

Kingship in Uganda The Role of the Buganda Kingdom in Ugandan Politics

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1. Introduction

This article aims at providing a framework to understand the role of the Buganda kingdom in contemporary Ugandan politics, and more specifically how the Buganda question has influenced political debates in Uganda since its restoration in 1993¹.

For centuries, the regional kingdoms of Buganda, Toro, Bunyoro and Ankole constituted the apex of the political organisation in Uganda. Among these, the Buganda kingdom was considered the strongest and most influential. The political power of the kingdoms was, however, removed when the institution of kingship was abolished in the 1960s. Soon after, consistent demands were raised by the population in Buganda, the Baganda, to restore their traditional ruler and reinstate the kingdom's political power. Their demands were to some extent adhered to in 1993 when the incumbent National Resistance Movement (NRM) government decided to restore traditional rulers. Hence, the Buganda kingdom was the first kingdom to be restored. Opposed to the political character of the institution in the past, the restored institution of kingship was defined to cultural functions. This implied that the institution changed from being a functioning state within the Ugandan state, to an institution located outside the political sphere and the formal state structure (Kayunga 2001). Nevertheless, the kingdom's demand for a federal state structure with executive powers has continued to dominate the political debate in Uganda.

Since the restoration of traditional leaders in Uganda in 1993, the consent of the Buganda kingdom has served as an important support-base for politicians running for office both in the 1996 and 2001 presidential elections. In this sense, the Buganda kingdom has managed to influence national politics despite of its cultural character, and has re-entered the political arena as a significant pressure group more than thirty years after its abolition. The issues debated prior to the elections in 1996 and 2001 in particular related to Buganda's quest for self-determination through a federal state structure.

The question of federalism has also figured centrally in the ongoing constitutional amendment processes prior to the 2006 parliamentary and presidential elections in Uganda. The paper argues that the monarchists achieved their first goal, the restoration of the institution of kingship, through a bargaining process with Museveni and NRM. However, their second goal, federalism, has never been achieved. Linked to the increasing executive dominance witnessed in Uganda, most recently witnessed through the removal of term limits for the presidency, the paper holds that the bargaining power of the monarchists has diminished since 1995. Despite the fact that the Buganda government more or less openly supported the opposition candidates in the presidential elections in 1996 and 2001, Museveni won the elections in the Buganda region. This indicates that Buganda's prominent political role as a support base for the NRM has decreased. It is therefore not likely that Buganda support will constitute a central bargaining mechanism for Buganda in the coming 2006 presidential and parliamentary elections, like it did in the restoration process.

The paper is structured in the following way: Following the introduction, section two explores some key elements in Buganda's history with focus on Buganda's demands for autonomy. Turning to more recent events, the third part examines the restoration process where Buganda's interests to some extent were redeemed. Leading up to the 2006 election, the issue of a federal Buganda state is

¹ The research note is based on a the study by the same author: "The Restoration of kingship in Uganda: A comparative study of Buganda and Ankole". MA thesis, Department of Comparative Politics, University of Bergen, 2003. While completing my MA thesis, I was affiliated to the Chr. Michelsen Institute and the research programme Political Institutions in Africa (POLINAF).

still prominent in the public debate. The fourth section of the article discusses how Buganda's demand for federalism influences the current political debate in Uganda. A concluding section finalises the paper.

2. Historical considerations: The Kabaka and his people

The central position of the king of Buganda among the Baganda can help to explain Buganda's constant demands for self-determination and greater autonomy vis-à-vis the rest of Uganda. This dominant and influential role dates back to the pre-colonial period. At the time the first Europeans arrived in East-Africa, the Buganda kingdom had a well-developed government. Not only did this create a strong attachment between the king and his people, but the Buganda kingdom also maintained a strong position towards the other regional kingdoms in the area. Originally, the early organisation of society in Buganda was based on possession of land resting in the hands of the leadership of various clans. However, in the 14th century, a new political organisation was imposed with all the power and wealth of the land centred in the position of the king, called Kabaka (Sathyamurthy 1986:74). Within the 19th century the king was the supreme leader and had gained considerable power over the clan leaders. The power of the king consisted of four activities, levying taxes, appointing chiefs, judging legal cases, and waging war (Ray 1991:134). In addition, the king controlled the distribution of land.

The predominant position of the Kabaka was further supported by the fact that the king appointed his subordinates down to the lowest level of administration (Ray 1991:134). In this sense, the king exercised almost total control over his kingdom. In addition to the powerful king, the administration consisted of a Katikkiro, who acted as the Chief Minister, a council of county and department chiefs called the Lukiiko, and several levels of chiefs (Ray 1991:134). Rank in the hierarchy was determined by the authority granted by the king and measured by the number of people under the control of a chief (Apter 1967:103). Due to social mobility, the peasants could rise and be recruited into the hierarchy based on excellence in war (Apter 1967:103). The fact that the social and political organisation accepted upwards and downwards mobility can in turn explain the popularity of the Buganda kingdom among the Baganda, and their strong feeling of attachment to their king.

The strong position of the Kabaka can also be explained by the fact that the king was the leader of the clan system, and held the title Ssabataka, which meant that he was the 'Chief of the clan heads' or 'Supreme man of the land' (Wrigley 1996:64). The clan system remained the foundation for the social organisation of society, and as Ssabataka, the king was both the leader of the clan system and the administrative system. In this sense, the Baganda was tied to their king both through the social and political organisation of society. In addition, the Baganda were tied to their king through patron-client relations which gained importance during the colonial period. These relationships were repeated right up the ladder, so that everyone, except the Kabaka, was in effect the dependent client of someone else (Wrigley, 1996:63, see also Mafeje 1998:118).

The dominant position of the Buganda kingdom was further supported during the colonial period when Buganda was declared a British protectorate in 1894. British rule was formalised through different treaties, and Buganda managed to maintain a high degree of self-determination. The British soon extended their control outside the territory of Buganda. In this process they used Baganda as fighters and as agents for British imperialism (Mutibwa 1992:3). In exchange for their collaboration, the Buganda kingdom gained more autonomy than the other kingdoms in the protectorate. The positions of the Kabaka, the Katikkiro, the Lukiiko, and a hierarchy of chiefs were guaranteed, although they operated under the supervision of the British. The administrative apparatus that had been developed in Buganda was exported to the rest of Uganda. The British

considered this as a cheap solution since they could rule through pre-existing structures, take advantage of local labour forces, and reduce the import of British personnel. There was, however, a difference. In Buganda the king and his chiefs governed, while in the other areas the British District Commissioners, the executive authority within the districts, were recognised as the highest authority (Johannessen 2003:45). The other kingdoms therefore experienced greater interference in their local administration by the colonial power than Buganda (Sathyamurthy 1986:177). Due to the autonomy Buganda gained, Mutibwa argues that a major feature of colonial rule was the creation of Buganda into a state within the state (Mutibwa 1992:3). As we shall see, this characteristic can help explain Buganda's strong bargaining position towards subsequent governments.

2.1 Towards independence

An important feature of the decades before independence was the demands made by Buganda to retain the privileged position of the kingdom. These demands concerned Buganda's quest for self-determination, land, Buganda's position vis-à-vis the rest of the protectorate, and the protection of the institution of kingship (Oloka-Onyango 1997: 174). Buganda's increasing demands led to the deterioration of the relationship between the colonial power and the Buganda government.

When demands for African political participation became more pronounced in the 1930s and 1940s, the colonial power realised that the system of indirect rule through the traditional administration could not be harmonised with popular participation (Sathyamurthy 1986:297). As a response, administrative and institutional reforms were adapted as a way to prepare the ground for independence and self-government. The British had anticipated that the process of decolonisation would last for thirty years. But, due to popular demand and international pressure, the move towards independence developed momentum to the extent that there was limited time to establish and develop democratic rules and institutions. The colonial power had been reluctant to allow political parties, arguing that multiparty politics would breed sectarianism, regionalism and instability (Mugaju 2000:15). As a result, the first political parties were only established in the 1950s. The introduction of partisan politics added new dimensions to the struggle for Buganda's interests. As the parties tended to represent specific geographical interests and only a limited national focus, they could not be described as mass-parties (Mittelman 1975:71). Scepticism towards political parties was also evident among traditional authorities all over the country who feared that the new political elite would undermine the position of traditional institutions once they took over power from the British (Mugaju 2000:17). In particular, the neo-traditionalists from Buganda considered political parties to be enemies of the kingship, and feared that the Kabaka and the chiefs would lose power if regular elections were held (Kasfir 1976:115). Prior to independence, the Buganda kingdom therefore became more resolute in the demands for self-determination to the extent that it was proposed that either the Kabaka would become the Head of State of Uganda after independence, or Buganda would secede (Rukooko 2001:10). Consequently, the kingdom boycotted the independence elections and as a result only 3% of the population in Buganda voted (Rukooko 2001:10).

Considering the lack of political parties with national support and the focus on questions relating only to Buganda, the sub-national character of politics was confirmed in the period leading up to independence. The lack of focus on the national level can partly be explained by the nature of the colonial policy, which emphasised, rather than removed, differences. The districts, the units for local government in the protectorate, had been developed as if they were independent of each other since this was considered the easiest way for the British to maintain control in the protectorate (Karugire 1996:27). This particularly affected Buganda where people felt attached to Buganda and showed little loyalty to Uganda as a nation.

The Independence Constitution of 1962 further confirmed the development of sectarianism. The fundamental constitutional problems were to decide what form of government would be suitable for an independent Uganda, and who should be the head of state. The various kingdoms had more or less been governed as autonomous areas, and it was therefore necessary to create a national system presided over by a universally accepted head of state (Odongo 2000:38). As a result, the Independence Constitution provided for a semi-federal system. Buganda achieved a full federal status, while the kingdoms of Ankole, Bunyoro, Toro, and the territory of Busoga were granted a semi-federal status (Constitution 1962:Article 2). The rest of the districts were accorded a unitary status with the central government. The Independence Constitution accordingly consisted of elements of unitarism, federalism and semi-federalism, considered as a challenging foundation for a peaceful and united nation (Mutibwa 1992:25). In this sense, the constitution certainly supported the idea of Buganda as a strong unit within Uganda.

In 1963 the Independence Constitution was amended to provide for a constitutional president of Uganda as head of state and for a vice-president. Since the head of state could not be a commoner or a politician, the election was limited to hereditary rulers and constitutional heads of districts (Mutibwa 1990:14). This amendment was in line with demands from Baganda who did not accept a superior Prime Minister over the Kabaka and other hereditary leaders (Odongo 2000:38). The first elected ceremonial president was the king of Buganda, Mutesa II, while another traditional ruler became vice president. Accordingly, Mutesa II functioned as king for Buganda, and President for the nation Uganda. In the following years the relationship between the President and the Prime Minister caused considerable antagonism, and eventually led to the abandoning of kingdoms in Uganda.

2.2 The 1966 crisis

The events that took place in 1966, which eventually led to the abolition of kingships have to a considerable extent impacted on successive regimes in Uganda. They have all faced pressure from the Baganda to restore their Kabaka and the return to the position of pre-eminence enjoyed until 1966. When Prime Minister Obote suspended the Independence Constitution in 1966, and introduced a new interim constitution, the relationship between the central government and Buganda further deteriorated.² The new constitution increased the power of the centre at the expense of the kingdoms and the districts. In addition, Mutesa II was removed from the presidency, the prime minister post was abolished, the powers of the presidency was extended, and Obote declared himself executive president (Rukooko 2001:12).

The 1966 constitution certainly attacked federalism and monarchism, and changes were introduced which weakened the powers of the Kabaka and the Buganda government. As a reaction to the new constitution, the Buganda government passed a motion ordering the central government to remove itself from the soil of Buganda. Mutesa II could not accept the new decisions, and the conflict culminated in an assault on the Kabaka's palace by troops from the Uganda Army (Oloka-Onyango 1997:175). This caused Mutesa II to flee into English exile where he died in 1969.

By introducing a new constitution the following year, Obote attempted to consolidate his position in power. The most notable feature of the 1967 constitution was the abolition of monarchism and the introduction of republicanism (Constitution 1967:Article 118 (1)). The aim of the 1967 constitution was to remove the vestiges of regional autonomy and centralise the powers of the government in a unitary state. To achieve this, the constitution of 1967 conferred wide-ranging powers to the central

² The interim constitution from 1966 is known as the Pigeon Hole Constitution. The constitution was not debated, but while the delegates in the National Assembly were told that they would find a copy of the new constitution in their pigeon holes, military troops surrounded the building.

government and greatly enhanced the executive and legislative powers of the presidency at the expense of the cabinet, judiciary and legislature. The abolition of kingship created strong reactions among the Baganda and caused the population in Buganda to grieve. Their demands to restore the institution were, however, postponed due to the brutality of the regimes of President Obote and President Idi Amin.

To summarise, the Buganda kingdom managed to secure a privileged position during the colonial period. Their demands to protect this special position became more pronounced in the process leading up to independence. As we shall see, the resistance towards political parties that became evident among the pro-monarchists in this period later became an important bargaining tool for the NRM.

2.3 Buganda and the National Resistance Movement (NRM)

The process of reintroducing the Buganda kingship started long before the actual restoration in 1993. Of particular importance was the five year long guerrilla war fought by the NRM³ against the second Obote-regime. The guerrilla war was mainly fought in Northern Buganda, in an area known as the Luwero Triangle, close to the capital Kampala. Although the leadership of the NRA was from Western Uganda, the NRA managed to establish a good relationship with the population in the area and this ensured the recruitment of soldiers from Buganda (Karlström 1999:54).

One of the conditions for the assistance from the Baganda during the war was that the institution of kingship should be restored if the NRA won the war (Johannessen 2003:61). However, the demand for a restoration of the institution of kingship put the NRA in a difficult position. The NRA needed the support of the Baganda, but if the NRA made an agreement with the Baganda, this could cause dissatisfaction among the non-Baganda in the army. According to unconfirmed reports, Museveni agreed to restore the monarchy in a speech during the war (Kasfir 2000:64). Shortly after the NRM came to power, voices in Buganda demanded that Museveni and the NRM should fulfil the promises made during the guerrilla war and restore the monarchy. The NRM consequently rejected that they made any promises to restore the institution, claiming that the NRA did not fight in order to restore the monarchy. The NRM's opposition against monarchism became evident in the Ten-Point programme, NRM's ideological foundation, which emphasised that national unity should be consolidated by eliminating sectarianism (Museveni 1997:217). This implied the removal of politics based on religious, linguistic, and ethnic factional issues, and as a consequence the NRM argued that the restoration of kingship would enhance sectarianism.

It was not only the peasants in Buganda who supported the NRA during the war. Also professionals in Uganda, and those living in exile, contributed economically to the guerrilla activity (Sathyamurthy 1986:737). Additionally, several declared royalists and members with attachment to the royal family in Buganda were activists in the NRA (Oloka-Onyango 1997:176). Most important was the role of Prince Mutebi himself, the heir to the throne in Buganda. Towards the end of the war, Prince Mutebi, who at that time lived in Great Britain, came to Uganda and visited the liberated areas in Buganda. The proponents of monarchism have claimed that the visit by Prince Mutebi strengthened the NRA's support in Buganda and boosted the moral of the soldiers at a time when the NRM was in a win or loose position (*The Exposure*, January, 1993). Museveni on the other hand, has argued that the NRA would have won the war with or without the support of Mutebi (*The New Vision*, July 30, 1993). Nonetheless, Mutebi's visit to the liberated areas implied some form of recognition of the role Mutebi played in boosting and legitimising the struggle among his people, and the visit underlined the positive relation between the NRM and Buganda.

³ The NRM was known as the National Resistance Army (NRA) during the guerrilla war, but upon coming to power the name was changed to the National Resistance Movement (NRM).

The NRM's challenge once in power, was to maintain the political support from Buganda without becoming too reliant upon it, and at the same time enlarge the social base outside Buganda and the Western region (Karlström 1999:68). Hence, to ensure support for the new regime, the NRM included a number of well known royalists from Buganda in the first NRM government (Englebert 2002:362). In addition, a number of people who had supported the NRM during the war were given senior civil service positions. Once more, hopes were raised among the Baganda that the NRM would recover Buganda's position.

The two most prominent demands that dominated the public agenda was, firstly, the restoration of the institution of kingship and the return of the properties that were confiscated by the central government when the kingdoms were abolished. Secondly, the resurrection of the federal status Buganda used to enjoy after independence since this would secure considerable administrative autonomy for the kingdom. Additionally, the royalists demanded for the administrative unification of the nine districts which Buganda had been divided into, and the recovery of the traditional administrative structure.⁴ The royalists started to pursue the first goal since this was less threatening to the NRM than the demand for federalism, or 'federo' which became the popular term.⁵

The political elite demanding for the restoration was divided in a moderate and a radical fraction. While the first group argued for the restoration of a cultural institution during the first years of NRM's rule, the latter demanded for a king with constitutional powers. The radical fraction among the pro-monarchists established an organisation called Kirimuttu. However, shortly after the NRM came to power, several Baganda cabinet members and other Democratic Party (DP)-affiliated Baganda politicians, whom all were associated with Kirimuttu, were arrested for agitating for the restoration of kingship and charged with treason (Karlström 1999:221; see also Rukooko 2001:13). Since this event, the radical wing of the monarchists in Buganda has been associated with an organisation called Bazzukulu ba Buganda, The Grandsons of Buganda. The group was small with around 40 members and did not attract any prominent political figures. Nonetheless, the group managed to set the stage for much of the public debate. The group demanded a full restoration of the federal status the Buganda kingdom was granted in the 1962 independence constitution, and a Kabaka with constitutional powers. The Bazzakulu ba Buganda argued that a restoration of a cultural king would be meaningless, and that they opposed the idea of Ssabataka as a cultural leader without any involvement in politics (*The Star*, January 7, 1993). As time passed, they were to some extent marginalised by a more moderate group of monarchists. However, the group still exists today and its members have continuously demanded for a king with political powers.⁶

As opposed to the radical group, the moderate section of the pro-monarchists emphasised that the institution should have a cultural role to avoid conflicts between the central government and the Buganda kingdom like the ones that existed in the 1960s (Johannessen 2003:66). The moderate fraction of the monarchists attracted more people than the radical wing, and among them were some clan leaders, Members of Parliament from Buganda, several lawyers and university faculty members.

⁴ Originally, Buganda was divided into ten counties, or sazas. The number was expanded to twenty at the advent of colonialism, and this administrative structure remained intact until 1967 when the kingdoms were abolished. Some royalists wanted the traditional administrative system to replace the district structure introduced by the NRM.

⁵ Federo is the Luganda, language spoken in Buganda, version of federalism.

⁶ The Bazzakulu ba Buganda stated in 2002 that 'We cannot celebrate the restoration of the monarchy when our King does not have political authority, when he does not have the power to collect taxes and he depends on handouts from good Samaritans for a living (*The New Vision*, May 29, 2002).

In the beginning of the 1990s, the demands from the monarchists were strengthened as more people openly supported the agenda, and in general, a radicalisation of the demands took place. This development was triggered by increased dissatisfaction with the NRM regime due to economic distress. In Buganda, the frustration was further strengthened by the NRM's reluctance to discuss the restoration of kingship (Karlström 1999:227). In the same period, Prince Mutebi returned to Uganda and settled on a permanent basis in 1990. Shortly after his return, the monarchical pressure group was expanded when Mutebi appointed an executive committee and a Supreme Council to act as his official advisors. A further consolidation of the monarchists took place as the relationship between the NRM and the DP weakened. The two parts had originally made an agreement to prohibit political parties during an interim period of four years. When the period came to an ending, the NRM tried to expand the interim period and as a result several members in the DP allied with the royalists (Karlström 1999:232).

When the NRM attempted to expand the initial interim period, the kingship issue became intertwined with the NRM's wish to prolong the Movement system. A prolongation of the Movement system implied the continued ban on political party activity, and due to this the NRM opposed the introduction of multipartyism. The role of political parties was laid down as one of the issues that would be debated in the Constituent Assembly (CA), and in order for the NRM to secure the continued ban on party politics, the NRM needed support in the CA (Englebert 2002; Karlström 1999; Kayunga 2000). In their need for a collaborating force in the CA, the NRM approached Buganda, the area with the largest percentage of voters. The most prominent factor that could help the NRM acquire increased support from Buganda in the CA, was the issue of kingship (Oloka-Onyango 1996:11). Hence, when discussing why the NRM changed its position on the kingship issue, the NRM's wish to secure their position in power and the NRM's view on political parties has to be considered. By looking into the CA deliberations it becomes evident that giving in to the Baganda and allow the restoration of kingship, the NRM achieved a collaborating force against the opponents of the Movement system.

3. The constitution-making process: The restoration of the Buganda kingship

The NRM's need for support to prolong the Movement-system, made the monarchists realise the vital position Buganda would play in the coming constitutional debate. Hoping that the government would not run the risk of opposing the restoration of Prince Mutebi, the monarchists set a date for the coronation. If the coronation took place without the approval of Museveni and the government, the NRM would be left in a position where the legitimacy and authority of the government could be questioned. Thus, after the date for the coronation was decided, the Attorney General proclaimed that there were no legal obstacles for the coronation to take place. This created controversy among lawyers who argued that the government's position was unconstitutional. In a reaction to the Attorney General's announcement, the Uganda Law Society (ULS) wrote to the Attorney General and the Minister of Justice and Constitutional Affairs arguing that the coronation was 'unconstitutional without the amendment of the existing constitution (1967) which outlaws kings and monarchies' (*The Monitor*, June 18, 1993). Furthermore, the ULS claimed that only the CA could amend the constitution, and that the coronation should be postponed until the CA had debated the issue and a new constitution was approved (*Weekly Topic*, June 25, 1993). Prior to this, Museveni had announced that he would ask the National Resistance Council (NRC) to amend the 1967 Constitution and enable the coronation of Prince Mutebi. Other lawyers supported Museveni, and claimed that the NRC had the powers to amend the constitution. Besides, they argued that the coronation of Prince Mutebi as a cultural leader did not violate the 1967 constitution since the constitution abolished monarchs with political power. According to them, the coronation would

only infringe the constitution if a king with political powers was restored (*Weekly Topic*, June 25, 1993). Finally, Museveni intervened and said that it was ‘impermissible to retain a constitutional provision that denied people their cultural rights’, and stated that the NRC would amend the provision (Oloka-Onyango 1995:163). This announcement implied a turning point in the restoration debate, and it became evident that Museveni and the NRM would facilitate the restoration of kingship by initiating an amendment that would legalise the coming coronation.

Only one week before the planned coronation, on the 23rd of July 1993, the NRC passed two constitutional amendments⁷ enabling the restoration of the institution of kingship and the return of properties to Buganda.⁸ The first one, repealed Article 118 in the 1967 Constitution,⁹ which had abolished the kingdoms, and inserted the freedom to adhere to the culture and cultural institution of the community people belong to (The Constitution (Amendment) Statute 1993). However, to assure that the restored traditional rulers would remain cultural rulers, certain limitations were introduced.¹⁰ The second amendment restored the properties that used to belong to the kingdom.¹¹ (The Traditional Rulers (Restitution of Assets and Properties) Statute 1993).

On the 31st of July 1993 Prince Mutebi II was crowned as the 36th Kabaka of Buganda. The coronation was greeted with enthusiasm in Buganda and among pro-monarchists outside Buganda. However, there was an essential difference between Mutebi II and his predecessors since Mutebi II was the first king without any political authority. Few days after the coronation, President Museveni attended the opening of the restored Lukiiko in the parliament building, the Bulange (*The New Vision*, August 4, 1993). The Supreme Council, which had acted as the advising council of Mutebi II since he returned to Uganda, was transformed into the Lukiiko. In addition, Mutebi II established what seemed like a modern cabinet, with a Katikkiro, or Chief Minister, and ministries such as justice, finance, economic planning and local government. The resurrection of the Lukiiko meant that the institution of kingship had restored important elements of its former administrative structures. Considering that the institution was restored as a cultural institution, some have questioned the need for governmental and organisational structures. The resurrected administrative structures are not recognised in the constitution and therefore have no legal basis (Constitution 1995:Article 246). Despite insisting that the restored institution of kingship should have a cultural character, Museveni gave credibility and recognition to these administrative structures when he participated in the opening of the Lukiiko (Karlström 1999:247).

⁷ The NRC agreed to restore the Buganda monarchy and return its properties in a closed session presided over by Museveni on the 30th of April, 1993, but the statutes which legalised the restoration were passed on the 23rd of July, 1993 (Barya 1998:1).

⁸ The decision to return Buganda properties was already made in 1992 when the Army Council met in Gulu under the leadership of Museveni (The Exposure, January 1993).

⁹ Article 118 (1) in the 1967 Constitution states that: “The institution of King or Ruler of a Kingdom or Constitutional Head of a District, by whatever name called, existing immediately before the commencement of this Constitution under the law then in force, is hereby abolished”.

¹⁰ The amendment stipulated that traditional rulers ‘shall not take part in partisan politics, stand for election to a political office, overtly favour or campaign for a candidate running for a political office; and shall not have or exercise any administrative, legislative, executive or judicial powers of central or local government’ (The Constitution (Amendment) Statute 1993, Article 118 (2)(a)(b)).

¹¹ These assets and properties comprised among others of the former parliament building (The Bulange), the royal palace (The Lubiri at Mengo), the residence of the Katikkiro (The Butikkiro), the Kabaka’s official 350 square miles of land, and several other buildings that used to be under the kingdoms possession (The Traditional Rulers (Restitution of Assets and Properties) Statute 1993).

3.1 The CA deliberations

The Uganda Constitutional Commission, popularly known as the Odoki-commission,¹² was established in 1989 to draft a new constitution for Uganda. Among the constitutional issues raised, the issues of traditional rulers, the role of political parties, and the future form of government, in particular formed the public debate and the CA deliberations. When the topic of traditional rulers was debated in the CA, the issue to a large extent was related to the subject of the future form of government. The royalists agitated that the best system that could accommodate restored traditional leaders was a federal system. Thus, the royalists started to pursue their second goal, and as a result, federalism became a prominent issue in the CA.

The successful restoration implied that the royalists now had the organisational basis necessary to demand for the resurgence of a federal system of governance (Kayunga 2000). Federalism, they argued, would ensure a political role and a financial basis for the restored kingship. Although the government had been willing to allow the coronation to take place, the NRM had more to lose in the debate over the future form of government. Despite this, the monarchists hoped that the NRM would consider reviving the federal status Buganda used to enjoy, and their aspirations were raised due to the compliance the government had showed in the restoration issue and the NRM's need to sustain the support in Buganda (Karlström 1999:214).

The fight for a federal system took a new turn when the political parties, such as the Uganda People's Congress (UPC) and the DP, supported the suggestion of a federal system in front of the CA (Rukooko 2001:15). The CP took a federal stand and demanded for the restoration of traditional institutions already in the general election in 1980, while at that time the DP and the UPC argued for a unitary, republican system (Kayunga 2000:3). In addition, new political groups emerged demanding federalism, like the Fe-party (Federalist Party). Paul K. Ssemogerere, the leader of the DP, confirmed that the UPC and the DP, known as the Caucus for Multiparty Democracy (CMD), united before the CA. Together they made two demands, political pluralism and federalism. The monarchists and the proponents of multipartyism now stood together in the request for federalism, and this put the NRM under pressure. The NRM feared that the two groups would form a union and jeopardise the future of the NRM by voting for a federal system at the expense of the Movement system.¹³ Hence, the position of the NRM could be challenged by an alliance between the monarchists and the proponents for multipartyism. In this sense, the struggle between the Movement supporters and proponents of multiparty politics made the third group, the monarchists and the pro-federalists from Buganda, a natural ally for both groups. As a result, Buganda once more became a decisive actor in national politics.

Considering that the groups were too weak to achieve their objectives alone, the NRM initiated an alliance with the monarchists. The background for the alliance between the NRM and the monarchists was the fact that the Buganda kingdom traditionally had opposed political parties as mentioned earlier. The NRM pledged that in return for Buganda's support in the CA for the continued ban on political party activity and the persistence of the Movement system for five more years, the restored Buganda kingship would be granted federalism (Oloka-Onyango 1997:180-183; see also Okuku 2002:29; and Rukooko 2001:15). In this sense, Buganda's hostility towards political parties implied a collaborating force in the CA to secure the extension of the NRM rule, and for the royalists it became an opportunity to achieve federalism (Oloka-Onyango 1996:22; see also Karlström 1999:236). When the royalists recommended the abeyance of party politics for at least

¹² The popular name refers to Benjamin J. Odoki, the chairman of the Uganda Constitutional Commission.

¹³ This point is supported by Englebert (2002), Mamdani (1995:99), Rukooko (2001:15) and Oloka-Onyango (1996:21).

five years after the new constitution came into force, the NRM had managed to achieve the majority necessary to override any opposition in the CA (The Buganda Constitutional Proposals 1991; Oloka-Onyango 1996:16). However, after the extension of the Movement system was secured in the CA, the NRM changed their position in the debate over the future form of governance. Instead of promoting federalism, which was the condition for the alliance with Buganda, they argued in favour of a unitary system with decentralisation. The NRM argued that decentralisation would ensure the transfer of power to the localities and that power would be given to the people.

When the NRM advocated for decentralisation in a unitary system as the future system of governance, the royalists felt betrayed and as a result a shift in alliances took place. To put pressure on the NRM, the monarchists allied with the multiparty proponents (Kayunga 2001:290; Karlström 1999:259). An advantage of the new alliance was that the claim for federalism expanded its territorial foundation. Initially, Buganda had raised the demand for federalism, but the new alliance broadened the support and expanded the demand to be of national character. However, the competition for hegemony between the issues of federalism and multipartyism resulted in the fragmentation of both groups. In this sense, the new alliance worked in the interest of the NRM, undermining the threats against the Movement system.

Thus far I have argued that the NRM took advantage of Buganda's long lasting demands for a restored institution of kingship and a federal state structure in order to avoid the introduction of multipartyism and win support from Buganda. This move, however, contradicted the anti-monarchical and anti-federalist stand of the NRM.

3.2 The restored Buganda kingdom

Despite the fact that traditional rulers were re-instated in their individual capacities, the Buganda kingship has gone a long way in re-constructing its former organisational structures. Although the power vested in the institution has changed radically after the restoration of the institution, the organisational structure of the post-restored institution of kingship in Buganda is more or less identical with the institution before its abolition. Since the restoration, Buganda has re-built itself as a quasi-state implying that the restored cultural kingdom has established effective institutions, financing mechanisms and policy tools (Englebert 2002:345). Shortly after the restoration in 1993 the restored Buganda king appointed a parliament consisting of clan leaders and representatives from each district. A government that resembles a modern cabinet with a chief minister and ministers was set up. The local administrative system has also been re-established with a network of county and sub-county chiefs. This system to a large extent overlaps the official state structure based on districts and local councils. Altogether the institutional reconstruction leaves the impression of a modern state institution.

The restored Buganda kingship has a limited economic basis. The 1995 constitution prevents the traditional rulers from levying taxes and there are currently no regular transfers from the central government. The institution to a large extent depends on popular mobilisation through donations. Today the institution relies on rental income from properties, donations from companies, and people are encouraged to buy certificates in order to fund the expenditures of the kingdom.¹⁴ The unstable economy of the kingdom is one of the primary reasons why the proponents of the institution have made demands for a federal status for the restored kingship, hoping that the institution will be granted fiscal powers (Kayunga 2000).

¹⁴ The wedding of king Mutebi II in 1999 illustrates the size of voluntary contributions amounting to US\$ 1.1 bn. Based on exchange rates from 1999 this equals USD 738 000 (Englebert 2002:355).

4. Renewed focus on federalism

The presidential and parliamentary elections in 1996 and 2001 resulted in renewed focus on federalism and Buganda's quest for autonomy. Despite their defined cultural role, several members of the royal family and a section of the ministers in the Buganda government campaigned for the opposition candidate, Paul K. Ssemogerere (DP), in the 1996 election in order to strengthen his candidature against Museveni (Oloka-Onyango 1997:184; Karlström 1999:264; see also *The New Vision*, January 21, 2005).¹⁵ Likewise, in the 2001 presidential election, ministers in the Buganda government openly supported the candidature of Col. Dr. Kizza Besigye (*The New Vision*, February 6, 2001). In the media this was perceived as an expression that the Buganda government, including the king and the chief minister, supported the opposition, and thus, encouraged the Baganda to vote against Museveni. The key campaign issue raised by the opposition candidates in order to gain support from Buganda both in the 1996 and 2001 elections, was the region's quest for federalism (*The New Vision*, February 21, 2005). In this sense, federalism served as a tool for the opposition to defeat Museveni. However, they did not succeed and both in 1996 and 2001 Museveni won the election in Buganda.

The Constitutional Review Commission (CRC), which was launched by Museveni prior to the presidential election in 2001, served to put federalism at the centre of attention in the public debate. Among the topics the commission spelt out for discussion were federalism, the funding of traditional leaders, and the future role of traditional leaders. In response to the establishment of the CRC, the executive leaders of the restored kingships of Toro, Bunyoro, Busoga and Buganda met to develop a common stand on issues related to traditional institutions and federalism (*The New Vision*, February 18, 2002). In the aftermath of this, the Buganda kingdom organised a procession which attracted a crowd estimated to be close to 200 000 to deliver their submission to the commission demanding for a federal system of governance (*The New Vision*, March 19 and 20, 2003). This renewed focus on federalism caused concern outside Buganda. Although many supported the idea of greater regional autonomy, they expressed fear that Buganda would dominate the rest of the country if a federal status was granted (*The Economist*, February 8, 2003). There was also fear that much of the national revenue would be retained by a federal state, denying other regions access to development.¹⁶

Based on the work of the CRC, the cabinet released a white paper containing proposed amendments to the constitution. In response to Buganda's demands for autonomy, the cabinet proposed a regional tier system which implies that districts can form regional governments instead of adopting a federal state structure (*The New Vision*, July 16, 2004). In the aftermath of this, officials from the central government and the Buganda government met to discuss Buganda's position. According to Ugandan newspapers, the meeting eventually led to an agreement where the kingdom accepted to form a regional government based on the districts (*The New Vision*, February 16, 2005). As mentioned earlier, Buganda's demand for fiscal powers has been one of the main reasons for arguing for a federal status. Against this background, the proposed regional government has several shortcomings. For instance, the regional government will be financially dependant on the central government, and it is not clear how the regional government will relate to local governments (*The*

¹⁵ As a reaction to their involvement in politics, the Kabaka decided to dissolve the Lukiiko. According to Oloka-Onyango this act was a result of pressure from Museveni who criticised the open support for the multi-party candidate (Oloka-Onyango 1997:184).

¹⁶ *Largest ethnic group seeks self-rule*, Inter Press Service (IPS). Available at <http://194.183.22.90/ips/eng.NSF/vwWEBMainView?SearchView&Query=%28buganda%29+&SearchMax=100&SearchOrder=3>. Accessed February 6, 2003.

New Vision, February 21, 2005). As a result, the Buganda government has faced criticism from hard-line federalists who portray the agreement as yet another empty promise from the central government. The chief minister on his side has advised the Baganda not to reject the agreement describing it as a stepping-stone towards real federalism (*The New Vision*, February 22, 2005). In a later development, the Buganda government has stated that they should have the power to enact their own laws without approval of the parliament (*The New Vision*, May 5, 2005). However, the MPs vote in support of regional governance currently suggests that Buganda's demand for federalism will be put to a halt (*The New Vision*, May 21, 2005).

The attempt to strike a deal with Buganda has been described in the media as a tactic by Museveni to cement his largest vote block ahead of the forthcoming elections in 2006, and as a means to prevent the opposition from taking advantage of one of their popular campaign tools to gain support from Buganda (*The New Vision*, February 16, 2005; *The New Vision*, February 21, 2005; see also *The New Vision*, March 3, 2005). Furthermore, Museveni has been accused of tempting the Baganda with something close to federalism in order to get support for a third term (*The New Vision*, February 21, 2005). The most controversial issue in the white paper was the proposal to amend the constitution to remove presidential term limits. This would allow Museveni to stand for a third term. Some of the opposition parties warned the Buganda kingdom to sign an agreement with the government in exchange for support for a third term (*The New Vision*, August 11, 2004), and the Buganda kingdom finally resolved in a closed meeting that the kingdom would not support a third term for president Museveni, even if the cabinet changed their position and pledged federalism to Buganda (*The New Vision*, July 16, 2004).¹⁷ A national referendum held on the 28th of July 2005 and a vote of Parliament in August 2005, voted in favour of lifting presidential terms. Hence, Museveni is entitled to stand for a third term in the 2006 presidential election.

5. Concluding remarks

Is it likely that the Baganda monarchists will achieve a federal status for the restored Buganda kingship? At the time Museveni and the NRM government made concessions to the Baganda by enabling the restoration of kingship, the NRM was a rather new government which needed a collaborating force to ensure their position in power. Against this background, Buganda's consistent demands for a restored kingdom and a federal state structure offered a political tool for the NRM to get the support they needed in the CA. In this sense, the promise of Baganda support in the CA gave the monarchists a strong bargaining position towards the NRM, and as a result, the monarchists achieved their first goal, the restoration of the institution of kingship. However, their second goal, federalism, has never been achieved. Linked to the increasing executive dominance witnessed in Uganda, most recently witnessed through the removal of term limits for the presidency, the paper has argued that the bargaining power of the monarchists has been undermined since the CA deliberations in 1995. Despite the fact that the Buganda government more or less openly supported the opposition candidates in the presidential elections in 1996 and 2001, Museveni won the elections in the Buganda region. This indicates that Buganda's prominent political role as a support base for the NRM has decreased. It is therefore not likely that Buganda support will constitute a central bargaining mechanism for Buganda in the coming 2006 presidential and parliamentary elections, like it did in the restoration process. If not, it is less likely that the NRM will give in to the demands for federalism.

¹⁷ Kiboga district has announced that they will support the lifting of presidential terms if the Ugandan government returns the land that Buganda used to possess during colonial rule (*The New Vision*, November 22, 2004).

References

- Apter, David E. 1967. *The political kingdom in Uganda: a study in bureaucratic nationalism*. 2nd ed. Princeton, N.J.: Princeton University Press.
- Barya, John-Jean. 1998. Democracy and culture in Uganda: reflections on the (non)restoration of the Ankole monarchy. *East African Journal of Peace & Human Rights* 4 (1):1-14.
- Englebert, Pierre. 2002. Born-again Buganda or the limits of traditional resurgence in Africa. *Journal of Modern African Studies* 40 (3):345-368.
- Johannessen, Cathrine. 2003. The Restoration of kingship in Uganda: a comparative study of Buganda and Ankole. MA thesis, Department of Comparative Politics, University of Bergen.
- Karlström, Mikael Bo. 1999. The cultural kingdom in Uganda : popular royalism and the restoration of the Buganda kingship. Ph.D. thesis, Department of Anthropology, The University of Chicago, Chicago, Illinois.
- Karugire, Samwiri Rubaraza. 1996. *Roots of instability in Uganda*. 2nd ed. Kampala: Fountain Publishers.
- Kasfir, Nelson. 1976. *The shrinking political arena. Participation and ethnicity in African politics, with a case study of Uganda*. Berkeley, California: University of California Press.
- Kayunga, Sallie Simba. 2000. *The federo (federalism) debate in Uganda*. Working paper No. 62. Centre for Basic Research. Kampala: Centre for Basic Research.
- Kayunga, Sallie Simba. 2001. The no-party system of democracy and the management of ethnic conflicts in Uganda. Ph.D. thesis, Graduate School of International Development Studies, Roskilde University, Roskilde.
- Kiguli, Juliet. 2001. Gender, 'ebyaffe' and power relations in the Buganda kingdom: a study of cultural revivalism. Ph.D. thesis, Department of Philosophy, University of Köln, Köln.
- Mafeje, Archie. 1998. *Kingdoms of the Great Lakes region: ethnography of African social formations*. Kampala: Fountain Publishers.
- Mamdani, Mahmood. 1995. The politics of democratic reform in contemporary Uganda. *East African Journal of Peace & Human Rights* 2 (1):91-101.
- Mittelman, James H. 1975. *Ideology and politics in Uganda: from Obote to Amin*. Ithaca, New York: Cornell University Press.
- Mugaju, Justus. 2000. An historical background to Uganda's no-party democracy. In *No-party democracy in Uganda: myths and realities*, edited by Justus Mugaju and J.Oloka-Onyango. Kampala: Fountain Publishers.
- Mutibwa, Phares Mukasa. 1990. Overview of the history of Uganda and its kingdoms. Paper read at Makerere University.
- Mutibwa, Phares Mukasa. 1992. *Uganda since independence: a story of unfulfilled hopes*. London: Hurst & Company Ltd.
- Museveni, Yoweri Kaguta. 1997. *Sowing the mustard seed: the struggle for freedom and democracy in Uganda*. London and Oxford: Macmillan Education Ltd.
- Odongo, Onyango. 2000. *A political history of Uganda: Yoweri Museveni's referendum 2000*. London: WICU Publishing.
- Okuku, Juma. 2002. *Ethnicity, state power and the democratisation process in Uganda*. Discussion paper 17, Nordiska Afrikainstitutet:Uppsala.
- Oloka-Onyango, J. 1995. Constitutional transition in Museveni's Uganda: new horizons or another false start? *Journal of African Law* 39 (2):156-172.
- Oloka-Onyango, J. 1996. Thirty years after the (B)Uganda crisis: are we heading for another? Paper read at The annual Faculty of Law symposium, at Makerere University, Kampala.
- Oloka-Onyango, J. 1997. The question of Buganda in contemporary Ugandan politics. *Journal of Contemporary African Studies* 15 (2):173-189.

- Ray, Benjamin C. 1991. *Myth, ritual, and kingship in Buganda*. New York: Oxford University Press.
- Rukooko, Archangel Byaruhanga. 2001. Buganda's quest for self-determination: possibilities and challenges to the universal interpretation of human rights. Unpublished.
- Sathyamurthy, T. V. 1986. *The political development of Uganda 1900-1986*. Aldershot: Gower Publishing Ltd.
- Wrigley, Christopher. 1996. *Kingship and state: the Buganda dynasty*. Cambridge: Cambridge University Press.

Documents

- Constitution. 1962. The Constitution of Uganda.
- Constitution. 1967. The Constitution of the Republic of Uganda.
- Constitution 1995. The Constitution of the Republic of Uganda. 1995.
- The Buganda Constitutional Proposals. 1991. Submitted to The Uganda Constitutional Commission by the Ssabasajja Ssabataka's Supreme Council and The Buganda Bataka Heads of Clans' Council - Main proposals and explanatory notes.
- The Constitution (Amendment) Statute, No.7. 1993
- The Traditional Rulers (Restitution of Assets and Properties) Statute, No.8. 1993.

Periodicals

- The Economist
- The Exposure
- The Monitor
- The New Vision
- The Star
- Weekly Topic

Websites

- <http://194.183.22.90/ips/eng.NSF/vwWEBMainView?SearchView&Query=%28buganda%29+&SearchMax=100&SearchOrder=3>
- <http://www.buganda.com/cabinet.htm>

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SUMMARY

This article aims at providing a framework to understand the role of the Buganda kingdom in contemporary Ugandan politics, and more specifically how the Buganda question has influenced political debates in Uganda since its restoration in 1993.

Since the restoration of traditional leaders in Uganda in 1993, the consent of the Buganda kingdom has served as an important support-base for politicians running for office both in the 1996 and 2001 presidential elections. In this sense, the Buganda kingdom has managed to influence national politics despite of its cultural character, and has re-entered the political arena as a significant pressure group more than thirty years after its abolition. The issues debated prior to the elections in 1996 and 2001 in particular related to Buganda's quest for self-determination through a federal state structure.

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