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Issues of Violence in the Democratisation Process in Uganda

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Introduction

Analysts of contemporary Ugandan politics tend to lament the repercussions of violence as if it is a recent phenomenon. In fact, violence is as old as humanity itself. The Biblical stories of the struggle between God and Satan, the murder of Abel by Cain and the rise and fall of kingdoms, clearly show how violence has been part of human development.

The pre-colonial, colonial and post-colonial Ugandan societies have all had much experience of violence. The purpose of this paper is to explain that Uganda itself was a creation of violent struggles between the British and pre-colonial social forces. Furthermore, colonialism was established and maintained by force. It was also challenged by the threat of violence, which led the British to reform the colonial system and negotiate independence with the natives.

The post-colonial State maintained the use of violence as an instrument of control. It thus frustrated the democratic hopes for which the people had fought. Violence led to the destruction of the Ugandan State and its economy.

On the other hand, Uganda is a unique example of the use of violence as an instrument of transformation to reconstruct the State.

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Despite all the obstacles, the establishment of a new constitutional order and an alternative model of governance, the building of an economy that has already recorded impressive rates of growth, and the revitalisation of civilian-military relations have created hopes for a better future.

These achievements inspired this paper. The objective is to share with other African scholars the idea that the violence that destroyed the independence agenda was later drawn on constructively, after an analysis of the concrete realities of Ugandan society, in order to usher in a process of democratisation.

The concepts of violence and democracy

Garver (1977) argues that the exercise of power is related to the experience of violence. He submits that violence is not so much a matter of physical force but more a violation of a person. Persons can be violated either in their bodies (physical violence) or in their ability to make their own decisions (psychological violence). Violence is considered to be the disempowerment of persons.

Both Hobbes and Morgenthau had earlier advanced similar arguments. They contended that domination in practical human affairs tends to be violent. This is because a very effective way of controlling people is to disempower them, through the use of physical force or of psychological manipulation. Even though domination may not necessarily be violent, the evolution of Ugandan politics shows how often domination and resistance to it is violent.

I will focus my analysis on 'political violence'. This expression means the use of force, usually, but not necessarily, physical force, in order to harm or destroy human beings or non-human objects, with the intention of preserving or altering political institutions, systems, governments or policies. An act may count as an act of violence, both

when used to maintain an existing arrangement or when used to change it (Oladipo: 1989).

My analysis recognises the importance of State power in influencing the allocation of scarce resources. People's participation in the political process (in elections, for instance) or their resistance to war is determined by how far they feel that State power will bring them scarce resources or will deny them such resources. Violence may thus be perceived as constructive as well as destructive. Violence can be justified if it is used to obtain democracy and justice.

What is democracy and democratisation? Huntington (1991) defines a political system as democratic to the extent that its most powerful collective decision-makers are selected through fair, honest and periodic elections, in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote. In other words, democracy involves two dimensions: contest and participation.

On the other hand, Kakwanda (1993) argues that democracy would make sense if the basic economic needs (food, clothing, etc.) and social needs (education, housing and employment) can be made available to the majority of Africa's people. Similarly, Mafeje (1995) argues that the African people should build a national democratic alliance, in which the popular classes should hold the balance of power in a struggle for an equitable (not equal) distribution of resources. My conclusion, therefore, is that democracy is not only political, but also economic. It is a process that commands general respect for the constitution, and more specifically, for a general consensus on the rules for handing over political power. Democratisation also promotes fair distribution of scarce resources. We need to understand the ways in which the use of violence has evolved through different periods in Ugandan history, in order to see how it has affected democratisation, both negatively and positively.

The historical evolution of violence in Uganda's politics

Before colonialism, the area now known as Uganda had developed social formations that subsequently represented tribal and State formations. Before anthropologists categorised the pre-colonial peoples as 'Bantu', 'Nile-Hamites', 'Hamites', 'Nilotic' and 'Sudanics', there is evidence that the people interacted culturally, economically and politically. States and empires rose and fell, through wars, alliances and marriages. Violence was part and parcel of the metamorphosis of the pre-colonial social and State formations.

Similarly, the colonial conquest of pre-colonial States involved the use of force. The British formed an alliance with some of the kings in pre-colonial Uganda, to subdue others. Buganda's collaboration in the annexation of Bunyoro is a case in point. Socio-economic and cultural penetration of Ugandan society by the colonial power took the form of foreign trade and religion. This was not uniform. It was what happened in Buganda and in the central part of present-day Uganda that determined events in the rest of the country as well as the shape of the colonial system that was established.

Arab traders arrived in Buganda in the late 1840s, during the rule of Kabaka (King) Suuna II. They introduced Islam to the Kabaka's court. They were followed by British and French missionaries in the late 1870s. The new cultural values had consequences for the political system of Buganda and later for the rest of Uganda. Violence was used to settle the balance of power. With the introduction of Islam and Christianity, new centres of loyalty emerged and various factions started questioning the legitimacy for the Kabakaship, unless it was based on their own terms.

The situation was complicated by the death of Mutesa I in October 1884. He was a powerful Kabaka, and had actually invited the Christian missionaries to his kingdom. He was succeeded by Kabaka Mwanga, who was less experienced in managing public

affairs than his father. However, one could safely say that the political situation was so complicated that even experienced leadership would have come to terms with the emerging political forces.

By 1888, when Kabaka Mwanga decided to arrest the leaders of missionaries and their allies, the three religious factions combined forces and deposed the Kabaka. The Moslems later made a bid for power on their own terms, but were overthrown by an alliance between Protestants and Catholics. In the next showdown in 1892, the Catholics were defeated by the Protestants, in alliance with Captain F. Lugard. Actually, Lugard arrived in Buganda towards the end of 1890 as the agent of a British Chartered Company (the Imperial British East African Company), which was supposed to administer Uganda on behalf of the British Government. The Protestant group then restored Kabaka Mwanga as their puppet.

Events during the religious wars in Buganda and the British occupation of Uganda are well documented (Low and Pratt: 1985, Barbar: 1968, Karugire: 1980 & 1996, Mudoola: 1996). There are two lessons to be drawn from them for the theme of our discussion. First, a small clique of converts captured power and weakened an existing political institution in Buganda. Secondly, the wars in Buganda married religion to politics in a violent manner. This has had consequences for the politics and democratisation of post-colonial Uganda.

Anti-colonial violence

British imperialism met resistance from the moment it appeared on Uganda's scene. The pre-colonial Ugandan leaders (kings, clan heads, and chiefs) fought the British in what was known as early resistance to colonial rule. These early resisters provided a foundation for the development of the National Movement. Their weakness was the

narrowness of their outlook. They focused on the colonial agents, and their major interest was to preserve their narrow area of jurisdiction.

The political situation changed drastically after the end of the Second World War. Colonialism had created the commodity-producing peasantry class. A small class of petty bourgeoisie had also emerged, together with a working class. These emerging classes changed the focus of the National Movement from the Reformist approach of the 1920s and 1930s to a militant struggle. The militant Nationalists, drawing their strength from peasants and workers in trade unions, challenged the monopolistic trading activities, questioned the exploitation of the colony and demanded the departure of the British imperialists. They organised mass demonstrations, strikes and boycotts.[9] Colonial agents' properties were destroyed and colonial administrative structures were paralysed.

By the time the British organised a comprehensive economic and political reform in the 1950s, the people of Uganda had employed violence to disorganise imperialism. Although it fell short of the violence in Fanon's concept, there is evidence that the politics and economics of colonialism in Uganda were never left unchallenged.

The Post-independence Era

The development of the National Movement led to the emergence of political parties. The first to be formed was known as the Uganda National Congress (UNC). This was followed by other political parties, the most prominent being the Democratic Party (DP) formed in 1954, the Uganda People's Congress (UPC) formed in 1960, and the Kabaka Yekka (KY), formed in 1962.

The UPC, DP and KY were the significant political actors in the period leading to independence. The British imperialism organised a comprehensive economic and political reform in the 1950s. The political reforms culminated in the London Constitutional

Conference. After serious negotiations between the actors, with the colonial power acting as arbiter, a constitutional arrangement was made to balance the conflicting interests of the major groups.

In the elections that followed, the UPC allied with KY to defeat the DP. It is important to note that DP was predominantly Catholic, while the UPC and KY were predominantly Protestant. The alliance, despite other fundamental differences between the UPC and the KY, was cemented by religion, in more or less the spirit that had defeated the Catholics in 1892.

Uganda achieved its independence under the UPC leadership. Obote, the leader of UPC, was Executive Prime Minister, with Kabaka Mutesa II of Buganda (and therefore the KY) as ceremonial President. The 1962-1966 period seemed to have been more or less 'a honeymoon'. During these years, however, Uganda's leaders showed lack of seriousness about sticking to the constitutional rules of the 'game'.

This lack of political seriousness was compounded by the events of 1964, particularly in the military field, when the men in the First Battalion demanded pay increases and improved conditions and refused to obey orders. They were suppressed with British assistance. Army mutinies also took place in Kenya and Tanzania in the same year. The way each country responded to this crisis provides lessons on how a new form of violence was institutionalised in the politics of Uganda.

In Kenya, Kenyatta accused the troops of a grave betrayal of the trust and confidence given to them by the Government and people of Kenya. He insisted on law and order, rejected any possibility of negotiation and refused to pardon the mutineers. He dismissed the ringleaders of the mutiny from the Armed Forces.

In Tanganyika, Nyerere responded to the mutiny by disarming the troops, disbanding the Tanganyika Rifles and ordering fresh

recruitment. Six months later, Parliament passed measures including national military service, demystifying the monopoly of use of arms, politicising the new army in its new role and making it clear that legitimate power lay with the ruling party.

In Uganda, six months after the mutiny, Obote surprisingly promoted the African officers and increased their salaries. As a result, military leaders developed a mentality of indispensability. At a later stage, this culminated in open confrontation with civilian authority, as evidenced by the subsequent coup d'état in Uganda.

It has already been pointed out that Ugandan leaders exercised their power outside constitutional rules. In 1966, Obote used the army to attack the Kabaka's palace at Mengo. Thereafter, Obote established an army garrison in the Kabaka's palace and turned Bulange, the Lukiiko Hall of Buganda, into the Headquarters of the Ministry of Defence. He abrogated the 1962 Constitution and introduced the 1967 Constitution that vested all powers with the President. It is clear from these events that institutionalised violence determined the course of politics and relegated democracy to the 'backbench' in Uganda's post-colonial history.

Obote continued to use the military as his power base. By 1971, when General Idi Amin carried out the coup, there was no sign of democratisation to be detected. As Karugire 1996:68 put it:

> With a Parliament rendered absolutely impotent, a demoralised Civil Service, a Judiciary whose decisions were circumvented by retroactive legislation, a system of local government paralysed by intense factionalism and an electoral system that had been reduced to a mockery, Uganda had become an anachronism.

The people were subjected to harassment by State security agencies manned by misfits, criminals, prostitutes and opportunists. Violent robberies were common in both cities and rural areas.

Idi Amin's coup continued what Obote had initiated. He used the military to control all sectors of the State and the economy. This is what Mamdani (1983) termed the transformation of military dictatorship into a fascist State. Violence became part of the day-to-day running of State affairs.

The people of Uganda were not dormant during these events. Attempts to challenge Amin caused divisions in the Army. In an attempt to divert the troops from internal struggles, Amin attacked Tanzania and occupied the Kagera salient in 1978. Tanzania responded by mobilising the Tanzania People's Defence Forces (TPDF) and Ugandan exiles, to push Amin out of power, under the umbrella of the Uganda National Liberation Front (UNLF), with a compromise President, Yusuf Lule.

The diverse elements that made up the UNLF were only united in sharing the basic objective of removing Amin and legitimising Tanzania's occupation of Uganda. They were not equipped to sustain a government. Internal contradictions among the UNLF leadership led to the fall of Yusuf Lule, after being in power for only sixty days. He was succeeded by Godfrey Binaisa, who, eleven months later, was overthrown by the Military Commission led by Paul Muwanga. The Military Commission announced that there would be multiparty elections and that the winning party would form the government.

The Military Commission's strong men were basically sympathetic to Obote. They staged the December 1980 elections, which returned the UPC to power. The results of the elections were disputed. Some groups rejected them and resorted to violence.

National Resistance Movement/Army (NRM/NRA) Capture of State Power: Violence with a Difference?

In order to appreciate why NRM/NRA opted for violence as a method of removing dictatorship, we need to understand the theoretical basis of the NRM struggle.

Theoretical Basis of No-party Democracy in Uganda: The Lived Experience Approach

A number of Western countries and their philosophers, ideologues and sympathisers equate democracy with a multi-party system, so that any system that does not allow people to choose from one or more political parties is regarded as undemocratic.

Accordingly, a one-party-State cannot be democratic, since its premise is the denial of political options to the electorate, who can only choose from the list of politicians belonging to the same party with the same ideology and policies.

It is argued that it is a fundamental right for people to be free to form and associate in political parties of their choice without restrictions. To deny this right of freedom of political association is a negation of democracy.

The 'lived experience' approach, on the other hand, takes the view that the history of society and the practice of politics teach us that democracy cannot be measured by the number of parties that operate in any system. Thus neither a one-party nor a multiparty system, nor even the Movement is a criterion of democracy. For one thing, democracy emerged, developed and changed historically. In the Greek City-State, where all citizens gathered and discussed the affairs of the State, democracy excluded women and slaves.

As society advanced, members became involved in new types of production relations. These required interaction between city and city

and later on between nations. Democracy thus had to change in content and in form.

The 'lived experience' approach teaches us that the important thing is whether these systems function in the interest of the people. Whose interests are represented and protected by the system? Do the people have the right to choose and adopt a political system of their choice?

This was the background against which the leaders of the NRM studied the history of Uganda critically. The post-colonial State was found to have preserved the socio-economic structures of colonialism. Little was done to build institutions that could make independence meaningful not in terms of de-linking, but in terms of co-existence and determining the country's interests and priorities.

The post-colonial State, with illegitimate leaders like those of UPC, was established and maintained by force. To reconstruct and revitalise the State as an instrument of transformation, the post-colonial State in Uganda had to be re-organised by revolutionary forces.

The NRM/NRA documents from the early days of the 'bush' war clearly showed that the purpose of the war transcended the mere attenuation of electoral grievances, which arose in the wake of the 1980 General Elections (Odonga 1998). Indeed, Museveni's statement, on the day he was sworn in as President, that the NRM was not 'a mere change of guards' was a clear demonstration that the NRM struggle was to rethink the State as an instrument of societal transformation.

The NRM and the programme of democratisation

During the five years of the protracted liberation struggle, from February 1981 to January 1986, the NRM worked out proposals for a political programme to form a basis for a nation-wide coalition of

political and social forces. This programme is popularly known as the Ten-Point Programme of the National Resistance Movement.

The first point of the Programme was the restoration of democracy. It States that the NRM believes in free and fair elections held at regular intervals.

In order to fulfil this pledge, on 21 December 1988, the National Resistance Council (NRC) — the then Ugandan Legislature — enacted Statute No.5 of 1988, which established the Uganda Constitutional Commission and gave it responsibility to start the process of developing a new Constitution. All groups and individuals in Uganda were encouraged to participate as fully and freely as possible in the exercise so that the new Constitution thus produced would be truly theirs.

The mandate of the Commission, spelt out by Statute No. 5 of 1988, was to consult the people and make proposals for a popular and viable Constitution based on a national consensus. The challenge to the Government consisted in creating an atmosphere of peace and security and freedom necessary for fruitful discussion and debate about all aspects of constitutional issues (Report: p.1).

After four years of consultations, research, seminars and the submission of memoranda, a Draft Constitution was produced. The NRC established by law an interim Electoral Commission, which organised the Constituent Assembly (CA) elections on the basis of individual merit. In 1995, a Constitution of the Republic of Uganda was promulgated. It entrenched the Movement's (no-party democracy) political system as an alternative model of governance.

The basic principles of the Movement include accountability and transparency, popular participation, accessibility to all positions of leadership by all citizens and individual merit as the basis for election to all political offices. Despite setbacks, which will be discussed later,

the political aspect of this democratisation process has been fairly successful.

The second important aspect of democratisation has been civilian-military relations. The NRM embarked on a process to build a people's Army, through the 'politicisation' of the Army. In every military unit, there is an officer in charge of political education. The aim is for soldiers to know their role and duties and to accept the supremacy of the Constitution. 'Conscious discipline is better than mechanical discipline', according to the Code of Conduct established by NRA, now Uganda People's Defence Forces (UPDF). This is important for the Military to appreciate civilian supremacy. As Brett (1998:84) put it:

> Where the army is an instrument of coercion and extortion, it will stimulate opposition to its rule; where it promotes social progress, it may well secure a high degree of public support.

A programme of change, in which the military is a partner, requires civilian support and participation as a way of restoring civilian-military relations.

Civilian-military relations have been improved by exposing military science to civilians. The purpose of this process is not to militarise the civil society but to demystify the instruments of coercion. No group in Uganda should feel confident enough to use the gun to dictate terms. Similarly, the Constitution provides that the people have the right to use any means to fight whoever overthrows their Constitution.

The third aspect of democratisation has been the economic programme that addresses the fundamental question of underdevelopment and poverty. This was to be done by following an economic strategy of a mixed economy. The early years of NRM government in 1986 and early 1987 were characterised by interventionism. It did not take long for the State to come to terms with structural distortions in the

Ugandan economy and embrace the World Bank/IMF Structural Adjustment Programmes (SAPs).

The negative impact of neo-liberal policies on Sub-Saharan economies is quite obvious. However the character of the State, the commitment of the leadership and relative political stability have shown that SAPs can lead to an increase in economic growth.

At the macro level, liberalisation continues to register successes in Uganda. What is needed is to introduce this growth to micro sectors so as to address poverty at household levels.

In spite of the well-known historical relationship between these institutions and imperialism, practical politics demands a pragmatic approach to contemporary political and economic realities. The need for co-operation between NRM and the Bretton Woods Institutions is, therefore, understandable and reasonable.

The War in Northern Uganda: An obstacle to democratisation

The colonial division of labour divided Uganda administratively into two regions. The south, with predominantly Bantu-speaking nationalities and tribes, was demarcated for the production of raw materials for British industries. It is in this region that processing industries for coffee and cotton, etc., were located. Similarly, the south became a centre for education, health facilities and trade.

The north, with predominantly Luo-speaking ethnic groups, was made a labour reserve. It was from this region that the labour for plantations, and for services in the Prisons, Police and Army was recruited. The colonial division of labour produced a culture in which it was believed that civil servants had to come from the south, and the security personnel, from the north. The concept of 'martial tribes' gained prominence during the colonial period.

By the time of independence, the King's African Rifles were dominated by the Acholi and Langi from the north. After independence, Ugandan leaders made no attempt to build a national Army. The military coup staged by Idi Amin, a northerner himself, did not change the ethnic imbalance in the Army. The post-colonial State maintained the north-south division, in which the north controlled political power and the south controlled economic power.

It is important to note, however, that neither the south nor the north is a homogeneous entity. The history of Uganda shows that ordinary citizens in either region have suffered in the name of their leaders. So when blame for destructive violence is attributed to a region, particularly the north, the truth is that people have not benefited from the political dominance the region enjoyed for some considerable time.

The NRM/NRA's leadership was from the south. Its capture of State power in 1986 represented a shift of political power from the north to the south. It was seen as a monopoly of both political and economic power. This explains why various rebel groups from among the northern nationalities tried to challenge the legitimacy of NRM.

When a Resolution mandated a Committee of Parliament to look into all aspects of the war in Northern Uganda, with a view to bringing it to a speedy end, the Committee came up with the same conclusion. The Committee on Defence and Internal Affairs wrote:

> Many witnesses testified that the root cause of the insurgency in the North and West Nile is the desire of the past leaders originating from those areas, or people associated with them, to recapture the power they lost to the NRM (*The Report* 1997:9).

There have been many rebel groups, but the most active to date is the Lord's Resistance Army (LRA) of Joseph Kony. This group uses both superstition and military science. It has the support of the Sudanese

Government, which gives it training bases and sanctuary, whenever it is hit by the Uganda People's Defence Forces (UPDF). The Lord's Resistance Army, whose atrocities include rape and abduction of schoolchildren and cutting off people's ears and arms, has affected the programme of democratisation in several ways.

First, Uganda had successive elections in 1994 for the Constituent Assembly, which debated, enacted and promulgated the 1995 Constitution, for the President and Parliament in 1996, for Local Government in 1997, for the Referendum on Political Systems in 2000, and again for President and Parliament in 2001. The turnout was less impressive in the north than in the south. In the Gulu and Kitgum districts, the local government elections were held in 1998 after other districts had completed the exercise.

Secondly, the country's infrastructure, education and the economy at large were badly damaged by the war. It has already been pointed out that, with the Structural Adjustment Programmes, Uganda has registered some economic growth. This excludes the war-affected areas of Northern Uganda.

Thirdly, in an attempt to develop civilian-military relations, Uganda demobilised its troops and created a small disciplined, professional and efficient army. This process was completed by 1992 and the international community regarded it as a success. However, the increased violence and war in Northern Uganda, and more recently in Democratic Republic of Congo, have brought the formerly demobilised soldiers back to the battlefield, in a state of high morale. A larger army meant an increase in the military budget. Such resources could have been used for poverty alleviation — the economic aspect of democracy. It is not surprising that some sections of Ugandan society are now calling for a reconceptualisation of security. This means security that goes beyond State security as far as human security, to give priority to basic social needs.

The Prospect

The objective of my analysis has not been to glorify violence as the best way forward for African societies that are in the initial stages of transition to democracy. My point is that where the post-colonial State is maintained by force and gives no room for a round table to define national issues, it seems that counter-violence is the only alternative leading to the overthrow of the existing State structures.

Where this policy has been followed in Uganda, and where resistance still exists, it requires the mobilisation of citizens and the initiation of poverty alleviation programmes, to deny the 'insurgents' a home for their brutal acts. Furthermore, the citizens' programme of political education and military science for self-defence (local defence units) is an appropriate means of enhancing the security of the communities. It should therefore be maintained and improved.

Where these measures have been carried out, the citizens can talk of democratisation and a democracy that is not limited to elections. When the population's basic economic needs are met, one can then think of demilitarisation, regional security systems and global solidarity.

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