

# Speaking Truth to Power

## Academic Freedom in Uganda

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### Uganda - What Needs Undoing: No Democracy Relies so Much on the Military<sup>1</sup>

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Today my first message to you is: Pray for Uganda!

But as you pray, I urge you not only to think of matters spiritual. Rather, I ask you to think of religion today as a means through which we can correct the many ailments that afflict us, and for you to go back to the manner in which the founders of the world's great religions used their power: not as a means to guarantee that their flock grow in number, but as a mechanism for enlightenment and caution.

Today, I want to urge you to face the main challenges of governance confronting the country and to step out from your mosques, churches and temples and confront the evils we are facing head on. In other words, as you pray, please keep one eye open!

I have been asked to examine the key governance challenges we face in Uganda today. I want to focus on what needs to be undone. In other words, what things do we need to rid ourselves of in order to improve the state of governance as we approach the swearing-in ceremony of a new/old government and move into the next five years of NRM rule? In order to answer that question, it is necessary for us to take a small step back in history.

When 42-year-old guerilla leader Yoweri Kaguta Museveni emerged from the five-year bush war to claim the presidency of Uganda in 1986, he was proclaimed as a great redeemer. Although there were many questions as to whether he had the credentials to lead such a decimated and demoralized population out of the doldrums, there can be little doubt that Uganda has done fairly well under his steerage.

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It is not for me to sing the praises of the government, but even the most ardent critic must admit that Uganda is no longer "the Sick Man of Africa" that it used to be in the 1980s. Twenty five years later, Museveni remains at the helm of Ugandan politics, and on February 18, 2011, he received yet another endorsement in an election that extends his term in power until 2016.

He has already entered the record books as East Africa's longest-serving leader, outstripping both the late Julius Kambarage Nyerere of Tanzania and Kenyan ex-President Daniel arap Moi. By the end of this 6th term, Museveni will be 72 years old, and at 30 years in power will join the ranks of Africa's longest, among them, Paul Biya of Cameroon, Angolan president Eduardo dos Santos and the beleaguered Muammar el Gaddafi.

But it will also be the time to ask whether Museveni's legacy will be that of the former Tanzanian president, who left office still loved and revered, or a figure of tragedy and hatred like Moi? Indeed, as North Africa witnesses the nine-pin like collapse of long-term dictatorships starting with Tunisia and spreading like wildfire, it is necessary to inquire how it is that Museveni won the February 18 election, and what lessons this has for political struggle and freedom in Uganda.

Drawing on Libya for comparison is particularly apt since Museveni has long been an ally of Muammar Abu Minyar al

Gaddafi. You will recall that on one of many trips to Kampala, the eccentric leader of the Great Socialist People's Libyan Arab Jamahiriya urged Museveni to stay in office for life, arguing that revolutionaries are not like company Managing Directors.

The former do not retire from office! It is a lesson Museveni took to heart, removing presidential term limits from the constitution in 2005, and setting himself well on the way to a de facto life presidency.

But before we look to the future, we need to return to the past, especially to understand the recent election. What explains Museveni's February victory, especially given that while largely predicted, the margin by which he won (68% of the presidential vote and 75% for his National Resistance Movement in the parliamentary poll) stunned many!

We need to compare this margin with the three previous elections in 1996 (when he won with 75%), in 2001 (69%) and in 2006 (59%). According to the pundits who filled the radio airwaves before the poll, while still popular and dominant and thus likely to win, the downward trend would continue. Some even predicted that there would be a run-off because the 50.1% margin would not be scaled in the first round. The other issue of surprise was the relative calm and lack of violence that attended the election.

Most foreign observers, from the European Union to the US government, described the vote as generally peaceful, free of bloodshed and largely a "free and genuine" expression of the wishes of the Ugandan people. It was only the African Union (AU) that declined outright to describe the poll as "free and fair".

The local media described it as the “most boring” poll in recent history, lacking as it did much of the drama, intrigue and confrontation that Ugandans had become accustomed to. It is thus not surprising that Museveni’s rap ditty, ‘Give Me My Stick/You Want Another Rap?’ garnered more attention than the substantive issues at stake.

### **Not Yet Multi-party**

To fully comprehend the outcome of Uganda’s recent poll, it is necessary to understand a number of basic facts. The first is that Uganda is yet to become a functioning multiparty democracy. For the first nineteen years of Museveni rule, we operated under a “no-party” or “movement” system of government, which was little better than a single-party state.

Under that system, government and party institutions overlapped right from the lowest level (resistance or local councils) through to Parliament. Indeed, in many respects Museveni took a leaf from Gaddafi’s popular councils, creating these LCs as supposedly representative of grassroots democracy, but essentially a cover for single-party dominance.

Today, many of the no-party structures remain intact and operative. They function as the main conduits of political mobilisation and for the channeling of state resources, buttressed by a massive local bureaucracy of government agents and spies.

These include the Local Councils (especially 1 and 2), and although they may appear insignificant, they in fact play a crucial role in governance in the country. Indeed, that system remains intact, and only this week we were advised by the Electoral Commission that elections for the lower levels of local government would be postponed, yet again.

It is clear that not only is the postponement illegal, it also reflects a reluctance on the part of the ruling party to make the final necessary transition from the movement to a multi-party political system of governance.

### **Power of Incumbency**

We also need to recall that in most countries it is very difficult to remove incumbent governments through an electoral process. In the history of African electoral democracy, only a handful of ruling parties have lost a poll.

In Uganda, the fact of incumbency guaranteed President Museveni unfettered access to state coffers, such that the NRM reportedly spent \$350 million in the campaign. Whether or not this is true, we have not yet received a proper accounting of how much the NRM [or indeed any other party] spent and from where they received this money; already, this means that we are being held hostage to the lack of transparency and the underhand nature of politics that we thought we had long left behind.

Indeed, the enduring image of the past several months has been that of the President handing out brown envelopes stashed with cash for various women, youth and other types of civic groupings. I don’t know if religious leaders were also beneficiaries of this largesse. If you were, then you must acknowledge that you have become part of the problem. For in those envelopes lies a key aspect of the problem: the phenomenon of institutionalized corruption that has become the hallmark of this regime.

### **Militarised Context**

The other reason for Museveni’s victory lies in the highly-militarised context within which politics and governance in Uganda is executed. We know that after five years of civil war (1981 to 1986), and twenty-plus years of insurgency in the north of the country, Uganda has virtually never been free from conflict. Unsurprisingly, the idea of peace and security occupy a very significant position within the national psyche.

For older Ugandans, there is some fear of a reversion to earlier more chaotic times, while for the younger generation who have only experienced Museveni, the claim that he has restored peace has a particular resonance. Ironically, both groups also fear that if Museveni lost an election, he would never accept the result, and instead would either return to the bush or cause such great instability that it is not worth it to even think about an alternative candidate.

This explains what to many is the most surprising outcome of the election: Museveni’s victory in northern Uganda despite facing two sons-of-the-soil in ex-diplomat Olara Otunnu and the youthful Norbert Mao.

I believe that the looming presence of the military also explains why the turnout for

the election at 59% was much lower than any of the previous three polls, where figures were closer to 70%. Many people simply stayed at home, partly out of apathy, but more on account of the fact that the streets of Kampala and other parts of the country were swamped with military personnel.

Any visitor to Uganda over the election period would not be wrong to question whether the country was not a military dictatorship. Moreover, and unfortunately, the Uganda Peoples Defence Forces (UPDF) is more akin to the army in Libya than the one in Egypt.

UPDF is not well known for exercising restraint when dealing with civilian insurrection or politically-motivated opposition. Indeed, when the red berets and the green uniforms come out on the streets you know that there will be correspondingly higher casualties. That is why we should condemn the increased militarisation of the political context.

It is why we should demand that instead of spending on jets, tear gas and APCs, we need more [money] to be spent on roads, hospitals and our UPE schools.

### **No Opposition Parties**

Museveni’s performance in the north reflects the other side to the story, and that is the fact that Museveni is only as good as the opposition he faces. The dismal performance of the opposition is attributable to a host of factors, not least of which is the fact that there are really no opposition parties in Uganda.

Rather, there are only opposition personalities epitomized by three-time presidential contender, Col. (rtd) Kizza Besigye of the Forum for Democratic Change (FDC) who have constructed around themselves weak or non-existent party structures that only come to life in the run up to the election.

During the election, Uganda’s opposition seemed to lack a firm ideological position, and while the death of ideology is an ailment affecting the ruling NRM too, its absence among the opposition has proven particularly harmful as there is a lack of a central organizing message around which the opposition can translate obvious disgust and support against Museveni into electoral victory.

Thus, at the start of the election season, the opposition wavered between a united front against Museveni or a boycott, cit-

ing the bias of the Electoral Commission and the non-level playing field.

As we are all aware, neither option was adopted, and at the end of the day all major opposition parties decided to field candidates in both the presidential and parliamentary elections, while decrying the inequality in the contest.

It is important and ironic to note that the opposition may have found a more united voice after the election. This is in the Walk-to-Work (W2W) protests. The fact that the government has failed to find a suitable response to this opposition unity speaks volumes of the foundations on which the February 18 victory rest.

Most importantly, the W2W protests demonstrate that Ugandans can be mobilized around issues as opposed to the mobilization of fear (“we brought you peace”), the mobilization of money (brown envelopes), or the mobilization of elite benefits (the promise of new ministries and the creation of more unviable districts).

At the end of the day, while President Museveni’s victory is not much of a surprise, and in the short run ensures the continued charade of economic and political stability that has characterized the last two decades, I would like to suggest that it portends considerable apprehension for the future of the country.

### **Museveni character**

While the President has dismissed comparisons with the fallen dictators of north Africa, there are indeed many parallels. First of all, the state in Uganda has assumed what can only be described as a ‘Musevenist’ character, such that an election such as the recent one can only be an exercise in endorsement of the incumbent, complete with his iconized symbolic hat.

This is because the leadership of the state was afflicted with the disease I have described as ‘stayism’ for which the antidote has never been an election. Secondly, the Ugandan state has also devolved to a situation in which there is little to distinguish between the personal and the political, and where it is increasingly being marked by the growth of what can only be described as family or personal rule.

Thirdly, we are in very real danger of beginning an era of dynastic politics. While President Museveni has only one son (in

comparison to Gaddafi’s seven), Muhoozi Kainerugaba is clearly being groomed for greater things. Thus, he has taken charge of the Presidential Guard Brigade, the elite force designed to guarantee his father’s personal security, and he recently wrote a book about the bush war, to burnish his credentials as an intellectual-cum-soldier able to fit into his father’s rather large shoes.

This is clearly the same path that Ben Ali, Mubarak and Gaddafi pursued, only to find themselves thwarted by the movement of the people. While it may be true that revolutionaries don’t retire, if there is no other lesson of the recent northern African upheavals, it is that revolutionaries can be forced to resign. It is all simply a matter of time.

It is important for us to underscore a number of lessons [from North Africa] that cannot be ignored:

1. Regardless of the size of the military apparatus one constructs, even the most powerful of regimes can be brought down;
2. Resistance and reaction to poor governance can come from anywhere, even from those who are the weakest or the most marginalized; it is not necessarily the elite or opposition political forces who lead movements for change, and
3. The terrorism of hunger is much more dangerous than the terrorism of the so-called terrorists.

Finally, given all that we have seen above, how do we go about undoing the political damage and rebuilding Uganda’s democracy?

1. We need to begin by undoing the tendency towards political monopoly, and to tackle the desire to absolutely dominate the political arena to the exclusion of any contending force, and particularly the burning desire to try to eliminate all forms of opposition to the existing system of governance. In this regard we need to undo unlimited presidential terms and end the phenomenon of longevity in office;
2. We need to force the ruling party to accept that opposition in a multiparty system is a fact of life; the sooner the NRM learns to live with it the better; it thus needs to adapt its methods of response from coercion and abuse, to dialogue and compromise.

We need to undo the detention-without-trial of political opponents like Besigye and Mao and of all the other political activists who have been detained as a result of the W2W strikes, and of earlier events such as the September 2009 (pro-Kabaka) uprising.

3. We need to undo the links between the state and the ruling (NRM) party, first by undertaking a full audit of where and how the NRM raised the resources to finance the last election and secondly through establishing a permanent Political Party Oversight Commission made up of civil society actors, academicians, peasants, religious leaders, and other individuals and groups from all walks of life, with the goal of ensuring that all political parties adhere to the constitution and work towards the expansion of democratic space, rather than its contraction.
4. We need to undo the legal manipulation and the misuse and abuse of law and of the constitution in order to achieve sectarian political objectives. In particular, we need to condemn and combat the constant shifting of the goalposts when the existing ones do not suit the achievement of a particular political objective. We also need to undo the infrastructure of intolerance and exclusion that is manifest in the following laws:
  - (a) The Institution of Cultural and Traditional Leaders Bill;
  - (b) The NGO Act, HIV/AIDS Act, The Equal Opportunities Commission Act, The Anti-Homosexuality Bill, etc.
5. We need to undo the use of coercive (particularly militaristic) methods to achieve political objectives, of which we have seen numerous examples, culminating with the W2W shootings last week.
 

There is no other country in the world that lays claim to being a democracy which so extensively relies on the military. We are fed up of the notoriety of the Rapid Response Unit (RRU), the Chieftaincy of Military Intelligence (CMI) and of para-military shadow militias like the Black Mamba; the PGB and the many Generals who have invaded political life. We need to remove the UPDF from directly involving itself in politics as is normally the case in a functioning multiparty system.



6. We need to undo the hypocrisy that claims the high moral ground when we are mired in CORRUPTION, a corruption which has become institutionalized and 'normal', and which begins and ends in state house.
7. We need to stop ignoring the youth and treating them like they are the 'leaders of tomorrow' or else they will take up arms against us today.
8. We need to undo the monopoly of political power that is exercised only by political actors. All of us have to become politicians; hence while the

President's call for talks with the opposition is welcome, it cannot be a discussion only between the NRM and opposition parties; we also want to be heard and to make sure that no deals are made behind our backs.

Hence, there is a need for a national convention of all civil and social groupings to decide on the future course of the country.

Ladies and gentlemen, we need to stop being complacent about our country. We will wake up and find it gone!

## Notes

1. This is a slightly edited version of a paper that Prof. Oloka Onyango presented at the Inter-religious Council of Uganda (IRCU) Post-election Conference' in Kampala, 27 April 2011.
2. Makerere University law professor, Joe Oloka-Onyango, made a presentation at the Inter-Religious Council of Uganda (IRCU) post-election 2011 conference in Kampala on April 27, 2011.

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President Museveni, who closed the conference, was very critical of Prof Oloka's presentation, accusing him of poisoning the minds of "our children". Below is his reaction as captured by a Kampala newspaper, *The Observer*.