDP camp. However, there are some other people still dwelling in the camp area because of such revenge.

Do you know how many keno [dogola] and the number of people you have in your respective villages?

I'm the rwot kweri of Wang lobo village and I have 175 keno and there are 3,200 people.

I'm the rwot kweri of Ocim village and I have 103 keno and the number of people in the village is 680.

I'm the rwot kweri of Lamin onami village and I have 79 keno and the number of people is 1,780.

I'm the rwot kweri of Ayomlony village and I have 96 keno but I can't tell the number of people .