PERSONALISATION OF POWER
UNDER THE MUSEVENI REGIME IN UGANDA

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RÉSUMÉ
Après sa prise de pouvoir en 1986, le chef de guérilla devenu président Yoweri Museveni a promis de mettre en place un « changement fondamental » en Ouganda. Au début des années 1990, les bailleurs de fonds occidentaux louaient les progrès du pays, l’appelant « l’un des exemples de réussite post-conflit en Afrique ». Pourtant, à la fin des années 1990, des critiques ont commencé à émerger sur le régime de Museveni, et en particulier sur la personnalisation du pouvoir. Le présent article fournit une analyse contextuelle et empirique de la personnalisation du pouvoir en Ouganda sous le régime en question. Il analyse la manière dont la personnalisation des structures et des institutions a été utilisée pour la survie de celui-ci. L’article examine particulièrement le fonctionnement des institutions formelles telles que la magistrature, l’armée et la fonction publique. Notre analyse indique que Museveni s’est largement appuyé sur des membres de sa famille et des alliés pour le fonctionnement de son régime. Ce faisant, il n’a pas tenu compte des critères fonctionnels de la méritocratie. Au contraire, le pouvoir réel est exercé par le président et son réseau, ce qui affecte le fonctionnement des institutions.

1. INTRODUCTION

Since the so-called “Third Wave” spread across Eastern Europe, Latin America, Asia and Africa, there has been a growing frustration over the slow pace of democratic progress in sub-Saharan Africa. In spite of the ongoing struggles for democracy, the rule of law and independent political institutions, the region still faces a “crisis of governance.” Most of sub-Saharan African countries remain under the dominance of personalized or neo-patrimonial political systems.

For the purposes of this paper, a personalised system is taken to mean a “political system in which the rivalries and struggles of powerful and wilful men, rather than impersonal institutions, ideologies, public policies, or class interest, are fundamental in shaping political life”. Personal rule is shaped less by institutions but more by personal power and authority of the leader, in which “the connection between the leader and followers is based mostly

on direct, quasi-personal contact, not on organizational intermedation”\textsuperscript{5}. It is, therefore, characterized by uncertainty, suspicion, rumours, agitation, intrigue, fear, stratagems, diplomacy, dependency, conspiracy, reward and threat.\textsuperscript{6} Personalisation of power is much broader than patrimonial rule. The leader may use patrimonial structures to further his personal rule. In this case, the patronage network becomes a vehicle for a self-serving oligarchy.

The nature of governance structures under personalized regimes has become a concern, attracting the attention of many scholars and development experts. For instance, Daniel Compagnon observed that most governments under such a system tend to be characterized by “authoritarian rule, low levels of institutionalization of political processes (including decision making), concentration of power in the hands of the ruler and private appropriation of state resources through corruption, patronage and prebends”\textsuperscript{7}. As demonstrated by Bates, Block et al.\textsuperscript{8} and Compagnon\textsuperscript{9}, personal rule has a negative effect on economic growth and institutional development, especially in underdeveloped countries. It creates political institutions which are reliant on wishes and whims of individual power-holders.\textsuperscript{10}

Although a significant number of countries are affected by various degrees of personal rule, this system has particularly been dominant in Africa.\textsuperscript{11} David Leonard and Scott Straus\textsuperscript{12} contend that the legacy of colonialism left deeply entrenched structures that have facilitated the emergence of personalized political systems in Africa. During colonialism, individual-made decisions were superior to institutionally generated decisions. This trend has been transferred to contemporary Africa where there is still an unclear distinction between personal rulers and formal institutions. Africa, as Cammack\textsuperscript{13} contends, remains particularly prone to this kind of political development, because most states on the continent are

\textsuperscript{9} COMPAGNON, D., op. cit., p. 72-109.
\textsuperscript{10} OGBAZGHI, op. cit.
at a pre-capitalist or semi-capitalist stage of economic development and lack unified class interests.

Diamond\textsuperscript{14} underscored the above argument when he wrote that “the political struggle in Africa remains a conflict between the rule of law and the rule of a person.” This conflict is witnessed in the way real power is exercised by African leaders. Most important decisions are not only made outside the formal institutions, but they are also a preserve of “big men” supported by a network of family members and cronies “who follow logic of personal and particularistic interest rather than national betterment”\textsuperscript{15}. These networks “reach from the very top through dyads connecting the big man, MPs, chiefs, party officials, and government bureaucrats to villagers”\textsuperscript{16}.

The above debate is particularly significant for Uganda where, throughout the 1990s, the donor community expected that President Yoweri Museveni, who had embraced the neo-liberal economic reforms, would turn the country into Africa’s model of democratic success\textsuperscript{17}. Two decades later, the evidence suggests otherwise, as Museveni’s leadership continues to evolve towards one-man rule.\textsuperscript{18}

This paper aims to examine the nature of personal rule as it is exercised by President Museveni in Uganda. It sets out to analyse how close political allies and particularly family members are at the heart of Museveni’s political strategy. This has informalized political and military power and, consequently, enabled him to construct personal rule.\textsuperscript{19} Museveni’s personalization of power will be shown by focusing on the army and the judicial sector, as well as on appointments in the public sector.

\section*{2. THE CASE OF MUSEVENI’S UGANDA}

When President Museveni came to power in 1986, he created enormous expectations domestically and within circles of the international community. Scholars and political observers anticipated that he would embrace democratic governance.\textsuperscript{20} The country had gone through decades of authoritarianism characterised by bloodshed, with a profoundly negative

\textsuperscript{15} CAMMACK, D., \textit{op. cit.}, p. 22.
\textsuperscript{16} \textit{Ibid.}
impact on the functioning of state institutions. In the first decade of his rule, Museveni presided over a period of political and macroeconomic stability and growth²¹.

Economically, he was praised for his vision which generated record-level growth and fiscal discipline, and for embracing neo-liberal economic policies. For instance, he restructured the corruption-ridden civil service system, retrenched a huge number of redundant military personnel, privatized government enterprises, and returned the property of the Asians which had been confiscated by former dictator Idi Amin in 1972.²² As a result, the country’s real GDP grew strongly. By 2005, it was growing at 6.5%, and between 2007-2008 it was recorded at 8.7%. Poverty levels fell significantly from 56% in the 1990s to 31% in 2005. The President also received praise for reducing the HIV/AIDS infection rate to nearly 5% at a time when the epidemic was claiming numerous lives in most African countries.²³

Politically, Museveni’s regime was praised for restoring peace and stability, respecting human rights and instituting a well-structured governance system. Its decentralization process, which was designed to shift power from the central government to the district level, played an important role in this.²⁴ During the same period, the donor community invested much of their financial and human resources in drafting a new constitution, which resulted in the promulgation of the 1995 Ugandan Constitution.²⁵ Adopted on October 8, 1995, the new constitution became the supreme law of the land. Among other things, it designated Uganda as a republic headed by a powerful president with a Vice President and a representative parliament.²⁶

Although this new constitution contained certain clauses that curtailed civil liberties, such as an official ban on political parties, it embraced several other democratic measures which were designed to guarantee the enjoyment of basic rights and to purge excessive abuse of power through checks and balances. For instance, it put much emphasis on the women’s role in leadership (after decades of marginalisation). For the first time in Uganda’s history, female representation was institutionalised both in parliament and in the executive branch. Before the NRM came to power, women had only one seat in the legislature; but Museveni’s government increased the number of

²⁴ NKUNDA, D., “Museveni has made fundamental shift”, *The Observer*, Kampala, 4 March 2012.
²⁵ MWENDA, A., *op. cit.*, p. 16.
seats to 18 in 1989, and by May 2012, the quota for women stood at 112 members (this was after a swift rise in the creation of new districts).27

The NRM also embarked on an ambitious decentralization process, which was seen as a new form of power sharing that would help to avert previous power struggles that had plunged the country into civil wars. Museveni also established the office of the Inspector General of Government28 to fight corruption. He created a new Human Rights Commission, pacified the military and granted minimal rights to civil society. Also, Museveni and his NRM party adopted participatory politics and tolerated modest divergent views, even from within the ruling party. The evidence of this initial political tolerance can be seen in Museveni’s first cabinet, which was all-inclusive, drawing members from the opposition Democratic Party (DP) and the Uganda People Congress ( UPC). This was meant to unify the country after years of political, ethnic and religious conflicts.29 It should be noted that the 1995 constitution was a product of wide consultations that represented a broad range of Uganda’s political, religious and social elites. These reforms were introduced in the first ten years of NRM and helped to popularize Museveni’s regime internationally and domestically.30

As Museveni himself famously noted, the NRA takeover of power in Kampala did not represent a “mere change of guard, but a fundamental change”31. It was for these initial achievements that most donors were convinced that Uganda’s reform achievements would serve as a basis for the development of democratic institutions, human rights and good governance.32

Notwithstanding these achievements, in the late 1990s a debate emerged over Museveni’s political philosophy and the country’s direction. Most scholars started to question his commitment to democracy and the direction his rule was taking. His vision of a “movement system” which, he argued, was a broad-based democratic movement in which people could compete for political position on individual merit but under a one-party umbrella, became the subject of debate among scholars, political commentators and donors.33 Muhumuza and Oloka-Onyango,34 for example, have argued that

28 MUHUMUZA, W., op. cit., p. 42.
31 NKUNDA, D., op. cit., p. 4.
32 MUHUMUZA, W., op. cit., p. 21.
34 OLOKA-ONYANGO, J., op. cit., p. 29.
Museveni’s regime has become a “flawed democratic transition that has fallen prey to vested political interests and manipulations”. John Ssenkumba has noted that: “To many Ugandans, the widespread conception mainly held by outsiders that their country is an oasis of stability, economic progress and democracy is a frustrating mirage. For those without privilege protection from the unilateral exercise of government authority – however benign or enlightened this authority may appear to be – this image of Uganda as an arena of boundless political openings and relentless economic progress is grossly deceptive.”

The next sections will analyse how President Museveni resorted to personalising power in Uganda. Specifically, they analyse his personalization of military, the judiciary, and politics. These elements are important because to understand the contemporary power movements in Uganda and how democracy has been swatted, it is imperative to examine the President’s policies and their effect on the development of formal institutions of the state.

2.1. Personalization of the military

The Uganda Peoples Defence Force (UPDF), which evolved out of Museveni’s guerrilla movement – the National Resistance Army (NRA) – has been instrumental to Museveni’s hold onto power. Initially, the UPDF was set up to promote democracy in Uganda. The military was seen as a basis through which the NRM would kick-start the socio-economic transformation of the country. In the first ten years of Museveni’s rule, the military exercised a high level of discipline and civility, respecting the rights of civilians and promoting social welfare. Consequently, Museveni was praised for creating a disciplinary army after decades in which the military had become infamous for mass killings and looting. In Museveni’s mindset, the military was supposed to be subordinate to civilian authority and he often blamed the past leaders for personalising the military. For example, in his book What’s Africa’s Problem?, Museveni noted that: “In the past armies belonged to individuals and not to Uganda. We believe that armies should be national and nationalist. They should not be swept away by the changes of the government or by the exit of individuals from power. This is why we attach the greatest importance to the politicization of our soldiers. They must assimilate the aspirations of all the citizens of Uganda so that they can learn to serve them all, and not just individuals or sections of the

35 MUHUMUZA, W., op. cit., p. 22.
36 SSENKUMBA, J., op. cit., p. 3.
37 MWENDA, A., op. cit., p. 16.
38 OLOKA-ONYANGO, J., op. cit., p. 29.
Therefore, initially, Museveni wanted to create a professional army that would defend the sovereignty of the country and cement conditions for democracy, stability and national unity. The next sections intend to highlight two things. First, how Museveni has failed to separate himself from the army; and second, how this failure has undermined the professionalization of the Ugandan military.

### 2.2 Appointment, promotions and corruption within the army

Over the years, several analyses have shown how promotions and appointments for powerful positions within the military are hardly based on merit, but on the loyalty one has towards the president and his party. Relatives of the President, members of his minority ethnic group (Bahima) and ruling party loyal cadres have come to play an important role in the military. His region (western Uganda) continues to dominate senior positions in the military alongside his family members and in-laws. For example, all the five individuals at the rank of the General, which is the highest echelon in the UPDF, are from the President’s own region. They include Museveni himself; his brother, Salim Saleh; the former Chief of Defence Forces, Aronda Nyakairima; Gen. Elly Tumwine and Gen. David Sejusa (previously known as David Tinyefunya). For the past 25 years, the president has been facing accusations of promoting and encouraging tribalism and nepotism within the military. As a result, on July 18, 2012, he announced that he was promoting the third deputy premier and deputy leader of government business, Lt Gen Moses Ali, to the rank of General, the first person from a region other than the president’s to hold such a senior rank. Still, having only one General out of six coming from outside the president’s region cannot portray regional balance.

A 2008 survey carried out by *The Independent* indicated that 75% of the 23 top and mid-level positions in the army are held by officers from western Uganda. The President has often defended this imbalance with the argument that the NRA rebellion which brought him to power was mainly started by his tribesmen. This status quo of course favours the President for

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the reason that, to consolidate power, he understands that he has to rely on his relatives who hold influential positions in the military, and who are loyal to him.\textsuperscript{45} Table I illustrates the above argument systematically by further examining the relationship between the president and key individuals holding top positions in the military.

The table shows how family members of the President serve or have served in senior positions of the army. These members are a strong indicator of the personalised patronage system of President Museveni. Using family members in the military to implement repressive policies helps the President in a number of ways: it reduces discontent in the inner core of NRM power as it enhances loyalty and – most importantly – it cements his tight control of the military. It also creates a large group of officers within the security sector with a subjective interest in Museveni’s hold on power. Scholars such as Oloka-Onyango\textsuperscript{46} and Muhumuza\textsuperscript{47} have compared this scenario to what happened under former dictator Idi Amin. For example, Onyango-Obbo notes that the distinction between Museveni’s personalisation of military and Idi Amin’s is that, unlike Museveni, “Amin had many tribesmen in his service, but not relatives……the irrational fear of loss of privileges drives his (Museveni’s) loyalists to be excessive in public because they feel the whole family is threatened [which did not] afflict the Amin regime. That cohesiveness has allowed Museveni to hold things longer than all Uganda’s previous post-independence regimes combined”\textsuperscript{48}.

It should be noted that loyalty-based military appointments and the determination by the President to retain power has further increased the militarization of politics in Uganda.\textsuperscript{49} Purging insubordinate and rewarding loyalists has become an important feature of Museveni’s ruling strategy. For instance, Uganda currently has ten military officers in parliament and all are supposed to strictly follow the ruling party’s line, support the President on every controversial decision in parliament and vote with the ruling party most, if not all the time. Not doing so carries serious consequences. For instance, when two (out of ten) military members of parliament refused to vote in favour of the ruling party’s position to lift the constitutional

\textsuperscript{45} Explaining this situation, Charles Onyango-Obbo notes that: “Once he dismantled state institutions and stifled the party, President Museveni turned to undermining the emergency of an independent military as an institution because he realised that since he had turned his back on meritocracy in the public service and politics, he could not run the security services based on meritocracy. Because the security services lacked the diversity of the NRM party, and there was little or no direct disloyalty to Museveni, he could only use a subjective criterion to allocate authority in the security services, and so he went tribal in a general sense, and in very key jobs, he relied on the family. Narrow as these are, they still represent some kind of criteria – blood relationship.” \textit{(Independent}, March 11, 2009).

\textsuperscript{46} OLOKA-ONYANGO, J., \textit{op. cit.}, p. 29.

\textsuperscript{47} MUHUMUZA, W., \textit{op. cit.}, p. 105-425.


\textsuperscript{49} MWENDA, A., TANGRI, R., \textit{op. cit.}, p. 15-30.
presidential term limits in 2005, they were immediately recalled from parliament and punished.\textsuperscript{50} Concretely, Brigadier Tumukunde was forced to resign from Parliament, placed under house arrest, and later court-martialed.\textsuperscript{51} Another example happened during the 2011 opposition protest when senior police officer Alphonse Mutabazi was interdicted for successfully guarding the opposition peaceful demonstration instead of suppressing it.\textsuperscript{52} Several political observers have argued that Mr Mutabazi did not break any law but was rather punished for not following the President’s “unlawful” orders.\textsuperscript{53}

Another tactic often employed by the President is the use of corruption to further entrench the NRM regime, and keep himself in power. This does not necessarily signify the direct engagement of Museveni in corrupt practices, but certainly tolerating them, as they allow him to satisfy certain key constituencies in his regime - the army being one of them. An important example of this was the invasion of the DRC in the 1990s, in which the engagement of military officers in the looting and trade of natural resources was at least tolerated and encouraged by the President. This helped to strengthen his position vis-à-vis strongmen in the army and beyond, as they were allowed to engage in these corrupt practices, and were simultaneously under the control of the President.\textsuperscript{54} Another example of Museveni’s tolerance of corruption was the case of the ‘ghost soldiers’. This was revealed in 2008 and showed how units of military personnel were created by the top army leadership who were drawing illegal salaries from the national treasury. During the investigation into this affair, Salim Saleh produced a minority report, explaining how this practice started long ago - one year after the NRM came in power in 1987 and continued during the Northern Uganda conflict.\textsuperscript{55} Although different revelations (amongst others by former LRA peace negotiator Betty Bigombe)\textsuperscript{56} and an investigation committee highlighted the seriousness of the issue, no action was taken by the President.\textsuperscript{57} Again, by allowing these actions to happen, the President further strengthened the solidarity of the actors involved, who were either his relatives or close allies.
Another example is the junk helicopter scandal, in which substandard helicopter gunships were supplied to the Ugandan state, and in which the President’s brother Gen. Salim Saleh (then the minister of defence) confessed to having accepted a bribe of USD 800,000. A judicial inquiry into the matter recommended that the President’s brother be tried in court but the President ignored this recommendation. Instead, Salim Saleh was further promoted (first as the minister of micro-finance, then Presidential advisor on defence and security and Commander of the influential Reserve Force). Later, the then Governor of the Bank of Uganda (the late Dr Sulaiman Kiggundu) revealed that he had been forced to take the blame in this matter by the President, as Museveni wanted to protect his brother from prosecution. Dr Kiggundu further alleged that those who were part of the scam included Museveni himself and Salim Saleh.

In sum, appointments in the military go to an increasingly narrow group of loyalists and tribesmen – contrary to Museveni’s earlier claims of creating a national army. In other words, and as has been shown above, military loyalty is maintained through ethnic and personal links, and by allowing corruption. It has to be mentioned that this strategy – of rewarding a core group (consisting of family members and close allies) by promotion and tolerating corrupting practices – is not without its dangers. William Reno, for example, shows how in this context some UPDF members have complained “about ‘personalization’ of the military through the interference of the president’s relatives and their control of commercial opportunities”. This partly explained why most military officers sided with opposition candidate Kizza Besigye during the 2001 Presidential election. Therefore, it is the combination of not tolerating dissent (as shown above) and the support of a close group of followers which allows Museveni to further establish his power. This is further done through the use of the army in politics, as discussed in the next section.

### 2.3 Using military to fight political opponents

In 1999, President Museveni responded that the army will have no role to play once the country moves to embrace multiparty politics. In Museveni’s view, army representatives in parliament were there as “listening posts for

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the army in the world of politics”63. He further argued that they are not supposed to take part in “controversial issues, parliament being the centre of controversies”. Museveni then explained that this situation was “only possible under the movement one-party system of governance because in multi-party politics it would involve the army in partisan politics”64. The discussion covered in the previous section has already shown that this has not been the case. This is further developed below.

In Uganda, several incidents have shown that the military apparatus has been used to arrest opposition members and human rights activists. In some instances, military officers carry out the “arrests wearing civilian clothes with no identifying insignia and do not inform suspects of the reasons for their arrest. The agents force suspects into unmarked cars, blindfolded and handcuffed, and take them to the Joint Anti-Terrorism Task Force (JATT) headquarters in Kololo, a rich suburb of Kampala. Many are then taken to military intelligence headquarters in Kitante for further brutal interrogations.”65 The use of the military to intimidate and harass those opposed to the President was captured by a select committee of parliament of the Republic of Uganda in 2002. The committee issued a report accusing the military of being the lead agent of poll violence.66

One of the ways in which the president was able to implement a repressive electoral regime against the opposition was through family members serving in the security forces, which played a key role in politicizing the military. For instance, on April 11, 2010, a group calling itself Activists for Change (A4C) organised a demonstration, which was quickly joined by opposition politicians – keen to exploit it for their political motives. The demonstration was sparked off by concerns over rising commodity prices.67 With speculation circulating that it could turn into an Egypt-style kind of revolution, the president deployed the Special Forces commanded by his son. This elite unit – considered the engine of the Ugandan military – relied on extreme force to suppress the protest, resulting in the death of over ten people.68 Second, Museveni and his allies in the military also played a key role in the suppression of the 2009 Buganda riots. On September 10, 2009, the Police blocked a delegation representing the Buganda king (Kabaka) from visiting Kayunga district, a contested land between the Buganda Kingdom and the Banyala (a small minority tribe). Because of historical tensions between the two tribes, the leaders of the

63 KOBUSINGYE, O., op. cit., p. 177.
64 Ibid.
67 NAMITI, M., “Uganda walk-to-work protests kick up dust” Aljazeera, 28 April 2011.
Banyala vehemently opposed the Kabaka’s visit. President Museveni, whose government has for long been at loggerheads with the Buganda kingdom, issued a decree banning the King from visiting the contested district. This provoked anger from the King’s followers who later took to the streets to protest, attracting a backlash from security forces. The president once more deployed the Special Forces under the command of his son Lt. Col. Muhoozi Kainerugaba and his cousin Maj. Sabiiti Magyenyi. During the two-day protest, the military frequently used unnecessary lethal force, killing 40 people indiscriminately, at times in areas where there were no signs of riot activities.

Further examples of the above are the statements of Lt. Col. Muhoozi, the President’s son, regarding the 2011 presidential election, in which he warned the opposition through the government-owned newspaper, The New vision, that he is ready to clash with any opposition groups “that want to destabilise the country during the polls” His warning followed that of the then Chief of Defence Forces Gen. Aronda Nyakairima who had stated that the army is not ready to accept “bad characters” to take over power from President Museveni and that UPDF would “step in to crush opposition politicians” who engage in demonstrations.

3. THE JUDICIARY

When Museveni came to power in 1986, he promised to create an independent, effective and corrupt-free judicial system. Museveni criticised past leaders such as Idi Amin and Milton Obote for interfering with the independence of the judiciary. During his first decade in power, he showed willingness to create a judicial system that can dispense justice to all Ugandans transparently. For example, in line with this promise, he streamlined the structure of the justice system. His attempt to professionalise the judiciary was reflected not only in the way judges were appointed, but also in the manner in which the President and the ruling party respected and implemented the decisions of the courts. However, as courts started handling politically sensitive cases after 1999, difficulties arose in the relationship between the judiciary and the political powers. A first public
confrontation between Museveni and the judges happened in 2001, when the opposition brought before the Court of Appeal a case challenging the constitutionality of the 2000 referendum that had endorsed Museveni’s one-party system. The opposition had boycotted this referendum on two grounds. First, they argued that the referendum violated the 1995 constitution. Second, they pointed out that since the constitution provided other avenues of amending the constitution, it was unnecessary to organise a referendum at a cost of 22 billion Ugandan Shillings (USD 11 million). The court sided with the petitioners and held that the referendum had been held in violation of the 1995 constitution and was therefore declared null and void. This attracted a strong reaction from Museveni, who appeared on national television and stated that:

“We restored constitutionalism and the rule of law. That is why judges can rule like this against the government. There were times when if a judge made such a ruling, he would not live to see tomorrow. The ruling will not work. It is simply unacceptable. .... The movement system is not dead. We are all here.”

The following day, ruling party supporters stormed the court building forcing the judges to flee their chamber and halting judicial business. After this “outrage, the hooligans were treated to a sumptuous, tax-payer funded party in court gardens to reward them for a job well done.”

This political interference in judicial affairs, and Museveni’s direct involvement in it, is further illustrated through the events of 2006. One month before the Presidential polls, the main opposition candidate Dr Besigye was arrested and charged with treason and rape (according to Uganda’s laws treason carries a death sentence or life in prison). Dr Besigye could not obtain court bail until a few weeks prior to the voting day. This naturally gave a strong advantage to Museveni in the Presidential campaigns, as Besigye could no longer campaign. Moreover, Besigye’s candidacy itself appeared to have hit the rocks, as it was clear that he was going to be inside prison on the presidential nomination date (14-15 December, 2005). A legal
disagreement between the government and the opposition broke out with the latter arguing that Besigye cannot be nominated if he is not physically present and the former reasoning that there was no law preventing Besigye from being nominated in absentia. To settle this legal dispute, the Electoral Commission asked the Attorney General, Prof. Kidhu Makubuya, to give a legal opinion on the matter. Prof. Makubuya gave the following opinion:

“Anybody aspiring to occupy the office of the President which is the highest office in the land and is the embodiment of a sovereign state should be a person of integrity and high moral values and be law abiding... His (Dr Besigye) conduct is a subject of serious criminal proceedings. Although he is presumed innocent until proven guilty, it certainly cannot be said that he is at the same level of innocence as that of other Presidential Candidates... He is currently a subject of treason and concealment of treason in High Court... It is my considered opinion that Dr Besigye’s would at this point in time be tainted with illegalities. His nomination should therefore not proceed.”

His opinion was strongly criticised and also the court did not follow it. However, when Besigye was granted bail, the armed military personnel stormed the High Court and re-arrested Besigye alongside other suspects who had been released by the Court on bail. The military men who carried out the forceful arrest were later identified as members of the UPDF Joint Anti-Terrorism Urban Hit Squad, also nicknamed Black Mambas.

President Museveni later appeared on national television to defend the actions of the military and condemned the court for granting bail to the opposition leader. Besigye was later placed in detention on the orders of the Court Martial. His arrest sparked demonstrations in Kampala, in which the military took strong action to stop the protests and in which three people were killed and dozens sustained injuries.

In response to these actions, the Uganda law society filed a petition in the Constitutional Court that challenged the government’s move to try Dr Besigye (a civilian) both in the High Court and in the court martial. The law society argued that this case presents a double jeopardy, as he was being tried for different crimes – treason and terrorism – based on the same facts. Even before the Constitutional Court could pronounce itself on the matter, Museveni called a press conference to announce his support for Besigye’s...

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82 KOBUSIGYE, O., op. cit., p. 32.
83 Ibid.
84 The Black Mamba incident shocked Ugandans, including the then Justice James Ogola who later authored a book detailing how the incident occurred.
trial under the court martial which, of course, lies under his direct control as the Commander-in-Chief.  

Later reports showed the extent to which the President and the state house were directly involved in this case, and the control they had over government agencies. It was, for example, shown how the alleged rape victim was kidnapped and taken to State House on the orders of the President. During the court session, she admitted receiving material benefits (including a poultry project) from the State House. It was from this stand-point that High Court Judge John Bosco Katutsi ruled that:

“The evidence before this court is inadequate to even prove a debt, impotent to deprive of a civil rights- ridiculous for convicting of the pettiest offence— scandalous if brought forward to support a charge of any grave character— monstrous if to ruin the honour of a man who offered himself as a candidate for the highest office of this country.”

In conclusion, the events before the 2006 elections show how both the judiciary and the military were used in political processes which were strongly to the advantage of President Museveni and which were largely orchestrated by the latter. Also, Museveni has on other occasions expressed his preference for the military’s involvement in judicial processes. During his 2010 State-of-the-Nation Address, the President proposed that corruption cases involving civilians be brought before court martial instead of civilian courts. The President asked parliament to amend the constitution to accommodate his proposals. He argued that “there are loopholes in the trial of corrupt officials in the civilian courts because courts waste a lot of time searching for evidence. Therefore referring corrupt officials to the Court Martial is a new idea, which the MPs should explore.” While the Ugandan parliament has not acted to accommodate the President’s proposal, such statements show two things: first, it shows the image of a leader who lacks trust in the judiciary as an institution responsible for administering justice. Second, it further allows the President’s involvement in the judicial system: Placing such a category of cases under the court martial which is under the President’s full control gives him an opportunity to become the law himself, deciding who should be charged and who should not.

87 MWENDA, A., op. cit.
88 SABITI, S., op. cit.
4. SERVICE DELIVERY

In theory, government institutions are supposed to be independent, but in practice this is often a rather blurred line, certainly in a situation of personalised rule. This is also the case under the Museveni regime, where the administration has become strongly politicised and personalised. A strong indicator of this is the high number of family members in high-level government bureaucracy. This has already been shown (in Table 1) above, but can be further demonstrated through the following examples: The President’s nephew Joseph Ekau works as Permanent Secretary in the Ministry of Health (in charge of HIV/AIDS); his sister Miriam Karugaba works as Administrator at State House; her husband (Museveni’s brother-in-law) Jimmy Karugaba heads the State House Accounts Department. The President has also appointed his sister-in-law Jolly Sabune as the Executive Director of the Cotton Development Authority; his niece, Hope Nyakairu, is the undersecretary for Administration and Finance at State House; his cousin Major Bright Rwamirama is the Current State Minister for Animal Husbandry. Another cousin of the President, Faith Katana Mirembe, is the Assistant Private Secretary for Education and Social Services while Justus Karuhanga, the nephew to the first Lady, is the Private Secretary to the President in charge of Legal Affairs. This adds to the other categories of family-based appointments, such as his wife, Janet Museveni, who is minister for Karamoja, his brother, Gen. Salim Saleh, who held various high-level positions, and is now a Senior Presidential Advisor on defence, a position which carries the same rank as a cabinet minister. Sam Kutesa, his brother-in-law is the minister of foreign affairs; Muhozi Keinerugaba, his first son is commander of the Special Forces (the elite military unit); and his daughter Natasha Karugire serves as the Private secretary to the President in charge of Household. These different links and the advantages which are drawn from it, are further explained in Table 2.

Museveni and his family members can, in the words of O’Brien, be characterised as a ‘clan’, or a “political faction operating within the institutions of the state and the governing party; it exists above all to promote the interests of its members and its first unifying principle is the prospect of material rewards of political success. Political office and the spoils of office are the very definition of success: loot is the clanic totem”. Whereas this definition clearly characterises neo-patrimonial regimes as a competition between different ‘clans’, who each want to gain access to the spoils, the Museveni ‘clan’ pretty much has a monopolistic position to key-positions in public office – as Table 2 shows. This does not only allow gain access to these positions, but also to the spoils of it – as the table illustrates.

This ‘clan’ does not only function along family lines, but also according to regional lines – something which in turn is related to the regional-political support of the regime, and of the President in particular. For example, the Central Bank (Bank of Uganda) has eight of its ten most senior bosses coming from the President’s home region while the Uganda Bureau of Statistics has six key departments except that of Director of Business Industrial Statistics, headed by people of the same origin.\(^{93}\) In the 2004 cabinet, 11 ministers came from the West (Museveni’s region), and five from another support base – Buganda. Only two came from the North, and one from the East.\(^{94}\) Green\(^{95}\) has shown how of the five Ministers of Finance since the Museveni regime came to power, three have been Baganda, and two were Westerners.

When challenged on this regional imbalance – for example during the NRM retreat in 2010 – President Museveni argued that this is because of his ethnic group’s contribution to the armed struggle that brought his government into power in 1986 and that his appointments are based on individuals’ popularity and contribution towards the struggle.\(^{96}\) This further demonstrates the personalised view Museveni has on politics and the public service. This has become particularly clear through a number of statements made by the President. For instance, after the 1996 election, Museveni stated that he would not share the cake with areas which voted against him, something interpreted as a direct reference to ministerial and bureaucratic appointments.\(^{97}\) In sum, it can be said that the incorporation of a large number of family members, ruling party elites and close allies into the political patronage structure has played an important role in the maintenance of power of the regime.\(^{98}\)

5. CONCLUSIONS

This paper has shown how President Museveni has personalized power in Uganda, through which he seeks to expand his control over public and private institutions. It has been shown how close allies and family members play an important role in establishing Museveni’s power, and how personal links to the President play an important role in the functioning of state institutions, such as the army, and the projection of the President and his


\(^{95}\) GREEN, E., *op. cit.*

\(^{96}\) MUBATSI, A. H., *op. cit.*


\(^{98}\) MUHUMUZA, W., *op. cit.*
regime’s power. This core group of supporters plays a crucial role in the development of “infrastructural power”\(^\text{99}\), which is “necessary to implement its command over potential opposition in civil society and within the multiple layers of the state apparatus itself”\(^\text{100}\). In other words, they are used as a base, from which the President further projects his power in various levels of state and society.

This does not mean that Museveni wields absolute personal authoritarian power over all institutions and sections of society. The nature of his personalized rule has to be seen as an ongoing battle, but one in which the President wields significant power, and in which he uses various strategies to further entrench power. This, for example, became clear for the judiciary, which tries to retain its independence, but in which Museveni uses various mechanisms to try and establish control. For instance, in 2006, the credibility of results of the presidential election was contested before the Supreme Court. The court sided with the petitioners after evidence of rigging, intimidation, disenfranchisement of voters and falsification of the results were exposed. Nevertheless, the judges did not annul President Museveni’s victory on the ground that they could not measure the substantial impact of the irregularities on the final outcome. This decision however left the judges of the Supreme Court divided. One of the Judges, Prof. George Wilson Kanyeihamba, who retired from the Supreme Court, has since revealed that the other Judges had ruled against the President but later changed their rulings at night after constant phone calls from Museveni.\(^\text{101}\) For that reason, not only do direct interventions of the President play an important role in influencing the judiciary and establishing Museveni’s rule, but also his use of the military power – as was illustrated above through the raid of the “black mambas” on the court.

Secondly, the nature of personal rule itself can also be potentially dangerous. It tends to create accomplices and victims.\(^\text{102}\) As has been shown above, benefits clearly go to a select ‘clan’, but at the same time this marginalizes a large group of people – it has become clear that this is particularly the case along regional-political lines. In this situation, the stick rather than the carrot plays an important role in keeping the ‘marginalized’ in line. This has become particularly clear by explaining the political role of the army, and how harsh measures are taken against different forms of protest. The same goes for disobedience within his core-group of supporters.

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\(^{101}\) GYEZAHO, E., “Kanyeihamba: Court messed up ’06 petition”, *Daily Monitor*, 1 June 2009.

The case of the army MPs, for example, showed how disobedience is not allowed.

In sum, Museveni’s regime reflects a classic case of personalized rule, which is “based primarily on the logic of obedience in a tightly defined institutional hierarchy, in which top officials hold the effective capacity to recognize cooperation and defection and to reward and punish them accordingly”\(^{103}\). While Museveni himself exercises firm control over the political and social sphere (to the extent of micro-managing it\(^{104}\)), he relies on a group of key supporters to further implement and entrench this rule – which shows the close connection between a patronage system and personalized rule. The above demonstrated limitations also show the dangers of this strategy: the fact that the President is relying on an increasingly narrow group of people, while acting harshly against dissent, creates a potentially explosive situation. The recent case of General David Sejusa Tinyefuza further illustrates this event: Sejusa, who was a key-actor in Museveni’s liberation war and was the coordinator of the intelligence services in Uganda has recently accused President Museveni of creating a “political monarchy”\(^{105}\), in which he rules over a “decadent system”\(^{106}\), and is “playing God”\(^{107}\) in Uganda. In this situation, Museveni has subverted “the existing political system in order to perpetuate himself”\(^{108}\). This event shows that in this process of ever-increasing personalisation, and an ever-narrowing group of loyal supporters, even those who have been close to the President for many years can feel sidelined – something which continues to pose a dangerous threat to the regime. General Sejusa summarized this by referring to the constitution which gave the population the right to “use all means necessary (…) including, by the way, armed struggle”\(^{109}\) to resist a leader who subverted democracy.

Antwerp/Toronto, May 2013

\(^{103}\) Ibid., p. 83.
\(^{106}\) Ibid.
\(^{107}\) Ibid.
\(^{108}\) Ibid.
\(^{109}\) Ibid.
### Table 1. Museveni’s relatives holding top positions in the military

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION AS OF JAN. 2012</th>
<th>RELATIONSHIP WITH THE PRESIDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gen. Caleb Akandwanaho a.k.a. Salim Saleh</strong></td>
<td>Senior Presidential advisor on military and security and commander of the Reserve Force. Until the 2011 cabinet reshuffle, he had been Minister of State for Micro-finance. He is a retired bush war hero who still holds much influence in the military.</td>
<td>He is President Museveni’s younger brother.</td>
</tr>
<tr>
<td><strong>Lt. Col. Muhoozi Keinerugaba</strong></td>
<td>He is currently the commander of Special Forces. He has gone through accelerated promotions to reach his current rank. His influence in the UPDF is palpable, with officers aligned to him emerging at the helm of the army over the last few years.</td>
<td>He is the president’s eldest son.</td>
</tr>
<tr>
<td><strong>Maj. Sabiti Magyenyi</strong></td>
<td>He is currently the overall commander of the elite Presidential Guard Brigade.</td>
<td>He is a cousin to President Museveni.</td>
</tr>
<tr>
<td><strong>Col. Kateera</strong></td>
<td>He is currently second in command at the Gulu-based 4th Division. Kateera once served in the lucrative finance department of the army. He also served as the intelligence officer (IO) in PGB.</td>
<td>A cousin of Janet Museveni.</td>
</tr>
<tr>
<td><strong>Lt. Allan Matsiko</strong></td>
<td>Is the Counter Intelligence Officer at State House.</td>
<td>He is a brother to Albert Muganga, Amelia Kyambadde’s cousin, and also husband to Sam Kutesa’s daughter who is married to the eldest son.</td>
</tr>
<tr>
<td><strong>Maj. Gen. Jim Muhwezi</strong></td>
<td>He is an in-law to President Museveni (his wife Susan is a cousin to Janet Museveni, the president’s wife).</td>
<td>He has previously served as the head of Internal and external Intelligence Service (ISO &amp; ESO) and as Minister of Health. Muhwezi publicly fell out with Museveni over the misuse of GAVI and Global Funds money.</td>
</tr>
</tbody>
</table>
Brig. Henry Tumukunde  He once headed the Internal Security Organisation (ISO) and the Chieftaincy of Military Intelligence (CMI). He is currently not on talking terms with Museveni after he was arrested and charged with military misconduct. Political pundits say that Tumukunde is under rehabilitation and sooner or later will bounce back. He is married to Stella Tumukunde, a cousin to First Lady Janet Museveni.

Maj. Bright Rwamirama  He has served as the financial controller of the Uganda military and also State Minister for Agriculture & member of parliament for Isingiro North constituency. Rwamirama is a cousin to President Museveni.


Table 2. List of Museveni’s relatives with key positions/connections in the Public Service

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION (AS OF JAN. 2012)</th>
<th>RELATIONSHIP WITH THE PRESIDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edwin Karugire</td>
<td>He handled the sale of former assets of Uganda Railways Corporation and was also part of the legal team privately hired by the State to prosecute opposition leader Dr Kizza Besigye in the concocted rape and treason cases in 2006. The Karugire team was paid 2.5 billion Ugandan shillings for their legal services (Independent, March 25, 2009).</td>
<td>He married Museveni’s eldest daughter Natasha.</td>
</tr>
<tr>
<td>Odrek Rwabwogo</td>
<td>His public relations company, Terp Consult, has got many Lucrative contracts from government, the most prominent being the US$1 million “Uganda Gifted By Nature CNN” marketing campaign. He was also awarded the 2007 CHOGM communication and publicity contract which he handled with Saatchi &amp; Saatchi company.</td>
<td>He married Museveni’s second daughter.</td>
</tr>
<tr>
<td>Geoffrey Kamuntu</td>
<td>He owns a procurement firm that does consultancy work for the oil explorers in the Albertine region of Western Uganda.</td>
<td>He is a son-in-law to Museveni (married to the president’s third daughter Diana).</td>
</tr>
<tr>
<td>Name</td>
<td>Biography</td>
<td>Additional Information</td>
</tr>
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<tr>
<td>Bob Kabonero</td>
<td>He is the Kampala Casino proprietor. He recently won exclusive rights to import Tiger batteries from China, in effect blocking imports by other importers in Uganda. Kampala traders almost went on strike over the deal.</td>
<td>A cousin to Janet Museveni.</td>
</tr>
<tr>
<td>Hannington Karuhanga</td>
<td>He is the chairman of UGACOF, a leading coffee exporting company in Uganda. He is also a director in Stanbic Bank, the largest commercial bank in the country.</td>
<td></td>
</tr>
<tr>
<td>Don Nyakairu</td>
<td>He is the corporation secretary of Uganda Telecoms Ltd.</td>
<td>He married Janet Museveni’s cousin Hope Nyakairu, who is the under-secretary for finance and administration at State House.</td>
</tr>
<tr>
<td>Albert Muganga</td>
<td>He is in import/export business and in 2008 his company Kenlloyd Logistics was awarded exclusive rights to manage the country’s oil reserves in Jinja. The contract was cancelled after protests from big oil companies like Shell, Caltex and TOTAL.</td>
<td>He and the President’s son Muhoozi married sisters (Ishta and Charlotte respectively), daughters of Foreign Minister Sam Kutesa.</td>
</tr>
<tr>
<td>Jovia Saleh</td>
<td>She is into real estate and a host of other businesses. She was implicated in the UN Congo Report by the panel of experts investigating the plunder of DR Congo resources.</td>
<td>She is wife to Gen. Saleh, the younger brother to Museveni.</td>
</tr>
<tr>
<td>Kellen Kayonga</td>
<td>She won the lucrative deal of exporting security guards to Iraq through a security company, Askar. Her business has received public criticism, with many of her employees claiming that her company is creaming off the larger chunk of their earnings, leaving them with piecemeal payments.</td>
<td>A sister-in-law to Gen. Saleh, the President’s brother.</td>
</tr>
<tr>
<td>Gen. Caleb Akandwanaho a.k.a. Salim Saleh</td>
<td>Saleh is a retired bush war hero who still holds much influence in the military and security. Until the 2011 cabinet reshuffle, he had been Minister of State for Micro-finance. He is now a senior presidential advisor on defence and commander of Reserve Force.</td>
<td>He is President Museveni’s younger brother.</td>
</tr>
<tr>
<td>Name</td>
<td>Position and Details</td>
<td>Details</td>
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</tr>
<tr>
<td>Janet Kataha Museveni</td>
<td>Member of parliament for Ruhaama County and also Minister of State for Karamoja Affairs. She wields a lot of influence among NRM MPs in Parliament. She has recently been stepping out of her husband’s shadow. During the Temangalo land scandal, she demanded the then Security Minister (now Prime Minister) Amama Mbabazi’s resignation or refund of the 11 billion Uganda shillings irregularly taken out of national social security fund.</td>
<td>She is the president’s wife.</td>
</tr>
<tr>
<td>Maj. Bright Rwamirama</td>
<td>He is the State Minister for Agriculture in charge of Animal Husbandry, and also MP for Isingiro North. He was once the financial controller of the NRA, now renamed UPDF (Uganda military).</td>
<td>Rwamirama is a cousin to Museveni.</td>
</tr>
<tr>
<td>Shedrack Nzeire</td>
<td>He is currently involved in youth mobilisation at State House although his docket is not very clear. He contested the Nyabushozi seat in the 2001 parliamentary elections and lost narrowly to Mary Mugyenyi, another relative of the President.</td>
<td>He is Museveni’s step-brother</td>
</tr>
<tr>
<td>Miriam Karugaba</td>
<td>She is employed as an administrator at State House.</td>
<td>A sister to the president.</td>
</tr>
<tr>
<td>Katana F. Mirembe</td>
<td>Employed as the President’s Assistant private secretary in charge of Education and Social Services.</td>
<td>She is a cousin to President Museveni</td>
</tr>
<tr>
<td>Amelia Kyambadde</td>
<td>She is a cabinet Minister in-charge of Trade and Industry. Previously she served as the Principal Private Secretary (PPS) to the president.</td>
<td>She is related to the president through Foreign Affairs minister, Sam Kutesa. Her cousin (their mothers are sisters) Albert Muganga marries Kutesa’s daughter Ishta, sister to Charlotte Kutesa, the wife of President Museveni’s son, Muhoozi Kainerugaba.</td>
</tr>
</tbody>
</table>