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‘POPULISM’ VISITS AFRICA: THE CASE OF YOWERI MUSEVENI AND NO-PARTY DEMOCRACY IN UGANDA

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The widespread adoption of electoral politics in virtually all world regions during the last part of the twentieth century has been accompanied by the emergence, in a number of reformed countries, of a new form of leadership. As the political space was formally opened up and state leadership crucially came to depend on electoral appeals for social support, many would-be leaders decided to set themselves apart by contesting for power on the basis of a strong anti-political and anti-party discourse. The following features seem to be shared by these ‘anti-political’ or ‘neo-populist’ leaders:

- a strongly personalistic leadership style;
- outsiderism, or the claim that the new leader does not originate from among the existing political class;
- an anti-system, anti-institutions and anti-organisations rhetoric, often targeting political parties and political corruption;
- a call for restoring ‘the power of the people’ by refounding democracy (where a notion of ‘the people’ as an organic whole does not allow for the representation of particularistic interests);
- a two-fold mass mobilisation strategy, aimed at both legitimising and implementing the above political project, based on:
  a) a leader that appeals directly to the masses for legitimacy. This, in turn, implies: (i) a kind of leadership that relies on, or is easily adapted to, an electoral environment; (ii) a possible key role for the media; and (iii) the likely emergence of demagogic policies, notably xenophobic calls or irresponsible economic policies;
  b) mechanisms for direct democracy, such as local participatory structures or referenda, meant to whip up and mobilise the population.

Within a similar view of democracy, the ‘will of the people’ cannot conceivably be constrained, implying that no checks nor balances to the power of a leader who receives his investiture directly from the masses can be tolerated. Any elected ‘anti-political leader’ is thus bound to try and free himself from any kind of institutional control, prompting clashes with other state organs and weakening the latter as much as he can, with the habitual result of promoting the de-institutionalisation of a state.

1 A first version of this paper was presented at the Crisis States Research Centre’s Annual Workshop, New Delhi, 13-17 December 2004.

2 This anti-political form of leadership thus differs from classic authoritarian regimes, which more often than not rely on apathy and demobilisation (Juan Linz, ‘An authoritarian regime: the case of Spain’, in Erik Allard & Yrjo Littunen (eds), Cleavages, ideologies and party systems, Helsinki: Westmark Society, 1964, p.255).

3 Note, however, that the notion of ‘anti-political’ leadership here sketched is not linked to any specific (e.g. leftist versus rightist) policy or ideological content.
The above form of anti-political or neo-populist leadership builds on notions of populism: as a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, uninstitutionalized support from large numbers of mostly unorganized followers.⁴ But it differs from variants of populism such as “the corporatism of Peronism in Latin America in the post war period, where trade unions were integrated into party organisations that blended with the state”.⁵

As much as the notion of ‘populism’ has been widely adopted in the study of Latin American politics, the term is hardly encountered in the African politics literature. For some thirty years after independence, the political strategies of many sub-Saharan governments were largely aimed at the political demobilisation of the masses. African citizens themselves, in turn, often minimised their links with states that proved to be predatory more often than not. Thus, in several countries ‘the people’ became de facto marginalised from the political arena, when not formally excluded.⁶ Even in those states where electoral politics was retained under the guise of single-party regimes, the lack of competition meant that populist leaders and appeals did not feature prominently in African politics. A number of exceptions can be identified: Thomas Sankara’s Burkina Faso and Jerry Rawlings’ Ghana, for example, have at times been referred to as “populist regimes”.⁷ The exploitation of ‘ethnic’ or ‘ethnonational’ feelings by Idi Amin, who expelled the Asians from Uganda in 1972, or by competing politicians in Ivory Coast and eastern Zaire during the 1990s, closely echoes the xenophobic rhetoric of some European populist parties. The recent politics of Robert Mugabe, the President of Zimbabwe, also espouse a violent demagogic discourse. Whereas the experiences of several Latin American leaderships directly contributed to providing content to the notion of populism, however, in the case of these African countries the term was no more than ‘applied’ to provide a theoretically-informed reading of certain political phenomena. Populist leaders and regimes have not been central to the continent’s post-independence political developments. Accordingly, theoretical and conceptual constructs in the African politics literature have largely revolved around notions of a different kind, such as ‘neo-patrimonialism’ or ‘personal rule’.

In spite of its infrequent use in the study of politics south of the Sahara, there is one African regime for which the notion of populism promises a significant interpretative potential. Yoweri Museveni took power in Uganda in 1986, when his National Resistance

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⁴ Kurt Weyland, ‘Clarifying a contested concept: populism in the study of Latin American politics’, *Comparative Politics*, 34:1 (2001), p.14, quoted in Kurt Weyland, ‘Neopopulism and neoliberalism in Latin America: how much affinity?’, *Third World Quarterly*, 24:6 (2003), p.1097. Whereas one of the first empirical manifestations of ‘populism’ was the Populist Party that emerged in the US in the late nineteenth century, the term was largely adopted, in the second half of the twentieth century, with reference to the political leadership and the regimes of developing countries, particularly Latin American. It was mostly from the 1980s and 1990s that the ‘populist’ label gained currency with reference to a number of European political parties and politicians (see Marco Tarchi, *L’Italia populista. Dal qualunquismo ai girotondi*, Bologna: Il Mulino, 2003).


Army/Movement (NRA/NRM) guerrillas reached the capital Kampala after a five-year civil war, and he has ruled the country ever since. On starting an armed conflict in 1981, Museveni began to adopt the language of the political outsider, with violent verbal attacks on the political establishment. His calls for an end to bad governance and the disciplined behaviour displayed by his rebels during the conflict contrasted sharply with the corruption of Milton Obote’s regime and his unruly soldiers. Since the bush war, in addition, Museveni set up ‘resistance councils’ to restore ‘the power of the people’ by means of local-level direct political participation. When he took control of State House, his strong anti-parties stance immediately translated into a legal ban on the activities of the old political organisations. In 1996, the presidency of the former rebel leader was for the first time sanctioned by a successful electoral campaign and a second mandate was obtained in 2001. In the course of this electoral phase of his rule, Museveni’s leadership took on an increasingly plebiscitarian tendency and developed an uneasy relationship with other newly-created central institutions, notably parliament and the courts of justice.

I argue in this paper that, while neither Museveni nor his regime are fully-fledged examples of ‘anti-political neo-populism’, an unquestionably populist dimension runs through the last twenty years of Ugandan politics. Such a dimension is apparent, for example, in the President’s ever more plebiscitarian and ‘pro-people’ discourse, as well as in his consistently anti-parties and anti-institutions political practices. The populist elements introduced in the country’s politics since the late 1980s and their implications, however, must be understood within the specific African political context. In a region historically prone to the emergence of personalistic politics, the populist streak in Museveni’s leadership style strengthened a well-known African tendency towards informalising politics and undermining political institutions, notably political parties, parliaments, the judiciary, the army and the public service.

Analytically, the paper is divided into two parts. The first one investigates the extent to which populism as a political strategy played a part in Museveni’s rise to power. This section includes an examination of the institutional set up initially established by the NRM. The second part focuses on the political developments that followed the introduction of a new constitution and national direct elections in 1995-96. It concentrates on the President’s tendency to reinforce his personal power through plebiscitarian appeals and to reject institutional constraints to it.

Anti-political neo-populism as a legitimising strategy: ‘no-party democracy’ and the making of a political outsider

The anti-party stance espoused by Museveni during the guerrilla war did not remain a mere rhetorical strategy, but quickly translated into a far-reaching state policy: as the guerrillas entered Kampala, in 1986, the first legal act of the NRM era was an immediate ban on political parties.8

While the ban also responded to concerns about the actual support enjoyed by the NRM, the ideological underpinnings of no-party politics were provided by an interpretation of Uganda’s post-independence history as a spiral of violent conflicts prompted by ethnically-based political parties. The bulk of Museveni’s argument for a no-party model was that Western representative democracy could hardly be imported to African countries. The latter’s ethnic, linguistic and religious fragmentation combined with pre-industrial development and the lack

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8 Legal notice no. 1/1986.
of a modern class structure. In similar contexts, conventional democratic politics would promote the polarisation of communal antagonisms, because parties and party alignments invariably act as vehicles for ethnic or religious appeals and confrontations. Given the country’s past, the argument went on, an immediate return to multiparty politics was inappropriate to Uganda and a transitional period was necessary in which alternative participatory arrangements would be adopted. To avoid the kind of exclusionary politics fostered by multiparty competition in ethnically-divided societies, a ‘movement democracy’ was devised which boiled down to a few but critical provisions banning most activities of political parties. With the aim of breaking with Uganda’s past, its Ten-Point Programme manifesto condemned “sectarian, religious and tribal cleavages” as “manufactured divisions”, claiming that “one’s religion, colour, sex or height is not a consideration when new members are welcomed in the National Resistance Movement”. This time, though, the process of ethnic de-politicisation would not occur through the demobilisation of the masses, but by means of a new ‘dis-organisation’ strategy: popular participation would be retained, but party pluralism was rejected as the dangerous embodiment of politically-organised ethnicity. In the no-party model of democracy, elections were to be held strictly as a competition among individuals, as opposed to parties. Alongside party candidatures, party conferences, local branches and party electioneering were also prohibited. The ban on party activities, initially meant as a transitional measure necessary to ‘modernise’ the country, was constitutionalised in 1995.

In spite of the radical attacks on the political establishment launched through a military campaign, unrelenting propaganda and an anti-party institutional framework, Museveni himself cannot be considered an outsider to the country’s politics. The Ugandan leader was involved in politics since his high school days and, in the 1960s, he had been a youth member of Obote’s Uganda Peoples Congress (UPC). In the late 1970s, Museveni’s Front for National Salvation (Fronasa) participated in overthrowing Idi Amin and, for a brief interlude, he was made Minister of Defence. After being ousted from the latter position, leading a small political party, he ran in and lost the 1980 elections, which were widely perceived as ‘rigged’. Thus, although he was not widely known to the general public, Museveni was intimately involved in Ugandan politics. But the decision to go to the bush and mount a guerrilla war, in 1981, crucially restyled him as a political outsider. From that moment on, he no longer walked the road of a standard political career. Rather, the future Ugandan leader began to

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10 Art. 269, *Constitution of the Republic of Uganda* (1995). The new framework, however, formally prohibits party activities, rather than parties per se. It still allows parties a formal existence and a central office, as it is rather their operations that are subject to limitations. The frequent calls for banning political parties, typically made by ruling elites on the grounds that ‘the country is not ready’ or that ‘parties are the cause of the country’s troubles’, were already remarked on by the early studies of party politics in developing areas. The general point was made by Huntington that “a ruling monarch tends to view political parties as divisive forces which either challenge his authority or greatly complicate his efforts to unify and modernize his country” (Samuel P. Huntington, *Political order in changing societies*, New Haven and London: Yale University Press, 1968, p.403). Identical anti-party calls, however, were made in the West by ‘democratic’ founding fathers such as George Washington (James Coleman & Carl Rosberg (eds), *Political parties and national integration in Tropical Africa*, Berkeley & Los Angeles: University of California Press, 1966, p.663) and Charles De Gaulle (Joseph La Palombara & Myron Weiner, ‘The origin and development of political parties’ and ‘The impact of parties on political development’, in Joseph La Palombara & Myron Weiner (eds), *Political parties and political development*, Princeton: Princeton University Press, 1966, p.23). Individual-merit or no-party political competition has also been at the basis of local level politics in Ghana since 1989 (Richard Crook, “‘No-party’ politics and local democracy in Africa: Rawlings’ Ghana in the 1990s and the “Ugandan model”’, *Democratization*, 6:4, (Winter 1999), pp.114-138) and of post-genocide local elections in Rwanda (*Integrated Regional Information Network of the UN*, 9 March 2001, and *The Economist*, 3 April 1999).
present himself as the out-of-the-ordinary person that ‘the people’ needed to trust for bringing about a clear break with routine politics and ushering in a new era of ‘true’ democracy.\footnote{On the emphasis that populist leaders often place on the distinction between redemptive and pragmatic politics see Benjamin Arditi, ‘Populism as a spectre of democracy: a response to Canovan’, \textit{Political Studies}, 52 (2004), p.138; and Margaret Canovan, ‘Trust the people! Populism and the two faces of democracy’, \textit{Political Studies}, 47 (1999), pp.2-16.}

During the bush war, Museveni was extremely attentive to gaining popular support. In contrast to many classic populists, however, his political rhetoric followed concrete political achievements. He did not gain political office through electoral pledges nor on the basis of claimed success previously achieved in his private life (e.g. in business, sport or television). The moment he came to power and began to govern, in 1986, he had already delivered what many Ugandans, almost twenty years on, still credit him for. Museveni appeared on the scene as a leader responsible for a most welcome, sudden and dramatic shift – an almost overnight shift – from chaos to stability. After years of violence and instability, he appeared to sort out the country’s most pressing problems, ensuring security of persons and properties and removing fear from the relationship between soldiers and citizens. These were very tangible achievements that benefited most ordinary people, as well as being necessary preconditions for the country’s economic recovery. Yet, Ugandans did not really know Museveni when he reached Kampala:

\begin{quote}
they only knew that there was a mysterious ‘bush man’ who had led the guerrilla war, and, suddenly, you had this youthful, articulate, uncorrupted intellectual who could speak the language of the common man.\footnote{William Pike, director of the \textit{New Vision} newspaper, interview, Kampala, 8 October 2004. Wafula Oguttu, former editor of \textit{The Monitor}, made similar comments in a different interview (Kampala, 13 October 2004).}
\end{quote}

He instantly became ‘phenomenally popular’. His appeals to the myth of the bush war and to the 26 January 1986 revolution would still grant him substantial mass support long after the country’s elites began to take the NRM era achievements for granted and to ask for something more.

National electoral politics and pledges fully entered Ugandan politics only in 1996, when Museveni had already been firmly in power for a decade. Prior to this time, the President had not been directly endorsed by the voters and thus was never seriously concerned by electoral campaigns. During the ascending phase of his political trajectory, therefore, the media did not play the key and instrumental role that they performed for many contemporary populists. In fact, at the time of the bush war, there were no private radio or television channels in Uganda and virtually no independent newspapers. What limited publicity Museveni did obtain came from the foreign media, including the BBC’s short-wave broadcasts, and, indirectly, from a cyclostyled paper called \textit{Munnansi} that was circulated by the Democratic Party opposition. By the time Museveni entered State House, however, some private newspapers had come into existence. Most of these media were from the outset very supportive of the new leader. This was not only the result of Museveni’s achievements but also of his acknowledged natural charm in handling journalists during long and open press conferences. This positive media coverage, which was largely genuine rather than masterminded, contributed to strengthening the President’s stay in power and lasted until the second half of the 1990s.

But the Ugandan leader was not merely charming when addressing journalists or foreign diplomats. From the time of the bush war, he demonstrated a capacity to strike the right chords when talking to ordinary people. One of his marks, for instance, is a frequent use of
metaphors and images that are near to people’s lives, or proverbs and short phrases taken from vernacular languages. Yet, contrary to the rhetoric of many other populists, this does not translate into a demagogic discourse. The American journalist Henry L. Mencken defined a demagogue as “one who preaches doctrines he knows to be untrue to men he knows to be idiots”. Museveni rarely appealed to the people just by promising over-simplistic, unsustainable or inapplicable solutions to the country’s problems. It is true that ‘no-party democracy’ partly turned out to be exactly that, i.e. an over-simplistic, unsustainable and inapplicable solution to the problem of how to sustain democratic rule. But on a number of occasions the president demonstrated that he was willing to tell and sell people things they probably did not want to hear. For instance, he crucially insisted that “patriotism demands that Asian property be returned” to those who had been dispossessed by Idi Amin in 1972. a farsighted move when compared to the xenophobic appeals that in recent years have contributed to plunging countries such as the Democratic Republic Congo and the Ivory Coast into dramatic conflicts.

The line adopted on the Asian properties issue was part of a broader neo-liberal policy. Museveni had abandoned his radical views on the economy the moment he began to rule the country and thus never displayed the “whimsical and irresponsible approach to economic decision making” that many economists see as “diametrically opposed to the discipline required by market-orientated policies”. Market reforms were embraced and quite systematically implemented from 1987 on; but, in the Ugandan case, economic reforms partly benefited the masses. While the privatisations of parastatals and state retrenchments affected a limited section of urban strata in a public sector that had virtually collapsed, a revitalised economy raised activities in urban centres, while measures such as the liberalisation of coffee and cotton marketing reduced state predation of rural producers. Between 1992 and 2000 the proportion of people living in poverty was reduced from 56 percent to 35 percent, with over 4 million (or 22 percent) of the population lifted from poverty in a decade, albeit with significant regional imbalances. Neoliberal policies thus appeared to be counter-intuitively compatible – if not functional – to neo-populist strategies. As with Carlos Menem in Argentina and Alberto Fujimori in Peru, initial ‘revolutionary’ phases, during which tough economic reforms were adopted, helped to demonstrate the leader’s capacity to cope with economic crises and stabilise the economy to the benefit of large sections of the population.

Land reform was also partly addressed from what may be termed a ‘pro-people’ perspective. The emergence of internal pressures to address the issue were shared by other countries on the continent, including South Africa, Namibia, Malawi, Zimbabwe and Tanzania: “in all these countries, the pressure to act is, at least in part, the result of contested democratic politics and the perceived need to meet the concerns of rural voters”. In Uganda, in addition to the need for rationalisation (notably, a clearer and more effective recognition of land rights and their possible formalisation), there was a political push to reward groups that had provided the bulk of the consensus for the regime and a historical quest for settling disputes between landlords

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13 Quoted from a speech by Museveni to the NRC, undated, at http://www.museveni.co.ug.
14 See Weyland (2003), p.1096, who argues that populism and liberal economic reforms are actually compatible. See also Mette Kjaer, ‘Fundamental change or no change? The process of constitutionalising Uganda’, Democratisation, 6:4 (1999), pp.94-113, on Museveni’s move from revolutionary to neo-liberal economic policies.
16 Weyland (2003).
and tenants. The president wanted to reward the poor peasants of the central region for the backing they had provided during the guerrilla years, as well as to ensure their continued support. Point number eight in the NRM’s Ten Point Programme explicitly referred to “people displaced by land-grabbers or through erroneously conceived ‘development’ projects”, “misuse of land” and “an emerging problem of landlessness” as issues that the new regime was meant to redress. In particular, land redistribution had been “a strong motivation for fighters during the guerrilla”, and the 1998 land reform was meant to cement the alliance between the president and the central and western areas of Buganda, Bunyoro and Ankole, notably among the poor peasants.

Finally, the ‘resistance councils’, which during the bush war were instrumental to reaching out to the populace, mobilising resources for the rebels and legitimising their rule at the local level, became the basis of a new nationwide system of government based on popular participation. Originally, the councils gave substance to the Maoist notion of a ‘protracted people’s war’ adopted by the rebels, whose organisation was initially named “Popular Resistance Army”. Under the NRM regime, sustaining participatory democracy remained a key political and ideological goal, similar to other populist experiences, including those of Hugo Chávez, in Venezuela, Alberto Fujimori in Peru, or Jerry Rawlings in Ghana. The whole structure of the Ugandan state was radically altered by the introduction of local government arrangements that, in the late 1990s, allowed for the participation of some 400,000 elected citizens out of a population of 18 million (half of which is under the age of 18). While this decentralisation policy envisages a degree of participation that, in practice, is difficult to sustain in full, ordinary Ugandans seem to appreciate it and it is thanks to the councils that, according to some observers, “Ugandans have practised democracy in their own communities far more intensively than in any other sub-Saharan African state, except possibly Tanzania”.

Museveni came to power and cultivated his personal support on the basis of an unambiguous anti-party drive. Albeit he reached the top of the state by means of the gun, his pro-people appeals, achievements and policies – alongside positive media coverage that highlighted the President’s charisma – significantly helped to consolidate him in power. His anti-political and neo-populist approach strongly affected his governing style, as the next section shows.

Anti-political neo-populism as a governing practice: plebiscitarian drifts and institutional clashes

Demands for a restoration of ‘the power of the people’ often result from some kind of disillusionment with the actual functioning of representative democracy and from a rejection

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19 Matia Baguma-Isoke MP, Minister of State for Lands and Environment, interview (Kampala, 29 May 2000).
of legalistic procedures and bureaucratic routine. In putting them forward, populist leaders claim a monopoly of political legitimacy by virtue of their empathic connection with the masses. The directness of this personal link sets them apart from the obscure discourses of professional politicians, elites and intellectuals, from the partisan divisions of party organisations and from the intricate procedures of bureaucratic or judicial structures, all of which tend to obfuscate the neatness of the ‘will of the people’. By stressing his diversity, the charismatic populist undertakes to heal the country from a politically-induced disease, from the pathology of self-serving, anti-people, parasitic and corrupt political elites. ‘Fundamental change’ was the message of Museveni’s swearing-in address on 29 January 1986:

> no one should think that what is happening today is a mere change of guard: it is a _fundamental change_ in the politics of our country. In Africa, we have seen so many changes that change, as such, is nothing short of mere turmoil. We have had one group getting rid of another one, only for it to turn out to be worse than the group it displaced. Please, do not count us in that group of people. … _The sovereign power in the land must be the population_, not the government. … _we shall have both committee and parliamentary democracy._

The establishment against which populists fight, however, includes not only the elites but also reigning institutions and organisations. The latter are identified as an enemy of the people since they tend to impede simple, direct and visible political actions. Because of the challenges populist leaders raise against dominant elites, values and institutions, the advocates of representative democracy perceive them as pathological phenomena. While the reverse is also the case, populists do not see themselves as against democracy _per se_, but rather as the holders of a notion of democracy that is both deeper and morally purer than the existing system. In this sense, as Margaret Canovan aptly observes, populism is far from entirely alien to democracy but it is rather “a shadow cast by democracy itself”.

The project of the populist leader is “to re-found the foundations of democracy” through both a strongly trusted leadership and new mechanisms for direct participation, including referenda, recall of delegates, bottom-up legislative initiatives, popular assemblies or participatory judicial structures. Because of the very aspiration to make the connection between the leader and the people as simple and direct as possible, however, “the authoritarian style of this relationship is seen as an indicator of true democracy”. As Arditi puts it:

> the distrust for institutional procedures and the intricacies of the legislative process … might give way to a discretionary adherence to the rule of law that slips all too easily into authoritarian practices. When in office, this multiplies conflicts with the judiciary and other state powers … Populists can get away with

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24 Museveni (1992), pp.21-22. Jerry Rawlings’ first radio broadcast, after his 1981 takeover, was very similar except that it targeted social elites at large: “Fellow citizens of Ghana, as you would have already noticed we are not playing the national anthem. In other words, this is not a coup. I ask for _nothing less than a revolution_, something that would transform the social and economic order of this country … nothing will be done from the Council … without the consent and the authority of the people” (31 December 1981, reproduced in _A revolutionary Journey_, Accra, Information Services Department and quoted in Nugent, 1995, p.15).


26 Tarchi (2003), p.54.

undemocratic behaviour as long as their actions are perceived to represent the will of the people.\textsuperscript{28}

Illiberal attacks on state institutions have featured prominently in Ugandan politics since a new constitution was passed in 1995. Museveni, for example, harshly complained that he was tired of fighting with MPs – as well as with bureaucrats – when they delayed important legislative measures and paralysed the country:

\begin{quote}
when I was elected, I signed a contract with the people of Uganda, and government is supposed to implement programmes. Unless this is done it will cause a political crisis. We cannot go on like this. We cannot sign a contract with the electorate and some groups frustrate it. ... Traditionally, I have been having bureaucrats but now there are MPs ... How many wars shall I fight?.\textsuperscript{29}
\end{quote}

During the mandates of the Sixth (1996-2001) and Seventh (since 2001) Parliaments, the President enjoyed the support of a majority of members in the House. But presidential executives are particularly prone to the emergence of legislative-executive clashes,\textsuperscript{30} and Uganda was no exception. A Movement parliamentary caucus was set up in the mid-1990s to impose a degree of order among pro-government MPs. The Movement caucus transformed the ‘no-party parliament’ into an assembly that in practice was no longer atomised. All the same, in its first years, the House recorded numerous instances in which members of the caucus ended up splitting their vote. Thus, the Sixth Parliament occasionally displayed a certain independence from the executive, which was partly the consequence of weak (Movement) or non-existent (party) whipping. In the relative absence of the old parties, a new generation of independent-minded opposition figures emerged from among legislators. It was especially during 1998 and 1999 that some leading MPs encouraged the assembly to scrutinise government legislation more vigorously and effectively, to monitor the activities of the executive, and to censure allegedly corrupt ministers. The autonomy of parliament was manifest, for example, when a parliamentary committee proposed far-reaching changes to a key and controversial Political Organisations Bill (1998) that imposed heavy restrictions upon party activities, forcing the executive to drop the proposed legislation. Similar events contributed to legitimising the authority of the legislature among multipartisan MPs who were radically opposed to the Movement regime. Parliament’s attempt to build up some independence, however, suffered its worst setback when, under a complaisant speaker, a government-sponsored Referendum Bill (1999) was passed without the required quorum. When the Constitutional Court declared the latter act null and void, Museveni had the constitution amended, parliamentary rules suspended and MPs intimidated to rush through

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\item \textsuperscript{28} Arditi (2004), p.142.
\item \textsuperscript{29} The Monitor (Kampala), 4 November 1999.
\end{itemize}
parliament a second Referendum (Political Systems) Act (2000) before the scheduled plebiscite on the retention of ‘movement democracy’ took place.31

In 2001, a Seventh Parliament was elected, which included many more ‘multipartists’ than its predecessor. Several critical MPs also left the Movement camp after Museveni made it clear that he did not intend to abandon the presidency at the end of his current mandate. Nevertheless, a process of tightening government control over the assembly has taken place. The speaker and the Movement caucus were made more and more subservient to the executive. The same happened to the House committees, which were packed with government loyalists, regardless of their competence, with the aim of marginalising prominent opposition MPs. The voice of the Young Parliamentarians’ Association, a caucus that had played a key role in the previous parliament, was also silenced when the Movement took control of its leadership in the new legislature. As a result, the current parliament has not been up to its task and the times of the Sixth Assembly, with all its limitations, is now seen as ‘the golden age’ of parliamentary politics in Uganda.

Museveni’s intolerance for any kind of constraint to his power intensified in 2003-2004. His declared intention to open up political space to multipartyism was offset by his efforts to ensure the continuation of his personal rule. A campaign to amend the constitution and lift a two-term limit on presidential mandates was presented by Museveni as a necessary correction to protect ‘the power of the people’ against legalistic restrictions. The so-called kisanja campaign shook the Movement camp so deeply that several longstanding members of the NRM leadership who had taken a firm stance against it left the ruling organisation and formed a new opposition group. This proved not to be enough as the President had the removal of term limits approved by parliament in early 2005. The ‘third term issue’ has been a sad recurrence in many African states that introduced multiparty politics in the late 1980s or early 1990s: Namibia, Burkina Faso, Guinea, Togo, Gabon and Chad are among the countries whose presidents, between 1999 and 2005, modified the constitution to prolong their stay in power, whereas the heads of state of Zambia and Malawi were ultimately prevented from doing the same by the criticism and opposition that their initiatives raised.

The proposed constitutional reforms do not stop at the kisanja issue. The comprehensive White Paper issued by the Ugandan government in 2004 also included provisions that would allow the president to overcome the opposition of parliament and would expand his discretion in the appointment of judges.32 Most of all, the planned reforms espouse a fully plebiscitarian view of democracy by recommending changes “to return power to the people” by establishing that the results of any referendum shall be “binding on all organs and agencies of the state and

32 Government of Uganda, Government White Paper on: 1. The report of Commission of inquiry (Constitutional Review) and 2. Government proposals not addressed by the report of Commission of inquiry (Constitutional Review), Kampala: Government of Uganda, 2004. In case of a deadlock, the president would be able to call for fresh presidential and parliamentary elections, and thus re-state his mandate. The presidential power to dissolve parliament, which also features in some Latin American countries such as Chile, Peru, Paraguay and Uruguay, contravenes the principle of separation of powers that lies at the heart of presidential systems and, according to Carey and Shugart (Presidents and assemblies. Constitutional design and electoral dynamics, Cambridge: Cambridge University Press, 1992), is one of the factors responsible for the political instability often displayed by these regimes. The Israeli system (1996-2003), which envisaged a similar possibility, balanced it with the parliamentary power to withdraw its confidence in the elected head of government (the premier). The requirements for judges appointed to High and Supreme Courts are loosened (e.g. professional practice requirements down from 10 to 7 years for High Court judges and from 15 to 10 years for Supreme Court) and the role of Ministry of Justice in managing the judiciary is increased.
on all persons and organisations”. The targets of this latter piece of the reform plan are the courts, which have so far demonstrated a significant degree of independence when ruling on constitutional issues. In addition to the abovementioned instances, for example, the Constitutional Court declared in 2003 that sections of the Political Parties and Organisations Act (2002) “impose unjustifiable restrictions on the activities of political parties”, “render political parties non-functional and inoperative”, “in effect establish a one-party state contrary to article 75 of the constitution”, “are inconsistent with the constitutional provisions which protect people’s freedom to assemble and associate through political organisations”. The following year, the same court ruled that the Referendum (Political Systems) Act (2000), under which a plebiscite legitimising the movement system had been held in 2000, was also “null and void”. Museveni reacted bullyingly by threatening that it was “totally unacceptable that anyone should try to reverse this exercise … The government will not allow any authority, including the courts, to usurp the powers of the people”. His menaces came just prior to the Supreme Court’s ruling on the government’s appeal, as did anti-judiciary demonstrations organised by Resident District Commissioners, the local-level arm of the presidency. All this prompted a reversal of the Constitutional Court’s ruling: the Supreme Court confirmed the validity of the Act on the basis of political considerations by noting that “to declare the referendum a nullity would have far reaching consequences”.

In the wrangles with other institutions of the state, Museveni repeatedly called upon the authority of the people and portrayed himself as the latter’s only true representative. It is worth quoting at length from a letter he wrote to the members of his cabinet to dispel the criticisms raised by former minister, speaker and national political commissar, the late James Wapakhabulo, and to restate the undisputed primacy of his popular mandate over any constitutional constraint:

I am writing to all of you so that you know my views in connection with certain aspects of the irrational and desperate efforts by those who, it seems, have been scheming for a long time to usurp the authority of the people and reverse the gains ushered in by the 26th of January 1986. ... What is very wrong ... is for somebody to argue ... that there are certain areas of the Constitution that are no-go-areas for the people and only a monopoly of parliament. ... To whom then does the country belong – to the people or to parliament? ... My whole life, as you know, has been in the struggle for liberation of the masses from oppression and marginalisation. These arguments are part of the logic that seeks to usurp the hard-won authority the Movement gave to the people. ... There is no way the population can demand the right to pronounce themselves on any important issue and the parliament of Uganda denies them that right. ... There is no way a referendum can be held and the people pronounce themselves on an issue but that popular decision is only of ‘propaganda value’ [as defined by Wapakhabulo]. This would be a counter-revolution against the authority of the people. ... When a constitutional or legal arrangement pays more attention to philosophically irrational procedures rather

33 Government of Uganda (2004), p.116. Of a similar vein is the proposal that the Constitutional Court should not declare unconstitutional any law if such law has been repealed, expired or “has [already] had its full effect” nor any such declaration shall affect retrospectively “anything duly done ... prior to the date” (p.136). This explicitly follows the ruling that the government sought from the Supreme Court through its Constitutional Appeal no. 3/2004 (Attorney General vs. Dr. Paul Ssemogerere and Zachary Olum).
35 IRIN, 2 July 2004.
than the basic, genuine aspirations of the people, it loses legitimacy in the eyes of the people, it loses legitimacy and then it is ignored. ... ‘All power belongs to the People’. The framers of the 1995 constitution ... we should now rectify those mistakes of the Constituent Assembly ... The people’s authority must be unambiguously in the saddle of Uganda’s State affairs. ... [Wapakhabulo asked:] “can the people hold a referendum ... to sideline the jurisdiction of any Court of law in the judicial system?” ... [But the judges] are a concern and, therefore, a responsibility of the people. If they so mismanaged their professional role, and some of them do quite often, the people, either directly or indirectly, could be called upon to resolve the impasse. ... a crisis ... will obviously be resolved in favour of the people. Nobody can stop this as long as the pro-people NRM leaders are in charge of the State ... The law, including the legal procedures, to be legitimate, must be in close harmony with the aspirations of the people. The issue here is not about legal gymnastics in a gymnasium constructed by lawyers to the exclusion of the masses. The issue here is about democratic legitimacy in fulfilment of the wishes and aspirations of the masses. Nevertheless, I do not believe that the present Constitution is, fundamentally, anti-people. ... it seems that the main problem lies with the biased interpretations by the prejudiced lawyers and judges. The most beautiful article of the constitution is article 1(1): ‘All power belongs to the people’. This was the whole purpose of our carrying the gun for 13 years (1971-1979, 1981-1986). ... Article 1(1) is above all the other articles ... this Constitutional Review process must clarify that. ... Given the propensity towards diluting or even usurping people’s authority, the season for clarification, once and for all time, has arrived.37

It is quite telling that, when repeatedly quoting Article 1 of the Constitution, Museveni leaves out its second part, as the full clause reads: “All power belongs to the people who shall exercise their sovereignty in accordance with the constitution”.

The populist drive of Uganda’s charismatic leader has gone hand in hand with a personalisation of politics and an extreme concentration of power that further narrowed the democratic content of the no-party system.

Historically, the NRM “never had a national organisation comparable with those of UPC or DP” (Uganda’s main opposition parties),38 and this was the result of its comparatively recent emergence as much as a studiedly different strategy. The NRM thought that a loose organisational set up best suited its aim of accommodating all of the country’s political tendencies, and thus investments and efforts towards its own institutional consolidation were minimal.39 After all, the ‘movement’ label is often adopted in reaction to party politics and:

implies the non-institutionalisation of an idea, a group, an activity ... [Political movements] aim at criticising all party organisations and stress their only partial involvement into institutionalised political life.

As predictably happens to movements of various types, however, they sooner or later face the question of the extent to which they can be politically effective with a loose organisation:

they suffer the consequences of the unsolved tension between the conception they have of themselves and the constraints of political life, which implies the structuration, the creation of hierarchies, the acceptance of the rules of the game.40

Thus, a Movement Act was passed in 1997 that established countrywide party-like structures at different levels. But the no-party thinking and the underlying notion of atomised or weakly organised politics affected the development of the new arrangement and the Movement’s political organisation never functioned properly. A loose structure at the centre fitted Museveni’s undisputed and unrestricted control as much as it reflected the overarching anti-party and individual-merit ideology. While expanding its reach and inclusiveness, the Movement evolved a very centralised and leadership-oriented modus operandi that kept it heavily dependant upon its leader’s personal charisma and patronage linkages. Museveni appeared to be “scrupulously avoiding organization”,41 even after the decision to open up to multiparty politics was made in 2003, and an NRM political party was registered: the President called no meeting of the ‘new’ party for over a year after registration and allegedly claimed that the Movement secretariat was “dead” and the recently-created party “infiltrated”.42

Building institutions and organisations involves delegating power, something that is foreign to Museveni’s leadership style. The President notoriously prefers to dictate and ‘micromanage’ personally all decisions, regardless of institutional settings, norms and procedures.43 Ministers and other officials who are nominally in charge of a policy area are hardly consulted and often by-passed. This is notably the case for key sectors such as the economy and finance, defence or foreign policy. Museveni tends not to trust anybody but himself and no decision of any relevance is taken without his personal consent. These dynamics induced many people in government simply to avoid action and keep quiet. According to insiders of the Movement’s inner circle, it has not been always like that.44 After the NRM took power and up until the mid-1990s, Museveni’s centrality combined with a much more collective approach to decision making. But then, while state activities expanded and the complexity of decisions increased, the President became less and less inclined to promote or accept delegation.

The country’s armed forces are also run in a very personal fashion by the President. This stems from the fact that the Ugandan army was built around a rebel movement formed, commandeered and politically inspired by Museveni. His unchallenged leadership was manifest in the NRA’s ability to avoid the factional splits suffered by several armed movements in Africa. Twenty years on, the army largely remains the President’s private domain, key

41 Comment made by Mahamood Mamdani in 2002, quoted in Gunnhild Eriksen, ‘From opposition movement to governing party. An organisational analysis of the National Resistance Movement in Uganda’, Degree Dissertation, Department of Comparative Politics, University of Bergen, 2003, p.120.
43 Mugisha Muntu, MP in the East African Legislative Assembly and former army officer, interview, Kampala, 21 October 2004.
44 Mugisha Muntu, interview, Kampala, 21 October 2004.
constituency and major instrument of power. The Ugandan leader doubled up as Minister of Defence until 2001, and only formally retired from the army in 2004. By constitution, he remains the army commander-in-chief, with powers to appoint and dismiss officers and supervise military operations. Domination of the army is further ensured through the loyalty of the defence minister, the army commander and the many officers originating from Museveni’s home area. No relevant action is taken within the military that is not directly sanctioned by the President. According to some observers, corruption among top officials has also been instrumentally permitted to reinforce their loyalty to the current leadership.\(^{45}\) There is thus no agreement on the extent to which the army has been professionalised. As pointed out, the soldiers’ discipline is now much better than it used to be under previous regimes. While there is talk of internal dissatisfaction with the way the army is run and with a public image tarnished by corruption scandals, the rare instances of dissent have been systematically dealt with and, during the 2001 election campaign, the military made it clear that it would not accept any other president than Museveni.\(^{46}\)

**Anti-politics and neo-populism in an African country**

Museveni’s pro-people rhetoric and policies, his no-party and participatory democracy projects and a leadership style intolerant of institutional constraints to the popular mandate of the president fit well with the notion of ‘anti-political neo-populism’ that, despite its relatively rare appearance in the study of African politics, illuminates many political developments in Uganda.

But what are the deeper implications of the populist dimension displayed by the country’s politics since 1986? Political volatility and instability, street politics and demagogic policies, shallow democracy and weak institutional checks on executive authority, extensive corruption and pervasive clientelism are often listed among the nefarious consequences of populism. But do they feature prominently in Uganda and, most particularly, are they a direct consequence of anti-political and neo-populist politics?

In spite of the tendency of the West to condemn neo-populist leaders, international donors never demonised the intellectually sophisticated Museveni largely because he avoided the most stigmatised features of populism, namely demagogic economic reforms and xenophobic appeals. The policies that allowed Uganda’s economic recovery were not driven by cheap and unsustainable pledges but included severe and austere measures. Neither does the country exhibit a particularly significant level of political unpredictability nor the recurrent and erratic presence of politics of the street. Even the armed rebellion in the north, which some observers link to the limited scope for peaceful opposition that the no-party framework allows, probably has its main causes somewhere else.\(^{47}\) The participatory system introduced by the ‘resistance councils’, with all its pitfalls, played a key role in the reconstruction of state structures and led to an unprecedented involvement of the Ugandan masses in the country’s politics. Although such involvement did not reach the point of subjecting national policy decisions to bottom-up


\(^{46}\) As a fall-back position, Museveni expanded the former Presidential Protection Unit into a Presidential Guard Brigade led by his son, largely drawn from among the president’s Bahima ethnic group and reportedly much better equipped and paid than the rest of the army (*Africa Confidential*, 14 May 2004, p.7; *IRIN*, 2 January 2004).

controls, the system has become the basis through which “the foundations of a democratic culture are being laid”. Finally, an unexpected reaction to current restrictions on political pluralism has been the apparent emergence of a liberal discourse, notably among the elites. This developed not only out of the public debate in the free media but also through the parliamentary and judiciary battles that the opposition conducted to try to keep Museveni’s politics under check.

The Ugandan political trajectory provides some evidence to the proposition that crisis and collapse may have a positive “constitutive role” in state building. Yet one thing is for a crisis to ignite change or reform – as in the Ugandan case – another one is for such political changes to be made sustainable. The political transformation Uganda underwent over the last twenty years was largely embodied in an individual leader. As it was pointed out some forty years ago, however:

> the vacuum of power and authority which exists in so many modernising countries may be filled temporarily by charismatic leadership or military force. But it can be filled permanently only by political organisation.50

Like Africa’s other ‘new leaders’ that took over power in Rwanda, Ethiopia and Eritrea in the early 1990s and successfully rebuilt political authority in these countries, Museveni and his country are currently faced with the challenge of institutionalising political authority. While Museveni’s choice of a neo-populist approach shows how the political openings of the 1990s increased African leaders’ attention to obtaining popular legitimacy, its most worrying effects are the President’s increasingly authoritarian and intolerant attitude as well as his personal attacks on the development of the country’s political institutions. The Ugandan leader moved from his original goal of ‘fundamental change’, proclaimed in 1986, to a ‘no change’ electoral slogan in 2001, to running a ‘no term limits’ campaign that resulted in a most controversial change to the country’s constitution. In what may develop as a paradigmatic attempt to cling to power, anti-political appeals have been instrumental to Museveni’s disregarding constitutional rule and unleashing conflicts between the presidency and other state organisations. The outcome of his present crusade to affirm the unlimited primacy of his mandate and to set ‘the power of the people’ against parliamentary authority, courts’ rulings and constitutional norms will deeply affect the country’s chances of real progress towards democracy. Ultimately, however, one must recognise that personalistic politics have been the norm in Africa since independence. In this sense, the anti-political neo-populist element in Museveni’s politics appears to be an unusual dress for the continent’s best known political practice. A long-time political associate of the President, now turned his critic, sternly sums up the feelings of the opposition that recently emerged within the Movement: what is happening in Uganda is “similar to what happened in the rest of Africa since independence.

50 Huntington (1968), p.461.
This is what is most disappointing: it was not meant to be like this, we were supposed to make a difference…” 54

54 Augustine Ruzindana, interview, Kampala, 6 October 2004.
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