

FEDERALISM AND PARTIES WILL WORK FOR
UGANDA'S BRIGHT FUTURE

PAPER FOR THE UGANDA CONSTITUTIONAL COMMISSION AND
UGANDA
POLITICAL PARTIES SEMINAR TO BE HELD IN THE
CONFERENCE CENTRE ON 21ST JUNE 1991

The star Editorial has been advocating for Federal as the cure to Uganda's Political Sickness. Then in the New Vision of June 15th 1991, Mr. Ndinamwe Byekwaso of NRM Secretariat Kampala refuted the star Editorial assessment that Uganda's future lies on a federal constitution. But in the RC system, I wish to submit my observations and discussion meanwhile improving on the star 's assessment by adding the political parties to the formula that will balance the equation in favour of Federalism.

I wish to submit my observations and discussion when I have the idea that perhaps the best we should do is to revive political parties to enable us have permanent peace, stability and development.

I strongly object to Mr. Ndinamwe Byekwaso's automatic conclusion that RC system is the best for Uganda. I have called it automatic because he does not analyse issues which have caused the bad historical record Uganda has had.

Therefore, before I can expand on the Federalism and Political parties as the answer for the future constitution of Uganda, I should briefly give the history of Uganda and try to analyse how it influenced the current political trend. Then I shall endeavour to show the causes of Uganda's instability and how we should remove Or annihilate the cause of instability; then and only then, shall we gain stability" A mere removal of government, U.P.C. or Okello Lutwa's government or NRM would not solve the problem of instability.

The fundamental causes of Uganda's instability stem from the historical back-ground. In the first instance Uganda is a creation of the British Colonial hegemony of the end of the 19th Century and the beginning of the 20th Century. Captain Lugard and Johnson completed the formation of Uganda as a state. This arose from un-easy alliance of Buganda Kings with the British. The Buganda kings consoled themselves that they had invited the British when in any case the British had already decided to take on Uganda as in the Berlin Conference Partition of Africa. The British met with other super powers and divided Africa

Accordingly. The uneasy alliance in some way helped Uganda to acquire easy colonial administration of indirect rule as Opposed to the direct rule which operated in Kenya. Land grabbing was the system of rule in the directly colonised states.

.../

4.

5.

In the indirect rule system the old form of governments were adopted with some modifications here and there. In Uganda the friendly approach enabled the survival of the Kabaka and most of his offices commonly referred to as the Buganda Government. The change that came on Buganda Kingdom was acceptable although at some point of time there were rebellions and risings. For instance, the removal of Mwanga was seen as a removal of someone who had shown tendencies of disobedience to the colonial masters. but Mwanga in actual fact was trying to re-assert the traditional power of the Buganda Kings. He was called a resistor as opposed to collaborators.

After the colonisation of Buganda many parts were grafted on it to make it a viable state administratively and economically. How would it cost the British government for instance to a whole Governor and supporting staff to administer a small territory of Buganda? (17,000 sq Miles)

The politics which transpired after the 1990 Buganda Agreement was what one would call trial and Error. Some tribes which had been grafted on to Buganda to form Uganda adopted the exact Buganda system of administration. Busoga, Ankole, Toro and Bunyoro retained their Kings and were ruled on a system similar to that of Buganda. Then came the non kingdom states which were numerous and different. The Northern Luos, the Eastern Hermites, the other Bantus of Eastern Uganda etc. The use of indirect rule on Buganda and the fact that Buganda acquired the first access to the British rule led to a creation of a special position of Buganda in Uganda's politics and economy.

The Baganda called themselves supermen in Uganda politics. This for a long time created jealousy and undeclared hatred to Baganda in certain parts of Uganda. Milton Obote Exploited this historical cause when he is attributed to have asserted that, 'a goat Muganda is a dead one. Obote married a Muganda woman but he continued to hate Baganda or to exploit the weakness of our historical differences in order to keep in power. Although this was not a fundamental issue which Obote unfortunately exploited it however, made Uganda fall short of stable government system since independence. It was Obote's greed for power which led him to adopt segregation and unconstitutional methods to remain in power. He should have used the forces, the pressure groups and different tribes interests to

model out a Republic that sustains the British created state of Uganda. In my opinion the failure of Obote and his U.p.C clique to analyze Uganda's past that freezed Uganda's bright future. We are still leaving in this dilemma of political turmoil, poverty and lack of technology . The N R M system can not wipe out all this.

The 1962 constitution was a Federal one and was made up with fear of domination of one state over another especially Buganda which had become a powerful political and economic state as compared to the rest of the Republic of Uganda. Many phrases were included in the 1962 constitution as safeguards, checks & balances. Those who made it were merely echoing the past experience of Uganda. political systems which the British involved on trial and error as earlier mentioned.

1. The 1962 constitution enabled the maintance of the status quo of Buganda.
2. It provided for a rise of a leader in the name of the 1st Prime Minister from different parts of the country other than Buganda.
6. Then above all and most important the 1962 constitution allowed political parties to operate in Uganda:
UPC, DP AND KY.

Had not Milton Obote interfered in the party machinery and 1962 constitution, Uganda should have been the most celebrated federal democracies on the Continent of Africa., For instance, if Dp failed UPC would take over or Vice Verse and coalitions like that of UPC and KY. With smooth change of power as a fundamental form, convention or constitutional right Uganda would have a bright future& This was not observed by Obote nor his UPC clique, The were over-whelmed by greed for power such that they tried to remodel all constitutional checks and balances that had been placed' in the 1962 constitution. The problems of Uganda which had started as political artifice by the British colonial regimes accelerated.

Now the NRM is fighting hard to do a way with past or old :failures' and constitutional short-comings. To find a solution what do we do? Do we abolish the 1962 constitution or do we improve the old constitution by removing the bottlenecks which have caused politicians and Uganda, unnecessary embarrassments. I am convinced that whether with the NRM system or political parties we shall do better if we remove the past politicians greed •

We can not' have a stable dynamic country which those who fought hard to have independence had in mind. The NRM system lacks checks and serious structure to safeguard it so that a dictator when in power can not exercise full dictatorial powers We can look at the Kanu Party system of Kenya and Saddam Hussein who recently caused the Gulf Crisis. The problem is who will check or restructure RC system?

Before I close I should perhaps also elaborate how the Federal system with Political parties can create a bright future for Uganda which is tolerant dynamic and stable . We should have a Constitution that enables continuous development not shadows of development as has been in the past.

In the 1962 constitution we have:

1 NON EXECUTIVE PRESIDENT and

Z. JUDICIAL ADMINISTRATIVE, LEGISLATURE

This meant that one of the above would countercheck on the powers and role of the other. The entire administration drew its functional powers from the legislature , which made government policies be set on shaky lines. Government drew its power from the strength of the legislature. There would not have been the 1971 Coup d'etat nor the continuous civil strife. If the legislature as presently represented by the National Resistance Council fails to get the majority then it must relinquish power too. party which would command the majority political support. This will form a well constituted political party system of government.

Therefore I conclude that Uganda requires a federal system with political parties other than a one -party system with no diplomatic opposition. Then we should have a stable government that will guarantee continuous development and the envied bright future for Uganda.

prepared and presented by:

J.K. Byekwaso,
Business Consultant,
Pools Company Ltd.,
Po.O. Box 1744,
KAMPALA.

CHAIRMAN UPM (Uganda Patriotic
Movement) Luwero District. Founder Member
DPM.