



MAKERERE UNIVERSITY LECTURE SERIES

The 2nd Annual Nsibirwa Public Lecture

Situating the Role and Relevancy of Cultural Institutions in Modern Uganda¹

The guest of honor, the Vice Chancellor of Makerere University, Officials of the Government of Uganda and the kingdom of Buganda, the family of the late Martin Luther Nsibirwa, distinguished guests, Ladies and Gentlemen.

I thank you all for the warm welcome and I particularly thank the Vice Chancellor, Professor Barnabas Nawangwe for inviting me to speak at the second annual Martin Luther Nsibirwa Lecture. I want to acknowledge his leadership in marking and celebrating 100 years of Makerere University. Many congratulations.

Today, we gather—not only to pay **tribute to a remarkable** man who played a pivotal role in the history of Buganda, Uganda and indeed the African continent — **but** to continue, in the celebrations of the centenary of Makerere University. It is a double celebration of knowledge, history, and progress and an opportunity to explore the dynamic role and relevance of cultural or traditional institutions in modern Uganda.

I cannot think of a more fitting occasion to commemorate these significant milestones. Because, even as we reflect on the legacy of Martin Luther Nsibirwa and the journey of Makerere University, we do not just revisit the issues that shaped our past but reflect on current ones so we may imagine **a future of peace, prosperity, and progress** for our country.

¹ Apollo N. Makubuya , The Nsibirwa Annual Public Lecture, Makerere University, 9 November 2023.

At this moment, we are reminded of the power of education, vision, and resilience — values championed by Nsibirwa, and Makerere.

I am therefore deeply honored for the privilege accorded to me by the University to deliver this lecture. **Makerere University**, standing tall at a century of existence, has been the cradle of knowledge, a beacon of progress, and a source of pride for Uganda and Africa.

Makerere has shaped minds, fostered creativity, and ignited flames of change that continue to burn brightly today. Makerere's journey has not been without hurdles, but each hurdle was an opportunity for growth and introspection, a testament to resilience of our people, the tenacity of our scholars and the dedication of University leaders, past and present. I salute the service of the late **Frank Kalimuzo, Sentenza Kajubi, Asavia Wandera, George Kirya, John Sebuwuufu and others that have led this great University.**

As a product of Makerere University, I was able to join and thrive at the University of Cambridge in the UK. While there I was mostly asked about Idi Amin Dada and Makerere University. I know many Makererensians that have left a mark in the world including: Prof. Opiyo-Oloya at the University of Toronto, Canada, Professors Oloka-Onyango and Sylvia Tamale at the University of Harvard, Prof. Kanyeihamba and John Jean Barya at the University of Warwick UK., Prof. Dan Wadada Nabudere at the University of Dar es Salaam; Benjamin Mkapa ex-president of Tanzania; Prof Edward Khiddu Makubuya at Yale and Prof Mamdani at Colombia and numerous others anti ***Omuto Gyamanyi....***

I **extend my gratitude to the Nsibirwa family** for preserving Nsibirwa's legacy, and commend individuals like Hon. Rhoda Kalema, Owek. Robert Waggwa Nsibirwa, Hon. Maria Kiwanuka, Dr. Gladys Zikusooka, Dr. William Kalema, Susan Nsibirwa, and other Nsibirwas for their outstanding contribution to Uganda and the world.

Unlike the professors I mention above, Martin Luther Nsibirwa, had no formal education. He grew up under the patronage of Sir Apollo Kaggwa and taught himself how to

read and write. He served the kingdom of Buganda for an uninterrupted period of 41 years. He started as a land clerk, became a Gombolola chief and later as a Ssaza Chief (Mugerere and Mukwenda) he was appointed as the Omuwanika in 1935 and later as Katikkiro by Sir Daudi Chwa in 1936, and by Sir Edward Muteesa in 1945.

I joined Makerere University in 1987 and was admitted to **Northcote Hall**. I suspect there are some Northcotters (noise makers?) in this room! This hall of residence was named after **Sir Geoffrey Alexander Stafford Northcote** a British colonial Administrator.² I was at once immersed in the culture of the *Northcote Spirit* – a spirit that invariably involved singing, drumming and a culture of militancy and defiance under what was known as the Northcote Military Supreme Command Council. I rose in the Northcote military ranks to become a speaker for the Northcote Colloquium. But even at the height of my Northcote officialdom, I never knew, or questioned who **Northcote** was or what he represented. It is only recently, in my campaign to end the celebration of colonial subjugators and to remove street names like Fredrick Lugard, Henry Colville and Trevor Ternan that I discovered the true history of Northcote.

Northcote was posted to **Nyanza Province** which was then part of Uganda. In early 1905, he was part of a punitive expedition to **Kisii** land in South Nyanza. The expedition carried out a month-long orgy of violence as punishment for raids the Kisii had carried out. In 1907, Northcote was deployed as the District Commissioner of Kisii. The Kisii, who nicknamed him **Nyarigoti**, considered him their mortal enemy. On 18 January 1908, in the middle of a punitive expedition he was leading, Northcote was attacked with a spear and injured by a warrior called Otenyo. When Otenyo was caught, he was tried in public, dragged by a horse and executed in public by a firing squad. He was then beheaded and his body shipped to London. Northcote's expedition was responsible for the death of hundreds of Kisii's. On his recent visit to Kenya, King Charles III stated that Britain's "wrongdoings of the past are a cause of the greatest sorrow and the deepest regret." He said these actions were "abhorrent and unjustifiable acts of violence committed against Kenyans".

It is therefore curious that the leadership of Makerere University at the time found it fitting to name a major hall of residence after Sir Geoffry Alexander Stafford Northcote. This brings to light the question of why we continue to honor and celebrate such figures in our universities and public spaces across the country.

I applaud the decision to change the halls name from Northcote to **Nsibirwa** and Makerere's leadership in recognizing heroes like **Okot p'tek, Yusuf Lule, Kwame Nkrumah, and Patrice Lumumba**. I hope they will find some space for other notable alumni like **Ngugi wa Thiong'o** one of Africa's leading writers and the author of "*Decolonising the Mind*".

As a part of decolonising the University, I consider that an individual that ought to be celebrated is the late **Joan Namazzi Kagezi** an alumni of this University— assassinated in line of duty. Joan, like my wife here, **Omumbejja Anne Nakayenga Juuko** a granddaughter of Ssekabaka Basamula Ekkere Mwanga, was a beautiful, brilliant, and a brave woman. As a heroine of our generation, she deserves our admiration and honour.

Vice Chancellor, embracing decolonisation in the teaching and learning at Makerere and beyond, is essential to debunk Eurocentric narratives of our history and society, and to provide a more accurate representation of our heritage.

Nsibirwa, along with other Baganda leaders such as Apollo Kaggwa, Ham Mukasa, Wamala, Semei Kakungulu, Gabriel Kintu, Matayo Mugwanya, Micheal Kintu , Eridad M. K Mulira and Ignatius Musaaazi led Buganda at a turbulent time, marked by the struggle against British imperialism in Uganda. It was a time of profound contradictions between traditional leadership and colonial rule; traditional religion and Christianity; and African nationalism and imperial domination. Difficult choices had to be made either to preserve a traditional order or embrace a foreign and modern one. The clashes that arose in this context were numerous and often resulted in protests and loss of lives.

For Nsibirwa, these contradictions proved costly. His views as a devout Christian and a progressive leader, on matters like the remarriage of Namasole **Drussila Namaganda** (Kabaka Muteesa II's mother) to Simon Peter Kigozi cost him his Katikiroship. This is because the remarriage of a Namasole was a taboo in Buganda. Nsibirwa was replaced by Katikiro Wamala an ultra-traditionalist and anticolonialist. He is said to have been behind 1945 protests in Buganda. Once Wamala's group was ousted from power and summarily deported, the colonial government weighed on Kabaka Muteesa II to reinstate Nsibirwa as Katikiro. Once back in power, Nsibirwa immediately embarked on implementing the not so popular land reforms in Buganda. In this effort he championed the grant of the land at Makerere for the construction of a Technical College. For this and other reasons he was assassinated at Namirembe Cathedral on 5 September 1945.

The date of 5 September is ominous to the Nsibirwa family because on that same date it lost **Stella Nansikombi Mukasa** to cancer. Stella, an alumna of Makerere University, was a leading light in the advancement of women's rights in the world. A conference hall has been named after her at the headquarters of the **International Center for Research on Women** (ICRW) in Washington DC.

The fate suffered by Nsibirwa at once illustrated the challenges faced by traditional leaders in serving the interests of their communities while accommodating the interests of the colonial power. The interest of the two entities were dichotomic and opposed to each other. While the objective of colonialism was to supplant traditional authority and replace it with a political and economic structure that served its exploitative interests; the aspiration of African traditional entities was to end colonial domination and to reinstate traditional sovereignty. In this contest and given the power relations between the two the imperialism prevailed leaving traditional entities emasculated.

This is seen in the draconian deposition and deportation of Kabaka Mwanga, Omukama Kabalega and Muteesa II who were resistant to the colonial domination. The weakening of traditional entities continued in various forms right up to the time of

Independence. And although the kingdom of Buganda tried to break free in 1960, its attempts were thwarted resulting in its incorporation into the country what we know as Uganda today. But the sacrifices and resilience of leaders like Nsibirwa led to Uganda's independence in 1962.

The fate of traditional leaders and Institutions did not improve after Uganda got independence. In fact, traditional institutions were abolished in 1966. This was because after independence, Uganda's new political elite faced the complex challenge of reconciling traditional governance with western democratic ideals. The clash between traditional governance structures and Western-style democracy presented a dilemma. The new leaders faced a conundrum in managing traditional leaders with ancient institutions and traditions in a new country.

Striking a balance was no easy task especially because there was mistrust between the new politicians and traditional leaders. This mistrust gave birth to the notion that African tradition and governance were the antithesis of democracy and thus an obstacle to development and modernity. Like the colonialists that preceded them, frowned upon traditional institutions—relegating them as outdated, parochial, and tribal. They entrenched autocracy, centralised state power, and relied on legal and political systems inherited from the colonial era upholding Western ideals over indigenous ones.

However, the diminution or abolishment of traditional leadership in Africa did not lead to peace and progress – instead many African countries, Uganda included, ended up in failure of Western models of democracy leading to political crises, military coups and in some instances, state failure.

Today, 60 years after independence, Africa grapples with a crisis of governance, corruption, and underdevelopment. It is in this context that we see a resurgence of traditionalism driven by a renewed interest in cultural heritage and the wisdom and

knowledge of our ancestors. This trend offers a sense of identity and stability in an ever-changing world. It is a testament to the enduring power of Africa's cultural heritage. This trend raises critical questions:

- Can kingdoms or traditional institutions coexist with within a modern postcolonial state?
- Do they provide solutions for service delivery, poverty eradication, conflict resolution and governance?³
- Does their resurgence challenge modern states and inherited notions of democracy?
- Can a blend of modern and traditional systems foster political stability and development?
- If so, are there justifiable constitutional limitations on these institutions?

To answer these questions, we must consider the significance of the restoration of traditional rule in Uganda in the last 30 years. What do we see?

- **A proliferation** of traditional institutions beyond the Buganda, Busoga, Ankole, Tooro, and Bunyoro kingdoms that were recognised at independence.⁴ As of 2023, excepting the ambiguous statuses of the Omugabe of Ankole,⁵ the Banyole Cultural Institution,⁶ and the Bunyala Cultural Institution,⁷ fourteen traditional institutions or leaders have been officially recognised.⁸ Fifteen others have applied for recognition.⁹ If these were to be admitted the total number of traditional institutions in Uganda would be twenty-nine, almost half of Uganda's sixty-five indigenous communities.¹⁰ But the growth in

³ The governance crisis is multifaceted and affects various African countries differently, but essentially entails the failure of democratic rule, autocracy, military rule, and corruption leading to poverty and underdevelopment.

⁴ Article 89 of the 1962 Constitution provided for the creation of constitutional heads for districts. These could be chiefs.

⁵ The non-recognition of the kingdom of Ankole is contested, as it contradicts the restoration policy and has contributed to further division within the Bahima and Bairu groups in Ankole, leading to the loss of the kingdoms prominence. See John-Jean Barya (1998), "Democracy and the Issue of Culture in Uganda: Reflections on the (Non)Restoration of the Ankole Monarchy," *East African Journal of Peace and Human Rights* Vol. 4, Issue 1: pp. 1–14.

⁶ See "Why Banyole Have Failed to Have a King for 14 Years," *Daily Monitor*, 11 May 2023.

⁷ See "Kabaka Restates Case for Federo," *The Monitor*, 17 December 2009.

⁸ Namely, the Kabaka of Buganda, the Omukama of Tooro, the Omukama of Bunyoro, the Kyabazinga of Busoga, the Omusinga of Rwenzururu, the Ker of Alur, the Ker Kwaro of Acholi, the Te Kwaro of Lango Cultural Foundation, the Tieng Adhola of Japadhola, the Emorimor Papa of Iteso Cultural Union, the Isabaruli of Buruli, the Kamuswaga of Kooki, Inzu ya Masaba of Bugisu, and Obudhingiya bwa Bamba.

⁹ Namely, the Kitisya of Bugwere/Nagwere Kimadu, Bagwe of Tororo, Babukusu of Bududa, Banyala, Basongora, Jonam Koc Chiefdom (Wedelai Koc), Dikiri pa Rwodi Mi Cak Jonam (Ker Kwaro), Banyabindi, Lugbara, Ker Kwonga of Panyimur, Kebu- Rirangi-Zombo, Ambala Aringa of Yumbe, Ntusi/Bigo bya Mugenyi, Kusaalya bya Kobhwamba and Obwenengo bwa Bugwe.

¹⁰ See 3rd Schedule of the Constitution of Uganda.

number of traditional institutions has not meant that they have become more influential or powerful actors in the political economy of Uganda. Most traditional institutions are marginalised, fragmented, and dependent on the state for survival.

- Some face **internal conflicts** and crisis of legitimacy of its leaders.
- There exists **discordance** with the central government on several issues including the non-return of expropriated assets, on land tenure, and the creation or support of sub traditional entities such as the Burulri, Bunyalas and Kooki in Buganda. Discordance on these policies has sometimes resulted in violence as was seen in the 2009 protests in Buganda and killings in the Obusinga bwa Rwenzururu and the arrest and detention of its king, Omusinga Mumbere, in 2016. These tensions showcase the delicate nature of power sharing in modern Uganda and a need for reconciliation and dialogue.
- Evidence of **collaboration** in noncontentious fields —education, poverty alleviation, health, environment, and culture. Covid, Fistula, Vaccinations, HIV and Aids etc.
- **Evidence of growing popularity of the Kabakaship in Buganda.** The Kabaka and Buganda kingdom continue to be popular and to exercise considerable soft power. The Kabaka is revered as a custodian of culture and a source of guidance and inspiration for his people. This is evidenced by the high numbers that turn out at cultural and other kingdom ceremonies. Additionally, the involuntary financial support given to the kingdom suggests that it enjoys both legitimacy and credibility. Buganda kingdom serves as a significant pressure group for politicians despite its constitutional limitations as a cultural entity.
- The support enjoyed by Buganda kingdom today at once highlights nagging political questions in Uganda and problematises its governance and constitutional model. Can the kingdom's popularity be harnessed for political stability and socioeconomic development for all? The kingdom argues that through a federal system of government it can make a more meaningful contribution to its subjects as well as to the country.

From the above, traditional institutions continue to play a vital role culturally, economically, and politically. They bring stability, cultural preservation, and a sense of unity.

They deserve attention and recognition for this role. But at the same time many face limitations in adapting to the complex challenges of the modern world.

In the case of Buganda, two issues stand out for discussion namely, the Federal Question and the Land Question. These remain thorny unresolved issues in Buganda and Uganda's relationship. Why ?

The Land Question: In the context of increased pressures on land due to population and economic growth, Uganda is witnessing unprecedented levels of land grabbing¹¹ and the violent eviction of people from land across the country. Yet the state's responses to stem the evictions and to reform land laws have not always provided effective solutions to the problem but have instead aggravated it.

- a) A clash on laws and policies on land tenure between the central government and the kingdom of Buganda. Specifically, the government's policy intentions to create radical title of land; to abolish mailo¹² land tenure and to compulsorily acquire land without prompt and due compensation.
- b) Competing interests of land rights between the landlords and lawful (*kibanja* holders) or bona fide occupants of land. The fixing of land rent at nominal rates regardless of the location (rural or urban), user (commercial or residential), and size of the land. This is related to the scourge of land grabbing and forceful evictions of occupants of land, and has contributed to the escalation of disputes involving Kabaka land.¹³
- c) Refusal and or delay in the return and/or compensation of expropriated lands. The government's ambivalence to account for the 9,000 sq. miles¹⁴ and other confiscated lands to the kingdom of Buganda and its refusal to hand over all the public land in Buganda to the kingdom has been a source of conflict. This problem has been exacerbated by the conversion of public land into freehold land tenure.

¹¹ Land grabbing takes the form of powerful individuals with political influence and/or money or the military taking advantage of peasant populations to purchase their land at giveaway prices and/or evict them from land.

¹² The word 'mailo' is the Ugandan expression of the English word "mile." Mailo land tenure has characteristics similar to English freehold land tenure.

¹³ At the time of publication of this paper the Kabaka and/or Buganda Land Board was involved in more than fifty court cases on competing claims on ownership, trespass, criminal violence, and lease rights.

¹⁴ See Ministerial Statement to Parliament: 9000 Square Miles of Land in Buganda by the Hon. (Dr) Edward Khiddu-Makubuya, Attorney General/Minister of Justice and Constitutional Affairs, dated 5 March 2008.

- d) Weak mechanisms for the resolution of land disputes. This is despite the many bodies that have been created to address land disputes under the police, judiciary, President's Office, the Land Fund and the Ministry of Lands.
- e) The disputed boundaries and ownership of Kampala capital city.
- f) The disposition and privatisation of clan lands (*Obutaka*) under the 1900 Agreement.

The Federal Question: The quest for autonomy and federal rule in Buganda has been fraught with challenges, symbolising the difficulties in balancing traditional authority with central governance. From its restoration to the present day, the kingdom of Buganda has resisted a unitary arrangement demanding instead federal rule. Why? Its reasons are set out in various memoranda to the government,¹⁵ but may be summarised in its interest in power sharing and self-determination, the accommodation and respect for Uganda's ethnic diversity, the preservation of cultural heritage, the protection of its natural resources—especially land—and the promotion of its indigenous institutions and governance systems that served it well in the past. The kingdom points to the conflicts and failures of unitarist governance founded on a colonial legacy and advocates for a constitutional order that recognises and respects traditional authority. It believes that federalism leads to better representation and local accountability, and that it ensures the equitable distribution of resources and reduces disparities in development. In a nutshell, the federal question is a governance question—relating to a suitable system of government that respects the will and aspirations of the people.

In an undemocratic way, the government disregarded the overwhelming support for the adoption of federal rule and imposed a unitary system in the 1995 Constitution. It argued that the objectives of federalism could be attained through decentralisation.¹⁶ A disappointed Buganda disagreed with this view, arguing that decentralisation was a ploy to defeat or delay its demands. Today, the federal question in Uganda remains in a stalemate. Neither the

¹⁵ In August 1991, Ssaabataka Supreme Council met with Museveni in Entebbe to discuss the restoration of the monarch and the return of Buganda's expropriated assets (*Ebyaffe*). It was agreed that Buganda should submit detailed proposals on these issues to the UCC. On 30 August 1991, the Council, led by Prof. Apolo Nsibambi, submitted Buganda's proposals on the restoration of traditional leaders in areas that wanted them and a federal form of government amongst others.

¹⁶ See Odoki J. Benjamin (2005), *The Search for National Consensus: The Making of the 1995 Uganda Constitution* (Kampala, Uganda: Fountain Publishers), p. 204.

central government nor the kingdom of Buganda has changed its position, and there is little likelihood that this will change soon. **There is a need to find solutions to this problem.** Africa is replete with examples of successful integration of traditional institutions into modern governance structures, striking a balance that respects tradition while embracing modern forms of governance. In its search for solutions, Uganda needs to study and take lessons from experiments of federalism and devolution in Kenya, Ethiopia, Ghana, Nigeria, South Africa, and Sudan.

A national dialogue? Besides the federal question, Uganda has many unresolved issues, such as land tenure and the militarisation of politics, that require nation-wide consultations and consensus outside the present political and constitutional structures. For this reason, citing the lack of constitutionalism, intolerance of political dissent, *increased poverty levels, poor performance of the social services, rampant corruption, and contested elections marred by violence* in Uganda, religious leaders and elders have called for ***a national dialogue to build a consensus on the achievements, failures, and future of an independent Uganda.*** The goal of the dialogue is to “agree on a new national consensus to consolidate peace, democracy, and inclusive development to achieve equal opportunity for all.”¹⁷ *In September 2018, President Museveni launched the National Dialogue, but little progress has been made on this matter since then.*¹⁸ *While the reasons for the stagnation of dialogue are unclear, the need for it remains undeniable.*

30 years later – Traditional institutions still at sea? The case of the Buganda kingdom exemplifies how the authority and legitimacy of traditional leadership warrant a reevaluation of the governance and constitutional models adopted in Uganda and in other African countries. By recognising and incorporating traditional institutions into the fabric of governance, justice, and social cohesion efforts, some persistent and complex issues, such as the Buganda Question, can be addressed in the postcolonial era. It is important to acknowledge the internal weaknesses and lack of homogeneity within these institutions, matters which undeniably present challenges as to how they may be viably integrated into modern governance systems.

¹⁷ See *The Uganda National Dialogue Process Framework Paper*, December 2017.

¹⁸ See “Museveni Launches National Dialogue, Lists Four Issues,” *Daily Monitor*, 18 December 2018.

Conclusion: The challenges of governance and underdevelopment in Africa are vast, but traditional institutions and leaders have a significant role to play. The future of Africa is promising provided we adapt it to meet the evolving needs of our societies while preserving our identity and values.

By addressing limitations of traditional entities, shedding the legacy of colonialism, and embracing a dual approach that combines both traditional institutions and modern systems, Africa can chart a path towards inclusive development—one rooted in its rich cultural heritage and diverse traditional practices.

Leaders like Nsibirwa and institutions like Makerere University inspire us to tackle the challenges of development and governance with education, innovation, and a commitment to our people's well-being. We must preserve these legacies and carry the torch of knowledge forward. It is up to us to shape the future and illuminate the path for generations to come.

Hillary R. Clinton, former US Secretary of State, and first lady, in a speech delivered in here at Makerere's Freedom Square in 1998, stated that the struggle to protect human rights (and overcoming the challenges we face as a country) depends upon the millions of actions that are taken every day by ordinary people like us. She said that **“those of us who have the power to speak, and all of you here who are affiliated with this great university, by virtue of you being here and attaining this education, not only have the power to speak, but the obligation to do so.”**

As our country's history shows, there is much we can speak against in Uganda. There is so much that needs to be done. We have a duty to do so. Like the Nsibirwa's before us, we must stand up, we must speak up, and together, we must build our country and our University for a brighter and better future!

Back in the day, at this point I would say, “Northcote OYEE!!” but I believe it is more fitting to say “Nsibirwa OYEE!! “

Thank you very much and may God Bless you all.

Apollo N. Makubuya
Kampala, 9 November 2023.