

# **Refugee Welfare Councils as spaces of local citizenship production: the case of Adjumani District, Uganda**

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## Abstract

Recent literature on refugees' agency has shed light on refugees' capacity to claim political subjectivity and to creatively engage with their condition of vulnerability. Drawing on this literature, this paper shows how refugees manage to reinvent spaces of participation created from the top down in the refugee settlements, turning them from 'invited spaces' to something more similar to 'invented spaces' of participation. It does so through the analysis of Refugee Welfare Councils, local governance institutions created by the Ugandan government and UNHCR in Ugandan refugee settlements, drawing on field research conducted in April-June 2018 in Adjumani District, Uganda.

The paper argues that RWCs are turned into invented spaces of participation, through which refugees undertake actions that produce a form of local citizenship based on claiming rights to food and services, on the reorganization of society through the emergence of new leadership structures, and on the production of new forms of identity and belonging. These all contribute to the emergence of a new imagined community which is based on geographical proximity and on the shared experience of exile, distancing itself from prevalent traditional forms of identification and belonging in the South Sudanese society.

## Keywords:

Refugee, Local Citizenship, Uganda, South Sudan

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## **Introduction**

Refugees have traditionally been identified in the victimising terms of ‘speechless emissaries’ (Malkki 1996) or ‘helpless victims’ (Branch 2011), famously conceptualised as forms of ‘bare’ and ‘sacred’ life by the philosopher Giorgio Agamben (1998). A rich tradition of scholarly literature in the last twenty years has questioned this approach, emphasising refugees’ agency and the strategies and tactics employed to claim rights and membership in new communities in the making (Jacobsen 2002; Kibreab 2004; Malkki 1996; Turner 2016). This paper contributes to this literature in showing how refugees actively reinterpret the ‘invited spaces’ of participation made available to them in refugee camps or settlements and reclaim a political subjectivity through practices of local citizenship production. The paper sets out its case through an analysis of Refugee Welfare Councils (RWCs), local governance institutions in Ugandan refugee settlements, and the practices of South Sudanese refugees in three settlements in Adjumani District in the northwest of the country.

While refugee engagement in the self-government of refugee camps has been criticised as having a disempowering effect over refugee communities, who are increasingly encouraged to accept their situation of human suffering rather than change or resist it (Ilcan and Rygiel 2015), this paper shows that refugees do not simply use the means of participation offered from the top-down but rather reinvent them, widening the potential space for expressing agency. The paper uses the notions of invited and invented spaces

of participation, arguing that, even though RWCs are created as a form of ‘invited space’, they are reinterpreted by a local refugee population that progressively turns them into something more similar to ‘invented spaces’. If participatory experiences produced in invited spaces do not usually have radical outcomes, as participation remains shallow and rarely moves beyond information sharing and consultation (Cornwall 2008), ‘invented spaces’ are created autonomously by the people who are supposed to participate and have the potential to bring about more radical outcomes, challenging the status quo of power relations (Miraftab 2004).

Drawing on critical literature on citizenship, this paper suggests looking at refugee practices revolving around the invented space of the RWCs as contributing to the emergence of a kind of local practical citizenship, based on advancing claims to the right to food, on the reorganisation of society operated under these new leadership structures, and on the production of new forms of identity and belonging. These are not only linked to the refugees’ status, but also to the common experience of being South Sudanese, taking, so to speak, a step back from the increasingly popular idea that entitlements and citizenship rights – both legally and informally recognised – have to be linked to indigeneity (Geschiere 2009; Marko 2015; de Simone 2015).

This paper is based on field research conducted in November 2017 and April–May 2018 in Kampala, Adjumani Town and three refugee settlements: Pagirinyia, Mungula and Boroli, located in Adjumani District. 115 interviews were conducted, with the help of an Arabic and Madi speaking research assistant, with local government officers, RWC representatives, international organisations’ staff and people of the refugee and host communities selected through purposive sampling at service facilities such as boreholes and hospitals. Interviews were complemented with direct observation in the three

settlements as well as with informal conversations with the refugees themselves and national and international staff of aid organisations working in the settlements.

### **Local dimensions of citizenship**

Citizenship can be defined as the ‘legal and political status that designates full membership in a state or community with associated rights or entitlements and duties’ (Hovil 2016, 17). Mainstream conceptions of liberal citizenship that emerged in the twentieth century conceive it as ‘a legal bond between an individual and a sovereign state’ (Hovil 2016, 17), which recognises an evolutionary set of rights to all the people belonging to that polity (Miraftab 2004). As such, the attribution of citizenship sets the boundary between who is included and who is excluded from the polity. The set of entitlements expected to be conveyed through this mainstream conception of citizenship has expanded over time, particularly in the period after the end of the Second World War when Marshall’s ideas about social citizenship became increasingly popular and accompanied the emergence of the welfare state in Western Europe (Marshall 1950). This has expanded the scope of liberal citizenship attributed by the state to include not only political and civil, but also social and economic rights.

Over the past 20–25 years, however, a vast and variegated scholarly literature has distanced itself from the liberal conception of citizenship, acknowledging the existence of various forces that question the top-down nature of citizenship as something laid upon a selected number of residents in the geographically defined space of the nation state. Some authors have emphasised the existence of alternative spheres where notions of citizenship are produced both above and below the nation state level (Blank 2007; Sassen 2002; Baubock 2003; Geschiere 2009; Gaventa 2002). Feminist scholars have convincingly argued that the assumption of equality in liberal citizenship conceals the

fact that certain groups of people remain excluded from the full enjoyment of citizenship rights (Miraftab 2004; Miraftab and Wills 2011). Scholars addressing citizenship in the Global South have also pointed out the irrelevance of the liberal definition of citizenship to many post-colonial non-Western contexts (Mamdani 1996; Cornwall 2002; Gaventa 2002). In Africa, particularly, the advent of the colonial state redefined the notion of legal belonging, building upon other forms of belonging, strengthening the bond between individuals and the demarcated territory of the modern state (Hovil 2016).

Mamdani's dichotomy between citizens and subjects has shaped the understanding of citizenship in post-colonial Africa, showing the inappropriateness of liberal conceptions of citizenship for the continent (Mamdani 1996). More recent contributions have also highlighted the limits of the citizen/subject dichotomy, arguing that even when legal citizenship was *de facto* restricted to a very small number of people in the colonial state, subjects were not a homogeneous social group, neither were they passive spectators of political and social processes (Hunter 2016; Russell 2016; Leonardi and Vaughan 2016). Instead, subjects employed a number of strategies to renegotiate their position vis-à-vis the state and their rights, duties and incorporation into the polity very often at different 'levels of political belonging' (Hunter 2016, 4).

A focus on such informal practices of citizenship would encourage a more inclusive understanding of citizenship that may involve people who do not enjoy the status of legal state citizens (Miraftab 2004; Miraftab and Wills 2011; Gaventa 2002; Cornwall 2002 (Isin 2008)). This form of local citizenship, based on its substantive aspects that include participation in community life, processes of identity formation, access to social services, payment of taxes and sometimes even participation in local elections, is defined in a space that is no longer that of the state, but rather that of the locality, where people share

everyday activities and practices. Lund, for instance, gives a number of examples of situations where actual behaviour and its practical acceptance by local authorities produces de facto recognition of some sort of informal social contract between illegal citizens and the state:

[E]stablished presence may enable people to acquire identity cards (or proxies such as voting cards, or membership cards of political or cultural associations); paying for utilities provides customers with receipts documenting and legitimizing residence; and people's possession of land — along with the fact that government institutions ignore or tolerate a land market — allows for the gradual build-up of expectations of recognition. Likewise, by forming health committees, market guilds, or parent–teacher associations before there is a clinic, a marketplace or a school, citizens enter the orbit of certain governing institutions and conjure up the exercise of authority and recognition by anticipating the 'contract'. In order to establish a 'contract' of mutual recognition, the inhabitants may be able to act and organize as they anticipate the municipality would expect proper citizens to act (Lund 2016, 1208–9).

Similarly, Isin speaks of 'acts of citizenship' as not necessarily being undertaken by those who have the legal status of citizens, but by any 'claim-making' subject who frames their claims as rights, positioning themselves as people 'to whom the right to have rights is due' (Isin 2008, 18).

When defined in local terms, citizenship thus becomes more an issue of practice and substance rather than formal legal status (Tsuda 2006; Blank 2007; Hunter 2016 (Isin 2008)), based on residence in a specific territory and everyday interactions rather than on any principle of ancestral belonging. Citizenship has thus been redefined in many different ways, some referring to the link between the locality and the entitlements

conveyed by it – such as urban citizenship (Baubock 2003), practical citizenship (Blank 2007) or propertied citizenship (Hammar 2017) –, others emphasising the active role of people in reinterpreting citizenship in the creation of invented spaces of participation to claim their rights, via means such as participatory citizenship (Gaventa 2002; Kabeer 2002), insurgent citizenship (Holston 1998), or Lund’s ‘recognition’ (Lund 2016). In all of these examples, citizenship is the negotiated result of ‘ongoing processes and temporary outcome of situated struggles over space, resources, security, recognition and becoming’ (Hammar 2017), 83).

It is on this form of local, practical, substantive citizenship that this paper will focus, looking at how it plays out in the context of a refugee settlement, where a number of actors going well beyond the central state – including local state structures, other forms of local authority and international aid agencies – contribute to providing ‘substantive aspects of citizenship’ (Blank 2007, 443) to people who are not legally citizens but who participate in a new local community in the making and claim access to resources and rights by virtue of their belonging to that community. This form of local citizenship clearly distances itself from more traditional understandings of citizenship, in that it is not recognised by a higher authority once and for all but rather constantly renegotiated locally (Iltan 2018). ‘Higher authorities’ sanctioning its existence – responding to bottom-up claims – may not be national ones but rather include many different entities ranging from sub-national state authorities to aid agencies, particularly where they carry out an important part of the delivery function of the state (Péclard 2012).

Nando Sigona has talked about ‘campzanship’ to refer to the ‘specific and situated form of membership produced in and by the camp, the complex and ambivalent relationship of its inhabitants with the camp and the ways the camp shapes the relationship of its

inhabitants with the state and their capacity and modes of being political' (Sigona 2015, 1). Indeed, the space of the camp opens up peculiar opportunities for claiming political subjectivity for people whose status is often considered to be placed beyond citizenship, relying on a global order and on belonging to humanity (Daley 2013). Refugees' interactions among themselves and with other actors – be it local authorities, aid agencies or host communities – are often deeply political, and aim to navigate the hardships of residing in a foreign country, the disruption of social orders and the need to access services and assets in contexts of resource scarcity.<sup>1</sup>

### **The Ugandan context and South Sudanese refugees**

Since December 2013, thousands of South Sudanese have been fleeing violence in their home country. Partly following previous experiences of displacement during the war with Sudan in the 1990s, and partly due to the people's and government's hospitality, over one million people crossed the border to Uganda. They mostly settled in West Nile Province in the northwestern part of the country, near the South Sudan border, particularly in the districts of Yumbe, Adjumani and Arua, and in some cases their number has surpassed that of local Ugandan citizens.<sup>2</sup>

Ugandan refugee policy has in recent years been praised by the international press for its openness and long-term nature aimed at creating the conditions for refugees' self-reliance and integration (Spiegel Online 2017; BBC Africa 2016). Relying on a legal framework provided by the Ugandan Constitution (1995), the Refugees Act (2006) and the Refugee Regulations (2010), this policy recognises the right to work, to do business and to access basic services such as education and health care. Refugees are free to move within Ugandan national territory and to settle in urban areas; however, humanitarian assistance is only provided to refugees residing in refugee settlements set up by the Ugandan Office

of the Prime Minister (OPM) and UNHCR. Within those settlements, each household receives a plot of land for housing and subsistence agriculture, although the large number of arrivals since 2016 has caused a dramatic reduction in the size of these plots (from 100x100m to 25x25m, with some variance between the different settlements).

Despite their freedom of movement,<sup>3</sup> many refugees, especially those arrived from South Sudan after December 2013, opt to remain in the settlements where humanitarian assistance is provided and works as a safety net for the most vulnerable.<sup>4</sup>

In line with the global trend of engaging refugees in the self-government of camps as part of a broader project of turning refugees into resilient subjects capable of adapting to their conditions (Iltan and Rygiel 2015), Refugee Welfare Councils were introduced in Ugandan refugee settlements as a local governance structure to encourage refugees' participation in humanitarian service delivery and in the management of the refugee settlement. While the Ugandan legislation explicitly prohibits refugees' political activism (Government of Uganda 2006, art. 35; see also Zakaryan and Antara 2018), these institutions are conceived as mere instruments of government of the settlements. As will be shown in the following sections, however, refugees have reinterpreted them as 'invented spaces' of participation, which has opened avenues for the refugees to become political subjects claiming rights from the authorities governing the settlement (also including international aid agencies) and crafting spaces of local practical citizenship.

### **The Refugee Welfare Councils**

Refugee Welfare Councils (RWCs)<sup>5</sup> are the governance institutions of the refugee settlement. In West Nile, they were established in their present form starting from 2014, when the first wave of the new South Sudanese refugees crossed the border. The creation of such structures in the refugee settlements as a means of administering the refugee

population is not new. Committees were formed in the early 2000s, with the aim of bringing together refugees and nationals. Even though they did not have any decision-making power, they were consulted on an ad hoc basis on issues concerning service delivery, which was coordinated at district level. The formation of other informal groups for mutual support – such as women’s groups – was also encouraged, with the aim of making refugee administration more autonomous and less costly for Ugandan local authorities (Government of Uganda and UNHCR 2004).

As South Sudanese refugees flew into the country and existing refugee settlements were expanded and new ones established, district representatives of the OPM organised RWC elections (Interview 0014; 0015; 0021; 0042; 0046). The Refugees Act 2006 provides a loose legal basis for the creation of such councils, stating that the Minister may make regulations on ‘the procedure for the conduct of voluntary organisations dealing with the Office [of the Prime Minister] concerning the activities and welfare of refugees; and the procedure for the meetings and conduct of other organisations or bodies involved in refugee activities’ (Government of Uganda 2006, art. 49 (2)). Even though a general coordination exists in the form of these ‘voluntary organisations’ as it emerges from their standard structure in three levels of Refugee Welfare Councils (I, II and III), more specific provisions on their creation and on the rules regulating them are formulated at district level by the Refugee Desk Office (RDO) of the Office of the Prime Minister (OPM) based on guidelines provided by Kampala (Interview 0066; 0113). District guidelines show some variance in the composition of the RWCs and in their structure, based on the structure of the settlement(s). The following illustration of RWC structure and functioning is based on field research conducted in Adjumani District and will therefore refer to the RWC structures of the three refugee settlements of Pagirinyia, Mungula and

Boroli. Occasionally, guidelines from Arua District will also be mentioned for the sake of comparison.

### **Figure 1**

Each RWC in the three settlements is composed of twelve members, and their correspondence with the local council system is sanctioned by frequent ad hoc joint meetings called for by the RDO at different levels to solve issues concerning security or service delivery.

RWC I members are elected via a secret ballot by all of the residents of a certain block within the settlement, while RWC II members are elected by all residents of the entire settlement. The RWC III chairperson is elected by electoral colleges made up of RWC I and RWC II leaders; the chairperson then appoints an executive, who is vetted by OPM and needs to be inclusive from a geographical (referring to the settlements) and gender point of view. People are elected based on their individual merits, but an eye is also kept on ethnic representation within the councils. However, according to the RWC III secretary general,

There is no policy for this. We have 64 tribes in South Sudan and they are all represented here in the settlements. No council could accommodate them all, so we can only pick some people from each settlement, trying to keep it ethnically variegated, but we don't pick based on the tribe. We try to use geographical representation [based on the settlement] (Interview 0060).

Because RWCs were progressively formed at different points in time as the refugee settlements in Adjumani District were expanded or created, not every settlement has RWC IIs and not all RWC Is participated in the election of the current RWC III, which was held in 2016 (Interview 0014). At the same time, each block within refugee

settlements has an RWC I in place, and the latter can therefore be considered the most important structure of grassroots local governance within the refugee settlement.

According to the RWC election guidelines of Arua District: ‘The Refugee Welfare Council is a leadership structure in the refugee settlement’. It has various responsibilities mostly relating to assisting OPM and international partners in service delivery, and with the maintenance of law, order and security in the refugee settlements (OPM Refugee Desk Office 2018a, 2018b). The ‘control’ that the RWCs exert over their constituency concerns not only the resolution of ‘problem/disputes of civil nature’ (OPM Refugee Desk Office 2018b), but also, especially at RWC I level, the data collection typical of a state, including the registration and reporting of new arrivals, births, deaths and visitors to the district level OPM (Scott 1998).

All RWCs examined in the three settlements present a standardised structure, comprising the following positions: a chairperson, a vice chairperson (who must be a woman if the chairperson is a man), a general secretary, a secretary for security and mobilisation, a secretary for women’s affairs, a secretary for education and children’s affairs, a secretary for youths and sports, a secretary for disability and persons with specific needs, a secretary for environment and production, a secretary for health, water and sanitation, and two opinion leaders (elderly male and female) (OPM Refugee Desk Office 2018b). Sector committees sometimes exist (water and sanitation committees, people with disabilities committees) coordinated by an RWC I member but working independently from the RWC on a more operative basis.

RWC members typically describe themselves as the problem-solvers of the local refugee community: they address issues concerning family relations, disputes between neighbours, petty criminality and the breakdown of service facilities (Interview 0028).

When RWC I members are unable to solve problems or to deal with specific issues, they forward them to RWC II – where it is in place – or the local court,<sup>6</sup> or directly to the Camp Commandant (the representative of OPM at the settlement level). If the issue goes beyond the settlement and concerns something relevant for all refugees, such as food rations or access to services, then the RWC III will be involved through the member that resides geographically nearer to the settlement (Interview 0014; 0067). The RWC III, however, has a more important role as an intermediary between the refugee community as a whole and authorities and international organisations at the district level. Besides monitoring the situation in the settlements and dealing with everyday issues forwarded by the lower levels of RWCs, the RWC III also plays an important role in advocacy and lobbying for development programmes in the settlements (Interview 0060).

The organisation of local governance within the settlements reaches lower levels than the RWC Is; all the settlements visited during the field research had smaller units headed by cluster leaders (at times referred to as block leaders in smaller settlements such as Mungula 1 and 2 and Boroli 1 and 2, where the RWC I structure was said to represent the entire settlement). Even though there is no mention of such lower structures in OPM guidelines for the election of RWCs in Adjumani and Arua districts and the camp commandants interviewed did not mention their origin, some of the participants in a focus group discussion held in Boroli in May 2018 with different types of cluster leaders claimed that their creation was decided by OPM, and to have been elected through the queuing mechanism (people line up behind their preferred candidate). Given the repetition of a similar institutional hierarchy in each of the settlements visited, it is likely that the OPM has been informally involved in further developing the refugee local governance system beyond official guidelines. Cluster leaders, who are assisted by a four-person committee appointed by the elected chairperson, carry out similar functions to the

RWC I, only at a lower level, and seem to be able to keep quite detailed records on population numbers in each cluster (Interviews 0043; 0046; 0028).

## **From an invited to an invented space? Production of local citizenship practices**

The creation of the RWCs responds to a number of practical needs arising from the inflow of large numbers of refugees. First, it considerably reduces the cost of overseeing a large non-citizen and non-taxpaying population concentrated in areas where the fiscal basis was already extremely weak. The Government of Uganda would have been unable to autonomously provide for any of the needs arising in the framework of the refugee response, and UNHCR – which, according to an officer of the Arua District OPM, already funds 100% of the budget of OPM district offices in refugee hosting areas – would not have had enough resources either.<sup>7</sup> RWC members, acting on a voluntary basis as intermediaries between the government and its international partners and the wider refugee population, ease all kinds of information flows from the top-down as well as from the bottom-up.

Such information flows also concern issues of hard security within the settlements: indeed, the second reason for the creation of such institutions is to ensure a better and widespread control of the territory. Reporting cases of clashes or crimes such as theft and murder committed within the settlements figures prominently among RWC chairpersons' activities. According to a refugee female leader participating in a focus group discussion in Boroli settlement, the creation of RWCs has resulted in a sharp reduction in ethnic tensions among the refugees in the settlements, as the RWCs provide a space for dialogue and negotiation between different refugee communities. This has been confirmed by the

findings of a report by the Refugee Law Project published in 2015 (Refugee Law Project 2015).

The creation of orderly local governance structures has also made the otherwise extremely complex set of social relations playing out at the local level ‘legible’ and understandable to external observers. The RWCs have provided both government and international organisations with recognisable stakeholders to involve in consultations and in any activity requiring ‘refugee participation’ without getting too involved in issues of power and representation.

As structures created in a top-down fashion by the government of Uganda and supported in their functioning by UNHCR and other international partners, RWCs represent a sophisticated form of ‘invited space’ of participation (Cornwall 2002, 2008) that is expected to comply with the requests of its creators. Indeed, they act as intermediaries between the sphere of the state (which can be conceptualised as including organisations that carry out state-like functions such as relief agencies (see Péclard 2012) and the wider refugee population. Their members are informed, consulted and trained on leadership and peaceful dispute resolution by international agencies, which also cover the costs of running their election. In the words of some of the RWC I members interviewed in Adjumani District: ‘Some organisations call meetings, they call us in town and we bring information there and back here’ (Interview 0023); ‘OPM and UNHCR give information on what they want to do. They come to us in the settlement and we call block [RWC I] leaders: we talk to them, and they go down and talk to cluster leaders’ (Interview 0061).

At the same time, it is also indisputable that RWCs provide an expanded space for leadership and participation for both men and women in the refugee community (Zakaryan and Antara 2018). They set the scene for more radical and autonomous forms

of engagement, which go beyond the functions intended for them from the perspective of their creators. The following examples show an expansion of the invited space of RWCs for refugee participation to something more similar to an ‘invented space’ through which refugees claim rights and advance ideas on the reorganisation of their society.

*a. More active and radical advocacy for refugee rights*

In some cases, the RWCs and other local leaders took upon themselves the mobilisation of the local community of refugees to initiate the construction of service facilities, while advocating for NGOs to take them over and contribute to their functioning: ‘In Boroli 2 we built a nursery school. We had one but there was only one classroom, so the parents decided to build another one and mobilised themselves. Then, Plan [International, an American NGO] stepped in and brought canvases for making the roof under the supervision of the Camp Commandant’ (Male leader in Focus Group Discussion 001). This is reminiscent of what Lund conceptualises as citizens ‘anticipating the contract’ with local authorities, through starting activities and adopting behaviours that they believe would be appropriate to proper citizens (Lund 2016).<sup>8</sup> The fact that an NGO stepped in, recognising refugees’ claims, represents a kind of legitimisation of these claims and of refugees as claim-making subjects.

In some other instances, the advocacy and lobbying activity of RWCs has gone far beyond expressing grassroots grievances at meetings and consultation tables. These include mobilising the refugee population in the settlements to increase the quantity of food distributed after a few months of ration reductions (Interview 0023) and asking for treated maize seeds to avoid the insurgence of pests in the crops (Interview 0046). On other occasions, the demands were advanced in an even more vocal way: for instance, in several settlements in Adjumani District a widespread discontent over the kind of red sorghum

distributed as a food ration gave rise to demonstrations and to the involvement of opposition MPs in order to push the OPM and UNHCR to change the kind of food distributed:

The former Camp Commandant [in Pagirinyia] was a dormant person. He didn't react to problems. We complained a lot, also because by that time we were receiving a particular kind of sorghum that not even animals could eat. So we complained at the presence of opposition MP who came to visit the settlement, and they brought the issue on TV putting the president under pressure. Then, the Camp Commandant was immediately removed [and] (...) the food changed into maize (Interview 0015).

Similarly, during my visit to Rhino Camp (Arua District) in late May 2018, a riot exploded over delays in food distribution and changes to the food distribution policy following a scandal over inflated refugee numbers that involved the OPM (see *The Monitor* 2018; Cross-Border Network (CBN) 2018). Not only did the refugees express their discontent with violence against OPM assets, they also employed other means of engagement with the Ugandan authorities that took the form of passive resistance. With the local RWC I chairperson acting as their spokesperson, they declared that they would abstain from participating in any activity or public rally organised by NGOs, which NGOs particularly rely upon on the occasion of official donor visits to show the engagement and participation of beneficiaries. Rather than considering it as a threat to their own activities, several aid workers in Arua saw this as an indirect threat to the OPM and more generally to the Ugandan government, as refugee leaders acknowledged the latter's dependence on international agencies (Informal conversation with aid workers in Arua). In putting pressure on NGOs, the refugees hoped to ultimately put pressure on the Ugandan

government to address what they perceived as a violation of their right to access sufficient food and basic services (Interview 0114).

In adopting more assertive strategies to claim rights and entitlements refugees trespass the boundary relegating them to an apolitical sphere and engage in ‘acts of citizenship’ (Isin 2008) or in ‘active citizenship politics’ (Leonardi and Vaughan 2016, 80), also questioning the idea of refugees as resilient and self-reliant subjects who accept and adapt to their situations without resistance (Ilcan 2018). These acts of citizenship are bred in refugee local government institutions, but are ultimately directed to a higher authority that is indistinctively composed of representatives of the Ugandan government and of international relief agencies, upon which the fulfilment of refugees’ material needs ultimately depend.

*b. Reorganising society*

RWCs find themselves the only refugee authority recognised by this higher authority. In a context of social and political disruption caused by war and displacement, they emerge as powerful gatekeepers of the refugee community but also as the only legitimate institutions able to link the population with resource distributors.

If traditional authorities – who have always occupied a prominent role in local governance in South Sudan (Leonardi 2013; Johnson 1994; de Simone 2016) – participate in refugee local governance structures in clusters, RWC I and II as ‘opinion leaders’ (Interviews 0060; 0046), and sometimes sit in Community Joint Courts where they are in place (Interviews 0015; 0027), leadership positions within refugee institutions are usually occupied by younger men and women with at least basic literacy in English. Some have had previous experiences of community engagement (either as teachers, church leaders, youth or women’s representatives or volunteers), but many have not, and have emerged

as community leaders during the experience of exile thanks to their good conduct, their ‘non-discriminatory’ attitude or previous experiences of displacement.<sup>9</sup> Indeed, to carry out such functions, as well as to effectively advance refugees’ claims, these emerging refugee leaders need to have certain skills and knowledge of how the system works in order to make their interaction with government and international organisations productive. In this sense, they reproduce the patterns of leadership emergence in South Sudanese society as linked with the possession of some kind of knowledge, which has increasingly become that relating to government functioning and mechanisms to access externally-provided resources (Leonardi 2013; Leonardi and Vaughan 2016).

The emergence of new forms of leadership in the presence of particular development contexts is also a common phenomenon in other parts of Africa and outside refugee camps (see for example Lepore (2017) on ‘chiefs for development’ in Ghana); however, RWCs have rapidly evolved into perceiving themselves – and being perceived – as an actual government. ‘We are like the government’, says a RWC I chairperson in Pagirinya, speaking of his role in ‘controlling’ the population:

We came together all the six blocks in Pagirinya and decided that we needed each cluster/clan to choose a representative. They were trained by LWF [Lutheran World Federation] on legal issues and formed a legal body. The tribes sit all together. They can solve non-criminal cases through a legal desk. They are like our judiciary, [and even us the leaders] have to go [to the court] in case of problems (Interview 0027).

RWC I also create bylaws about the proper behaviour to follow in the community and call for regular meetings with their constituency to brainstorm solutions to problems and rules to adopt within the community (Interview 0027). In some cases, where RWC Is have

makeshift offices such as in Boroli 1, bylaws are written on posters hanging on the walls.<sup>10</sup> These examples show the proactive stance taken by RWCs in promoting the reorganisation of a society whose structure, which used to be largely based on customary arrangements and divided along ethnic and clan lines, has been severely affected by the conflict in South Sudan. The creation of new institutions and spaces of interaction among people that find themselves by chance sharing a place of residence provides a precious occasion for producing shared norms of coexistence that are based on civic values and cultural mediation, rather than ethnic specific customs. ‘There are not many elders here,’ says laughing a young Arabic-speaking cluster leader from the Nuer community: ‘if there were, they would want to rule’ (Interview 0028).

This process of government-like authority production is only possible through the active recognition of RWCs’ legitimacy by their local constituencies, and speaks to the mutual production of authority and some sort of local citizenship, based on the equivalency of individuals subjected to their authority as well as on the subjection of the latter to the law (Leonardi and Vaughan 2016; Lund 2016). This recognition is evident in the flow of refugees coming and going from RWC members’ homes (or offices), coming to report births; to complain about the breakdown of a borehole; to ask for advice on what to do with a Ugandan landowner who is not honouring land lease agreements; to report theft; and so on. If, as Lund argues, ‘When an institution authorizes, sanctions, or validates certain rights, the respect or observance of these rights by people simultaneously constitutes recognition of the authority of that particular institution’ (Lund 2008, 9), RWCs are definitely recognised as legitimate authorities. Their legitimacy draws on a mixture of sources: some, such as the ‘knowledge of the government’ (Leonardi 2007, 48), are in continuity with more traditional sources of legitimacy for local authorities in South Sudan; others, such as the capacity of encouraging cultural mediation and applying

civic values, are novel and allow for the emergence of a different kind of leadership, often younger and more educated.

*c. New identity production*

Linked to this kind of reorganisation of society is another aspect of local citizenship production: that of identity. The influence of refugee camps/settlements on the production of new identities has been analysed by several authors. Malkki has shown how Burundian Hutu refugees in Tanzania appropriated the refugee category as a ‘vital, positive dimension of their collective identity in exile,’ a historicising condition producing a political subjectivity in spite of the dehistoricising victimhood into which mainstream narratives relegated them (Malkki 1996, 377). A similar dynamic has been detected in Roma camps in Italy, where residence in camps not only gives people access to various entitlements, but also visibility and public recognition as a community (Sigona 2015). Lucy Hovil has captured the intricate relationship between citizenship, identity and belonging for refugees residing in camps in several countries in Africa, also highlighting the different levels at which it plays out and the interactions between these different levels (Hovil 2016). In Uganda, the conducive legal framework privileging refugees residing in settlements over self-settled refugees in terms of access to resources for the most vulnerable contributes to keeping people in the settlements. With its local governance structures, the settlement encourages constant exchanges among the refugees and the production of a political subjectivity based on everyday interactions and practices. This not only produces and reinforces a ‘refugee identity’, as happened with Burundian Hutu refugees (Malkki 1996), but also a specific South Sudanese identity that transcends particular ethnic affiliations exacerbated by the conflict that broke out in 2013 (Stites and

Humphrey 2020), and recalls, to some extent, Sigona's (2015) 'campzanship' in its interaction with the outside socio-political context.

Even though it was not possible to access official statistics on the ethnic affiliations of refugees in Adjumani District – as the RDO claimed not to have any official records of such information – based on field visits to three settlements and data from other districts, it is possible to establish that Adjumani District settlements host a large variety of ethnic groups from South Sudan.<sup>11</sup> While the majority of the refugees hosted in Adjumani settlements is likely to hail from Madi and Kuku-speaking communities due to the geographical proximity to the border of their areas of residence in South Sudan, considerable numbers of Bari, Dinka, Nuer and Murle people are also present. If the latter generally find it more difficult to engage in direct interactions with local host communities and authorities due to language and customs barriers, they still manage to express leadership positions in the settlements through educated members, particularly in areas within the settlements where they constitute the majority of refugee residents. Indeed, despite claims by RWC members and camp commandants, RWC I and cluster/block leadership composition is influenced, at least to some extent, by ethnic affiliation: majority groups tend to 'dominate' the leadership scene, usually occupying the position of RWC I chairperson or the cluster leader. Nowhere, however, does a single ethnic group control all of the positions within the local governance institution: rather, all of the ordinary people interviewed among the refugees reported addressing their problems and grievances to the locally elected leaders regardless of ethnicity. Interestingly, several Dinka women interviewed in Mungula 1 referred to the non-Dinka RWC I chairperson with the Dinka word for chief, *beny*, testifying to a very high degree of recognition and respect for such leaders (Interviews 0056, 0058).<sup>12</sup>

In the words of one RWC member:

Our children go to school all together. We need to transform our communities of South Sudan. We don't want to tell them the story of our conflict in tribal terms. All these schools are sponsored by UNHCR, there is a great potential here. (...) We now realise that the problem affected all the communities equally. Some people were surprised to see the Dinka here because they thought that the war was their fault and that therefore they were well protected in South Sudan. So, to find ourselves all here has been a great lesson learned (Interview 0060).

This process was facilitated not only by the coexistence within the settlement and the joint access to services, but also by the RWCs as a 'unifying platform' (Zakaryan and Antara 2018: 25) to advocate common issues in a geographically defined community: '[The people] now finally see themselves for what they are, South Sudanese and all refugees, and they are recognising that the fault [of this situation] is of the politicians' (Interview 0061). The normativity of such statements suggests we should beware the 'social desirability bias', according to which research subjects avoid giving answers or speaking about things that are not considered socially desirable (Grimm 2010). At the same time, however, all of the ordinary people encountered in the three refugee settlements, both in interviews and in informal conversations, confirmed that the level of animosity between different ethnic communities had fallen considerably since the creation of the RWCs (see for example Focus Group Discussion 001; Interview 0078, 0050), while all of the RWC members interviewed reported that a non-discriminatory attitude towards people belonging to other ethnic communities was one of the most important qualities that a person needed to have to become a refugee leader.

Other observers have confirmed the apparent emergence of a South Sudanese identity based on an idea of unity (Stites and Humphrey 2020); however, it is important to

acknowledge the complexity of social relations between different ethnic communities within the settlements. Occasionally, rumours of RWC I chairmen keeping information about development projects and relief assistance from certain cluster leaders belonging to different ethnic groups emerged (Interview 0028; see also Stites and Humphrey 2020), and may suggest a reality far from the idyllic picture provided by some of the interviewees. A UNHCR senior official also expressed suspicion about the RWCs' reliability, as he thought that their election was strongly influenced and manipulated by the OPM (Interview 0005).

Fieldwork showed no evidence of such deep manipulation: instead, one camp commandant commented on RWC elections by saying: 'There are ethnic diversities (...). When they elect leaders in a democratic way, majority ethnic groups always win. In RWC1 we have twelve members, and (...) most are from the majority ethnic group. This is okay, as long as they do their job and do not create problems' (Interview 0050). The fact that the formation of RWCs is not regulated at national level and that only loose guidelines exist at district level may indeed suggest that the government's interest is mainly focused on having functioning institutions that do what they are asked to do in terms of controlling the territory and channeling information without 'creating problems'.

In all cases, the ordinary refugees interviewed reported relying on RWCs and cluster leaders every time they had problems, grievances or questions about how things worked in the settlement, irrespective of their ethnic belonging, including in ethnically mixed clusters.<sup>13</sup> Irrespective of the level of control of the Ugandan government and of the ethnic composition of RWCs, this confirms the predominance of relations based on proximity and on the shared experience of exile rather than on kinship or clan, as used to be the case

in South Sudan (Stites and Humphrey 2020), showing the emergence of new unifying elements among the refugee community.

## **Conclusions**

This paper has analysed Ugandan refugee settlements and, more specifically, their Refugee Welfare Councils, as spaces of local citizenship production for South Sudanese refugee communities. It has relied on agent-oriented definitions of citizenship and the refugee and has shown how RWCs have gradually been turned from invited to invented spaces of participation for local refugee residents. The creation of RWCs and their bottom-up reinterpretation as an actual government of a geographical community defined by the boundaries of the settlement give space to a form of local practical citizenship based on placing claims for entitlements and rights, on the reorganisation of society through new leadership structures, and on the production of new forms of identity relying on geographical proximity and shared experiences as South Sudanese exiles. RWCs mediate access to food, health care, education, property, and protection from insecurity: these all constitute what Blank calls ‘substantive aspects of citizenship’ (Blank 2007, 418), and contribute to the promotion of an idea of membership in a political community based on geographical proximity as well as the unifying force of sharing a common situation, possibly representing the beginning of a process of overcoming political ethnic divisions in South Sudanese society.

Further research is needed on RWCs and other refugee governance and government institutions, both to account for geographical variance and to provide a more nuanced understanding of the power relations between their members and the larger refugee society.

As with all kinds of local authorities in post-colonial societies, RWCs may well become powerful community gatekeepers who may take personal advantage of their position and accentuate inequalities and processes of social marginalisation for groups that are less capable of expressing valuable leadership – because they are less educated, less familiar with the host country and the aid industry, or any other reason (see Hilhorst and Jansen 2010). At the same time, in the settlements examined, RWCs currently provide a space for peaceful interaction and negotiation between different South Sudanese communities and a channel through which refugees may undertake ‘acts of citizenship’ in spite of their situation of vulnerability and lack of legal citizenship. In doing so, they contribute to the creation of a new imagined community.

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## **Interviews**

Focus Group Discussion in Boroli Refuge Settlement, 24 participants, 18/05/2018

Interview 0005: UNHCR senior official, Kampala, 01/12/2017

Interview 0011: LC I Chairman Paridi Village, Adjumani Town, 01/05/2018

Interview 0014: Camp Commandant, Pagirinya Refugee Settlement, 03/05/2018

Interview 0015: RWC I Chairman, Pagirinya Refugee Settlement, 03/05/2018

Interview 0021: Male urban refugee, Adjumani town, 05/05/2018

Interview 0023: RWC I Chairman, Pagirinya Refugee Settlement, 07/05/2018

Interview 0027: RWC I Chairman, Pagirinya Refugee Settlement, 08/05/2018

Interview 0028: Cluster Leader, Pagirinya Refugee Settlement, 08/05/2018

Interview 0029: LC1 Chairman, Mokonyoro village, 08/05/2018

Interview 0042: RWC I Chairman, Mungula 1 Refugee Settlement, 10/05/2018

Interview 0043: Block Leader, Mungula 2 Refugee Settlement, 10/05/2018

Interview 0046: RWC I deputy-chairwoman, Mungula 1 Refugee Settlement, 10/05/2018

Interview 0048: Two landlords, Aliwara Village, 11/05/2018

Interview 0049: LC1 Chairman, Aliwara Village, 11/05/2018

Interview 0050: Camp Commandant, Mungula Refugee Settlement, 11/05/2018

Interview 0056: Refugee woman, Mungula 1 Refugee Settlement, 15/05/2018

Interview 0058: Refugee woman, Mungula 1 Refugee Settlement, 15/05/2018

Interview 0060: RWC III Secretary General. Nyumanzi Refugee Settlement, 16/05/2018

Interview 0061: RWC II Secretary General. Nyumanzi Refugee Settlement, 16/05/2018

Interview 0067: RWC I deputy chairwoman, Boroli Refugee Settlement, 17/05/2018

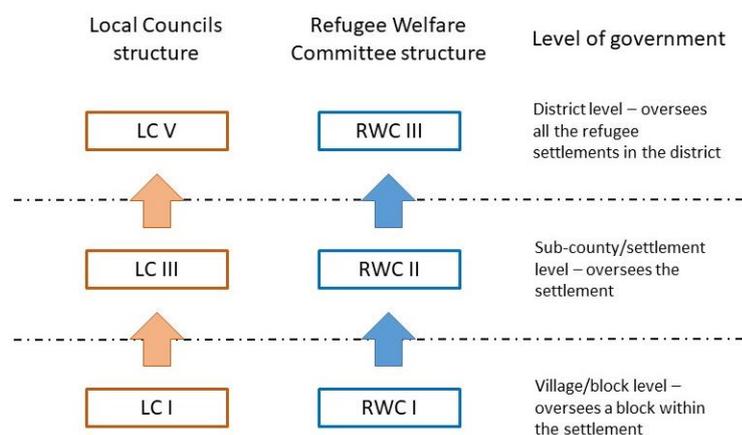
Interview 0068: Assistant Camp Commandant, Boroli Refugee Settlement, 17/05/2018

Interview 0109: LC I Chairman Minia East, Adjumani Town, 21/05/2018

Interview 0113: Deputy Refugee Desk Officer, Arua District, 23/05/2018

Interview 0114: RWC III Chairperson, Rhino Camp Refugee Settlement (Arua District), 24/05/2018

## Figures



**Figure 1: LC and RWC structure in Adjumani district**

(Source: Adjumani District RWC election guidelines, 2018; field notes 2018)

## End notes

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<sup>1</sup> According to UNHCR, 85% of world refugees are hosted in developing countries. See: <http://www.unhcr.org/figures-at-a-glance.html> (last accessed on 23/07/2018).

<sup>2</sup> See the Uganda Comprehensive Refugee Response Portal: <https://ugandarefugees.org/en/country/uga> (last accessed on 05/12/2018).

<sup>3</sup> The Refugees Act 2006 has strengthened refugees' rights to move outside the settlement, which in previous legislation was legally subjected to the issuing of permits by Ugandan authorities (Dryden-Peterson and Hovil 2004; Refugee Law Project 2005). The Commissioner for Refugees can still deny refugees' rights to move for reasons including national security, public order, public health, protection of the rights of others and so on (Government of Uganda 2006, art. 30(2)), but evidence suggests that this only happens in extreme cases (Interview 0011; Interview 0109).

<sup>4</sup> Humanitarian assistance to self-settled refugees is only provided in terms of protection and to particularly vulnerable cases (see for example UNHCR 2018). More recent examples of UNHCR support to urban refugee families to cope with the hardship deriving from the COVID-19-related lockdown (UNHCR 2020) exclusively target refugees in Kampala, as no official figures on urban refugee numbers are available for other urban centres.

<sup>5</sup> RWCs are referred to indistinctively as Refugee Welfare Councils and Refugee Welfare Committees. In this paper, I use the term Council in line with the terminology adopted in Ugandan government documents such as the RWC election guidelines produced by the OPM in Adjumani and Arua Districts. The word 'council' more directly recalls the Ugandan local government structure of local councils.

<sup>6</sup> In some of the settlements, for example in Pagirinya, a community joint court has been formed on the initiative of the district level OPM and the Lutheran World Federation, comprising people selected by local communities at block/RWC I level who are knowledgeable about customary law. They are trained by the LWF on the Ugandan legal system and act under the supervision of a Ugandan lawyer (Informal communication with the Court Chairperson in Pagirinya, May 2018).

<sup>7</sup> Suffice to say that by December 2017, UNHCR had received only 34% of the total funding appealed in that year. See: <https://data2.unhcr.org/en/documents/download/63609> (last accessed on 07/12/2018).

<sup>8</sup> Again, it is interesting to notice the extent to which state and international actors merge in the perception of local residents when it comes to service provision. See Péclard (2012)

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<sup>9</sup> In a focus group discussion with 25 people occupying leadership positions at block level (below the RWC I level) in Boroli 1 refugee settlement, only 10 used to be in communal leadership positions in South Sudan (focus group discussion 001, Boroli). On the emergence of younger people as refugee leaders or influential ‘big men’ in refugee camps, see Turner (2005)

<sup>10</sup> Given the low literacy rate among South Sudanese people and the scarce knowledge of English, however, this measure seems to be aimed more at displaying their level of organization to foreign visitors and Ugandan authorities rather than at spreading the knowledge of bylaws among the refugees.

<sup>11</sup> According to data provided by the deputy RDO in Arua District in May 2017, Rhino Camp hosted members of 53 ethnic groups, mostly Kakwa and Bari (over 64,000), but with a considerable presence of Dinka (about 17,000), Nuer (about 15,000) and Pojulu (15,000).

<sup>12</sup> For an in-depth discussion of the meaning of the word *beny* and of the kind of authority it expressed in pre-colonial, colonial and post-colonial South Sudanese society, see Leonardi (2013).

<sup>13</sup> The only barrier seemed to be language: in some cases, Dinka women who were unable to speak any other language approached someone else who spoke Dinka, either to mediate their relation with the RWC or to directly report their issue.