

Ttabamiruka '07

The Case for a Royal Charter for Buganda

An exploration of the causes of internal weakness in Buganda and a suggested approach to finding a solution.

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1. PREAMBLE

- 1.1 During the ceremony of the opening of the 14th session of the Lukiiko (30 January 2006), His Royal Majesty the Kabaka of Buganda, Ronald Muwenda Mutebi II, addressed the Kingdom in a keynote speech. In this, he wisely observed that Buganda was at a crossroads ("*Buganda eri mu masanjanzira*")¹. With evidence of this glaring at us from every aspect of the social, political and economic standing of Buganda today, some might suggest that, under the circumstances, "crisis" would be a more apt substantive to employ than "crossroads".
- 1.2 In the 41 years since the events of 1966, the levels of poverty and deprivation among Baganda are currently at an all-time high, while the chasm between the haves and the have-nots appears unbridgeable. The pace at which Buganda land is being misappropriated is building up to a worrying crescendo, while corruption and graft among our own people and institutions has now reached prodigious proportions. All this is taking place against a backdrop of deep political uncertainty within Uganda on account of the issue of the East African Federation, simmering undercurrents regarding the issue of the resettlement of the Balaalo pastoralists, and of course the as-yet-unresolved question of Federo.
- 1.3 In an honest search for a solution to Buganda's problems, many analysts have attempted to isolate the causes of the situation Buganda finds itself in today. Many fingers have been pointed at Buganda's supposed enemies, from the British colonialists right through to President Museveni. Our analysis, however, seeks to narrow down the source of Buganda's problems to the weaknesses within Buganda itself. We firmly believe that an enemy can only be victorious if he succeeds in breaking your unity. Conversely, it is only through genuine unity and oneness of purpose that we can ever hope to surmount the problems that Buganda faces today. It is we the Baganda who have been largely responsible for handing our enemies the noose in which they now hold us. Likewise, it is we alone who can disentangle ourselves therefrom.
- 1.4 This document is the outcome of a synthesis of ideas borne of several years of study, observation, debate and deliberation regarding Buganda's affairs, among a wide cross-section of Baganda both within Buganda and without. We believe that the time has come for Baganda to undertake an honest self-examination and bravely face up to the cracks within its political, administrative and cultural set-up, and thereafter summon up the courage and resolve required to implement the changes necessary to redress this dire situation.
- 1.5 This document is not intended to accuse, indict or condemn any specific person or institution but rather, in submitting our observations, comments and proposals to the scrutiny of the wider forum of Baganda of all shades of opinion, our sincere hope is that the ensuing debate will eventually enable us collectively to carve a road out of the quagmire. *The document is therefore presented as a draft.* We wish to stress that the writer is, and has always been, His Royal Majesty's most humble servant.

2. WHY CHANGE IS IMPERATIVE

- 2.1 At the most basic level, the viability of Buganda as an entity is dependent on two pillars: the Kabaka on the one hand and his subjects on the other. Buganda's

survival is a function of the close and symbiotic relationship between the two. For the relationship to work, each side must fulfil certain obligations towards the other. To paraphrase the old adage, united they stand, divided they must fall. It is our submission that, in the 14 years since the restoration of our monarchy, today this relationship is the weakest it has ever been. We now consider the possible reasons for this.

- 2.2 Firstly, the Baganda have, for various reasons, largely turned their backs on their obligations and expectations as set out in Buganda's *ennono* and *eby'obuwangwa*. Traditionally, these twin tenets of Kiganda society provided the framework within which Baganda children were taught the ideals of self-respect, respect for, and empathy with, fellow Baganda, enterprise and industry, social responsibility, respect for our cultural institutions and above all, non-negotiable respect, love and loyalty for the Kabaka. Collectively, these ideals engendered the deep pride that one felt in being a Muganda and laid the foundation upon which the great kingdom of Buganda was built.
- 2.3 Today, the erosion of the above values manifests itself in the endemic greed and corruption at all layers of society, a general decline in moral standards, backstabbing and skulduggery among our leaders, tolerance for inept and unsuitable leaders, tolerance for treacherous Baganda, passive acceptance of exploitation by internal and external forces, the inability to defend our possessions against marauders, lack of interest in our cultural institutions, lack of genuine pride in ourselves as Baganda and questionable loyalty to the Kabaka or Buganda. Granted that such vices are as old as human society itself, the main difference in today's Buganda is that there is no organised and effective system for punishing, disciplining or rehabilitating offenders. With no such deterrent, the situation could yet deteriorate further.
- 2.4 Secondly, our observation is that many Baganda have lost the sense of having a personal connection with the monarch or the administrative structure through which he governs. In the 14 years of the current monarchy, only a small percentage of communities have had the privilege of a royal visit. Baganda living abroad take years without seeing the monarch or any representative of his, despite hearing news of his numerous visits to their adoptive countries. Ordinary people do not feel at liberty to visit their Kabaka at any of his palaces and often their efforts at doing so are frustrated. Many Baganda feel that there are no structures in place to enable ordinary Baganda to otherwise communicate with the Kabaka. It is felt, however, that an elite group of their kinsfolk appear to have no difficulty in securing an audience with the Kabaka. Thus the Kabaka is increasingly viewed as being remote and inaccessible to most. Most Baganda would be at a loss to articulate the advantages which they feel have accrued from the restoration of the monarchy. Today, the monarchy stands in danger of gradually becoming irrelevant to many Baganda.
- 2.5 The administrative structure of the Buganda government is a matter of deep concern among many Baganda. A few bad apples have rendered the Mengo government almost universally associated with greed, corruption, graft and embezzlement, with particular reference to the issue of real estate. Although this situation has been worrying Baganda for a long time now, there do not appear to be any structures within which formal investigations can be made and the alleged culprits given a chance to speak out. Worse still, many of the alleged culprits have retained their positions in the high echelons of power at Mengo and some appear to maintain a close personal relationship with the Kabaka. This situation has left many Baganda feeling helpless and abandoned as Mengo maintains a

¹ Bukedde, Lwakubiri January 31, 2006 (Pages 1 & 2)

complete silence on the issue, neither dispelling the rumours nor ordering an inquiry into the allegations.

- 2.6 The appointment of former Katikkiro, Owek. Dan Muliika was viewed by many Baganda as heralding a new era of transparent and accountable governance at Mengo, and many Baganda at home and abroad were greatly re-energised by the dynamism and determination he demonstrated as our Katikkiro. Many saw in him the Moses who would lead his people out of the wilderness they had been in for 40 years. Hence many were deeply shocked and saddened by his departure after just 13 months in office. Whereas everyone accepts that the Kabaka exercised his prerogative in retiring him, what Baganda in the UK found most perplexing were some of the reasons given for this, as set out in the communiqué which was circulated by the Kabaka's representative in the UK and Ireland, Owek. Joseph Nsambu Musisi. These included (paraphrasing) i) unwarranted intervention in the financial affairs of CBS Radio ii) unwarranted interference in the affairs of the Buganda Land Board and iii) inviting an external auditor (*Ernst & Young*) to audit the departments of the Buganda government.
- 2.7 Many Baganda felt that if the above actions are not expected to be performed by a Katikkiro, then the two pillars of the Buganda kingdom - the monarch and his subjects - were no longer reading from the same hymn sheet, since most people would understand the above actions to be an integral part of the Katikkiro's job. Moreover, Owek. Muliika's and Owek. Godfrey Lule's submissions following their departure from government pointed to a most perturbing state of affairs at Mengo. Especially worrying was Owek. Muliika's contention that the Regional Tier (which Buganda officially rejected in Dec. '06) was still supported by some in the Mengo administration². Baganda long for the reassurance that the Regional Tier will never again be foisted upon Buganda.
- 2.8 In the light of the above, Baganda, in increasing numbers, are growing concerned about the direction which Buganda is taking, and dearly long to see a public engagement with these issues by the Kabaka and his administration. We have no way of knowing if the Kabaka is aware of our concerns, and we certainly have no way of communicating them to him. It begs belief that, in this age of improved communication through ever more efficient technologies, it is still impossible for an ordinary Muganda to get a message through to the office of the Kabaka. Technology aside, traditional communication channels based on the administrative and cultural hierarchies of Buganda are no longer effective.
- 2.9 All this has resulted in a communication breakdown between the two pillars of Buganda: the Kabaka and the Baganda. Many Baganda can no longer vouch for a common vision between themselves and their monarch regarding the future of the Kingdom. With the symbiotic relationship between the two pillars currently in abeyance, today Buganda is in a state of profound internal weakness. And this while the dark forces that would balkanize Buganda into disjointed tribal groupings gather momentum and murmurs that we have not heard the last of the Regional Tier persist. Furthermore, the Balaalo issue underscores the challenge to Buganda's territorial integrity, while the spectre of Uganda's proposed integration into the East African Federation looms. In short, Buganda is under siege and her enemies currently hold the advantage over her.
- 2.10 Given the internal weaknesses within the governance of Buganda, coupled with the high levels of poverty, deprivation and a sense of hopelessness among many

² Okuzzaayo Ddamula Eri Ssabasajja Kabaka wa Buganda by Daniel Muliika (February 2007)

Baganda, today our capacity to *permanently* repulse our enemies is highly doubtful. It is, we contend, not alarmist to say that the destruction of Buganda within the lifetime of our children is not beyond the realms of possibility. It is therefore incumbent upon this generation (*omulembe omutebi*) to ensure that the seeds for this are not sown on our watch. The next section explores various proposals that have been put forward in the search for a solution to the current weaknesses in Buganda.

3. THE CASE FOR A ROYAL CHARTER

- 3.1 Since the Kabaka's ruling through his Katikkiro and the Lukiiko has always been a fundamental part of our *ennono*, many Baganda have long felt uneasy about the disproportionately strong influence a caucus of particular advisors within and outside the Lukiiko has, over the duration of the current monarchy, exercised on the actions and decisions taken by the monarch. In the report submitted at the handing back of the *Ddamula*, former Katikkiro Owek. Dan Muliika mentions this caucus as having constantly undermined his position as *Kamalabyonna*³. The fear among Baganda has been that when the Katikkiro's power and authority are by-passed by certain individuals because of their closeness to the monarch, accountability and transparency of government become compromised, since the rationales for decisions taken cannot be properly scrutinised. Such a state of affairs has often left many Baganda wondering whom the Kabaka relies on for advice in his decision-making, and therefore if the ensuing decisions are always taken in the best interests of Buganda.
- 3.2 The situation is further compounded by the age-old edict of *Kabaka talabwa mu kamwa* (Kabaka's ruling must never be questioned). Whereas we understand the importance of this rule in promulgating respect and reverence for the monarch, we submit that the lack of an effective forum for petitioning the Kabaka or airing the people's concerns renders it dangerously restrictive. A case in point is a story carried in a recent edition of *Bukedde*, whereby a certain gentleman publicly expressed disapproval of Kabaka's decision to offer land to Mehta for the expansion of his sugar cane farming. At the command of some local elders, the complainant was promptly seized and incarcerated, charged with "*Okulya Kabaka mu ttama*" (questioning the monarch's actions). He was further ordered to pay a fine which included money and livestock. The man eventually apologised, saying that he had merely been joking. Arguably, whereas the penalties imposed may have silenced his lips, they cannot have succeeded in silencing the questions in his mind, or encouraging his respect for the Kabaka. How much better for Buganda it would be if sceptics like that hapless gentleman were given a platform to air their grievances instead of be silenced!
- 3.3 Another recent example relates to the Kabaka's decision to retire Dan Muliika. Before the announcement was made, Baganda at home and abroad signed a 300-name petition requesting the Kabaka not to sack Muliika. The petition – and myriad voices within Buganda – were completely ignored. Muliika was sacked and no convincing explanation was received from the Kabaka. On the basis that *Kabaka talabwa mu kamwa*, the perplexed Baganda had effectively been told to move on.
- 3.4 As a means of bridging the growing rift between the Kabaka and some of his subjects, we propose a renewal and a revamping of the bond between the

³ Okuzzaayo Ddamula Eri Ssabasajja Kabaka wa Buganda by Daniel Muliika (February 2007)

Kabaka and the Baganda. Our observation has been that Baganda, in the main, harbour a deep love for the Kabaka, and that the reciprocation of this love is in no doubt. However, among other things, a lack of formalised and written procedures has allowed other forces to come between the two pillars, leaving many Baganda wondering if decisions taken were not being influenced by questionable motives. A growing number of Baganda are no longer sure if they and their Kabaka are necessarily pulling in the same direction. We therefore propose the drawing up of a Royal Charter to act as a written understanding of the basic expectations and obligations between Kabaka and the Baganda. The Charter will serve as a statement of the common vision between the two. It will be the basic driver for all decisions taken by Kabaka, thus reassuring Baganda that, whoever Kabaka may choose to consult for advice, the direction that Buganda is steered into will always be in her best interests.

- 3.5 The Charter is not intended to replace any part of the Buganda Constitution, although it may be recognised therein. It will be restricted to the definition of a framework through which effective communication between the Kabaka and his subjects will be fostered. The ultimate aim will be to ensure that both pillars of Buganda stay in tune with each other regarding governance and the strategic planning for Buganda's future. The Charter will primarily focus on reuniting the Kabaka with his currently disillusioned subjects. It will seek to reaffirm the position of the Katikkiro as the *Kamalabyonna* and thus limit the influence or impact of external forces liaising directly with the Kabaka outside the confines of the *Lukiiko* or the Mengo government. Furthermore, it will aim to re-establish the culture of transparency and accountability in all areas of government, as well as encourage the practice of record-keeping.

4. PROPOSED CONTENTS OF THE ROYAL CHARTER

In the light of the aforementioned objectives, the following are offered as draft proposals aimed at providing a foundation for deliberations regarding the contents of the proposed Charter.

- 4.1 In order to ensure that the powerful position of the Katikkiro is always occupied by a person of integrity, wisdom and leadership ability, we propose that the Kabaka be presented with a shortlist of candidates, chosen through the *Bika* or *Lukiiko Lw'Abataka* from which to choose the Katikkiro. The Katikkiro thus chosen should then be given full authority to choose his entire cabinet. We further propose that, should he wish to recall the *Ddamula*, the Kabaka first consult with the *Lukiiko* to present his reasons for this, as well as gauge and reflect on public opinion on the issue.
- 4.2 We propose that all liaison with the President of Uganda - or any representative of the central government - regarding any aspect of the governance of Buganda or her position within Uganda and beyond, be conducted through the Katikkiro and never directly with the Kabaka.
- 4.3 We propose that the Kabaka sanction the commissioning of an independent firm to conduct an annual audit of all the administrative departments and revenue-generating institutions of the Kingdom, and that the results thereof be made available for public scrutiny.
- 4.4 We propose the re-establishment of the royal court of justice, wherein the Kabaka and/or his appointees can preside over the administration of justice

within the Kingdom. Through this forum, people's petitions will be heard and conflicts between Kabaka's officials resolved.

- 4.5 We propose that, by royal decree, 24th May be declared Buganda Day, aimed at focusing Baganda's thoughts on the former and potential glory of their Kingdom. We propose that the day be celebrated with a trade fair at Wankulukuku, intended to highlight and rejuvenate the traditional Kiganda spirit of enterprise and industry. It is proposed that the Kabaka honour each annual occasion with his presence.
- 4.6 We propose that the Kabaka redoubles his efforts at interacting and engaging with his subjects through an annual comprehensive programme of both official and impromptu visits covering all corners of the Kingdom and his subjects abroad.
- 4.7 We propose that a royal website be set up to further facilitate dialogue between the Baganda and their Kabaka. In addition to email communication with the Kabaka's office, the website might feature a discussion board to enable Baganda to exchange views on matters concerning the Kingdom, in the hope that Kabaka takes on board the various shades of opinion among Baganda and thus keeps abreast with the prevailing thought.
- 4.8 We propose that Kabaka's administration espouse and implement a culture of documentation and record-keeping. It is proposed that the definition of policies and procedures guiding the Kingdom's administration; the demarcation of the roles and remits of the Kabaka's officials at all levels of government; the comprehensive enumeration of the Kingdom's tangible and intangible assets; financial statements and blueprints for economic planning be presented as coherent documents which are kept in a designated place and made accessible within the exigencies of security and confidentiality.

5. BENEFITS OF THE PROPOSED CHARTER

- 5.1 The most important outcome of the Charter would be the re-ignition of the trusting relationship between the Kabaka and his subjects. The latent energy and enthusiasm for the development of Buganda, palpable among Baganda, would be unleashed under the leadership of a more involved, more communicative monarch. The resultant unified and harmonised Buganda will gradually build up the strength and capacity to control its destiny.
- 5.2 The proposed method for appointing the Katikkiro will ensure broad-based trust and respect by the people for the appointee. This will further enhance co-operation and unison between the two pillars of Buganda.
- 5.3 The re-assertion and protection of the Katikkiro's position will minimise the capacity of any "kitchen cabinets" to undermine the authority of the legitimate structures of government. Further, any decisions and agreements entered into with central government will be more open to scrutiny as the Katikkiro, and not the Kabaka, will be answerable for them.
- 5.4 The culture of transparency and accountability will greatly enhance people's confidence in the integrity of Kabaka's government. Increased confidence will attract wider investment opportunities from individuals and funding bodies at home and abroad. Baganda and non-Baganda funders will feel more

confident about supporting development projects initiated by Mengo. Overall, respect for the Kabaka and his government will be enhanced.

- 5.5 The revamped system of justice will re-assert the authority of the Kabaka and go some way in checking the moral decadence prevalent in Buganda today. It will, additionally, provide a medium for exposing traitors as well as vindicating those wrongly accused. Furthermore, it will increase the Kabaka's exposure to his subjects and thus further enhance the renewed spirit of harmony and co-operation.
- 5.6 The Buganda Day festivities will serve to nurture cultural pride and foster a spirit of patriotism among Baganda. Additionally, they will highlight the enterprising spirit of the Baganda. More importantly, the day will provide an opportunity for underscoring Buganda's economic muscle as well her renewed cultural cohesion in the eyes of the rest of the nation.
- 5.7 Improved documentation and record-keeping will eliminate misunderstanding and misconceptions in matters regarding governance of Buganda. It will also support the debate regarding the direction in which Buganda is heading.
- 5.8 The royal website will be especially useful in mobilising the community of Baganda living abroad to engage more closely with the Kabaka's vision for Buganda as well as provide a forum for dialogue with their rulers.

6. CONCLUSION AND THE WAY FORWARD

- 6.1 The foregoing analysis has been presented, firstly, as a means of stimulating debate around issues perceived by many to have hampered the rebuilding of Buganda into a strong and united entity, able to defend itself against the destructive external forces currently and potentially ranged against her. Secondly, we have presented proposals for redressing the situation, which have centred around the fostering of a renewed, revamped bond between the Kabaka and his subjects, underpinned by a more open, more communicative relationship and a fully accountable, transparent government.
- 6.2 A unified, harmonious Buganda will be well-positioned to achieve the economic and political strength necessary to improve her bargaining position in her quest for the Federo form of governance which she espouses. We have demonstrated that this will crucially depend on a strong and dedicated leadership under the Kabaka. We have argued that the enactment of a Royal Charter can put in place a statement of the basic understanding between the Kabaka and his subjects, which will provide the guiding light for a strong and successful monarchy.
- 6.3 As a way forward, we hope that our proposals will, first of all, be scrutinised and refined by the Ttabamiruka '07 Convention. The refined document will then, hopefully, be circulated for debate as widely as possible within Buganda and abroad. We hope that, in the fullness of time, the wider Baganda community will evolve a final set of proposals to present to the Kabaka for his approval. Should the proposals find favour with the Kabaka, it is hoped that they will be enshrined in a Royal Charter, which will crystallize the oneness of purpose between the two pillars of the Buganda Kingdom.