Regime Survival in Uganda, Security Agencies and the Question of how many generals do you have?

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In the 1980 Uganda elections, a civilian political challenger to former prime minister Milton Obote was asked a pertinent question - How many generals do you have? Fast forward to 2016, Uganda's politics has changed although all actors that today challenge president Museveni's incumbency still have to ponder upon how many army generals they have. This paper therefore examines how security agencies like the army, police and pro-government militias preserve the Museveni regime in power. President Museveni assumed power after a successful five-year liberation struggle by the National Resistance Army (NRA) rebels captured Kampala on 26 January 1986. Given Uganda's history of bad governance and misrule, the 1986 swearing-in promised a new era of hope in a hitherto tumultuous political environment. Although Museveni's fundamental change promise hinged on addressing bad governance, restoring democratic rule and ending abuse of power, thirty years later he remains in charge of Uganda's top office, with no signs of relinquishing power soon, or even facilitating a succession roadmap in his ruling National Resistance Movement (NRM) party. Although several factors explain Museveni's ability to rule Uganda for thirty years, the military factor in regime survival cannot be ignored. This paper examines the role security agencies¹ in Uganda play in preserving the Museveni regime, the motivation of military officers and the implications for Uganda's political process.

This paper offers an assessment of how security agencies have been used to entrench Museveni's incumbency by curtailing opposition activities that challenge the status-quo. In making my arguments, I focus on recent events were security agencies have used extra-legal force to quell threats to Museveni's incumbency including the Buganda riots of 2009, the Walk-to-Work protests of 2011 and recent presidential elections. In attempting to understand regime survival in Uganda, this paper addresses one main question. How do security agencies in Uganda sustain the Museveni regime and grip on power? I focus on the strategies through which official and non-official security agencies help Museveni maintain his grip on power and perpetuate incumbency. Although Museveni has won re-election in 2001, 2006, 2011 and recently in 2016, I interrogate the role of security agencies in Uganda's political process before, during and after elections. This also gives rise to another issue of the motivation behind sustaining the Museveni regime.

Situating Regime Survival, Security Agencies in Incumbency Debate

¹ Security agencies for purposes of this paper will be defined as the state's coercive apparatus and include official security groups like the Army- Uganda People's Defence Force (UPDF), intelligence agencies like Internal Security Organization (ISO), External Security Organization (ESO), Chieftancy of Military Intelligence (CMI) and Uganda Police Force. Besides these, several pro-government security groups have been mushrooming in Uganda including crime preventers, militias, private vigilantes among others.

The debate of security agencies and regime political survival for purposes of this paper is situated in the wider debate on the misuse of the incumbency advantage. Sitting presidents in some African countries use the incumbency advantage to gain political mileage and thus, 'the playing field is heavily skewed in favour of incumbents'.² This paper puts emphasis on the use of security forces for regime political survival. It examines the role security agencies especially the military play in governance and the political process. This paper focusses on the reliance on security agencies for regime and personal political survival.

Regime survival for purposes of this paper refers to the strategies through which the ruling political system is sustained and entrenched in power. Regime survival strategies are devised to contain any threats to incumbent rule. In order to understand why regimes survive or collapse, it is important to examine strategies of rule. 'Authoritarian regimes use repression as an essential strategy to attain regime stability and survival'.³ Regime ppolitical survival is a major aim of all regimes be it authoritarian, semi-authoritarian or hybrid. The problem with regime survival in some countries emerges from the lack of strong institutions and thus sitting presidents use the incumbency advantage to tilt the political landscape in their favor. Even though violent repression of citizens using security forces is costly,⁴ some leaders in a bid to perpetuate their incumbency continue to rely on it to maintain their grip on power. This paper therefore examines how security agencies sustain incumbent leaders in power.

Security Agencies and Regime Survival

Any serious discussion on the role of security agencies in perpetuating incumbency cannot go short of analysing the role intelligence networks play for Museveni's political survival. Building on the Levitsky and Way⁵ categorization of surveillance under low-intensity coercion, I delve into how such surveillance acts and intelligence networks that are spread throughout the country monitor opposition party activities and utilise information for regime political survival. At the national level, such intelligence agencies include Internal Security Organization (ISO), External Security Organization (ESO), Chieftaincy of Military Intelligence (CMI) among others. These three are counter-intelligence agencies established under an Act of Parliament- The Security Organizations Act 1987. Their functions include assessing internal and external security threats, military intelligence gathering, espionage among others. These intelligence organizations have in the past been headed by army historicals and regime loyalists like Gen. Elly Tumwine, Gen.

² Steven Levitsky and Lucan Way, *Competitive authoritarianism: Hybrid regimes after the cold war*, Cambridge, Cambridge University Press, 2010.

³ Maria Josua and Mirjam Edel, 'To Repress or not to Repress- Regime Survival Strategies in the Arab Spring', *Terrorism and Political Violence*, 27: 2, 2015, pp. 289-309.

⁴ Eva Bellin, 'The Robustness of Authoritarianism in the Middle East: Exceptionalism in Comparative

Perspective', *Comparative Politics*, 36: 2, 2004, pp. 139-157.

⁵ Competitive Authoritarianism: Hybrid regimes after the cold war

David Sejusa,⁶ Lt. Gen. Henry Tumukunde, Maj. Gen. Jim Muhwezi and others that fought in the guerrilla war. As will be discussed later, they are crucial for regime protection and monitoring all actors that pose a threat to Museveni's incumbency.

In the guise of national security, security agencies have been used to spy, obtain information and curtail activities of actors that challenge Museveni's incumbency. The mandate of obtaining information for national security can be used for regime political mileage. Human rights reports⁷ in recent years have implicated these intelligence agencies in for example using treason to isolate political opponents. Even before the passing of the Regulation of Interception of Communications Bill 2010 (popularly known as Phone Tapping Law), government admitted to tapping phones of prominent Ugandans. Although the law was intended to enable intelligence and security officials access private communication for security purposes, it has been used for curtailing political space, personal and non-security purposes.⁸ At the district level, Resident District Commissioners (RDCs) and their deputies are appointed by the regime in each district to oversee security, gather intelligence and monitor other government programs. Some of these RDCs are ruling party cadres and war veterans- some of whom former fighters in the struggle that brought Museveni to power.⁹ RDCs are assisted by District Internal Security Officers (DISOs), also appointed by the ruling party. RDCs and DISOs oversee security, gather information using informants and volunteers and are also on record of deliberate sabotage of opposition party activities like denying opposition figures access to local radio stations in the districts where they are posted.

Regime intelligence structures in Uganda are also spread to the lowest Parish and village levels. At sub county or Gombolola level, there are Gombolola Intelligence Security Officers (GISOs) who are local natives and therefore understand the dynamics of their regions. At Parish level, there are Parish Internal Security Officers (PISOs) who assist the regime in security and intelligence gathering. Finally, at the bottom of the Local government structure is Local Councils (LCI and II). These maintain law and order, gather and disseminate security information. LCs also recommend to the army and police potential recruits.¹⁰

⁶ General David Sejusa has since fallen out with the regime and is facing several charges at the General Court Martial including insubordination and absence without official leave.

⁷ Human Rights Watch, 'State of Pain: Torture in Uganda', *Human Rights Watch*, 16: 4, 2004, pp. 1- 77; Human Rights Watch (2006) In Hope and in Fear: Uganda's Presidential and Parliamentary Polls, <u>https://www.hrw.org/legacy/backgrounder/africa/uganda0206/</u>; HRW (2009) Open Secret, Illegal Detention and Torture by the Joint Anti-Terrorism TaskForce, <u>https://www.hrw.org/sites/default/files/reports/uganda0409webwcover.pdf</u>.

⁸ Mulondo Emmanuel, 'Museveni passes law on telephone tapping', *Daily Monitor*, 29 September 2010.

 ⁹ See e.g. Manyak and Katono in Jude Kagoro, Competitive authoritarianism in Uganda, pp. 155-172.
 ¹⁰ Jude Kagoro, 'Competitive Authoritarianism in Uganda: The not so Hidden Hand of the Military', *Zeitschrift*

für Vergleichende Politikwissenschaft, 10, 2016, pp. 155-172.

Pro-government security groups that I introduced earlier, are vital in understanding regime political survival in Uganda. Pro-government security groups like vigilantes, paramilitaries and militia groups are used by authoritarian leaders to contain actors that challenge incumbency. These groups become active during the electoral period and their roles include harassing and intimidating opposition supporters, voter bribery, campaigning for the incumbent and interfering in the electoral process. In attempting to explain the reasons for creating such informal militarized outfits, some argue that it is Museveni's strategy to fragment state security organs so that they cannot pose a serious threat to him but also, a source of jobs. 'Divide and rule are the watchwords that allow the president to sustain his personal control'.¹¹ Of the many progovernment security groups, crime preventers have gained prominence in recent years. These are 'a militarized network of community policing volunteers'.¹² 'Uganda's Crime Preventers are volunteer auxiliary forces that support the police in intelligence gathering and other duties, and go through at times grueling ad hoc training'.¹³ They are recruited to assist Uganda Police Force especially prior to and during the electoral period. Although the description of crime preventers has positive connotations of community policing and providing backup for Uganda Police, several challenges have been associated with their recruitment. One such challenge by critics is that apart from military training, these groups are exposed to ruling party ideology/indoctrination.¹⁴ Others have noted that they are accountable to the ruling NRM, recruited for political purposes including controlling crowds, arresting suspects, guarding ballot boxes and gathering intelligence.¹⁵ A recent study on crime preventers in eight towns across Uganda reveals that their recruitment is aimed at opposition intimidation and reducing political support for the opposition.¹⁶ Again, in linking such security outfits to regime survival, some scholars argue crime preventers are recruited for loyalty and intelligence, as Special Police Constables and polling agents/assistants. Getting such jobs however requires holding a ruling

¹¹ See e.g. Andrew Mwenda, 'Personalizing Power in Uganda', *Journal of Democracy*, 18: 3, 2007, pp. 23-37.

¹² Amnesty International, The State of the World's Human Rights, London, Amnesty International, Report for 2015/2016.

¹³ Amnesty International (2016); Rebecca Tapscott, 'Preventing Change and Protecting the Regime: Crime Preventers, Local Livelihoods, and the 2016 Uganda Election', *JSRP Paper 31*, London School of Economics and Political Science: The Justice and Security Research Programme: London, 2001, pp. 1.

¹⁴ Hurinet-Uganda (2015), 'Security Agencies and the Electoral Process in Uganda: A Preliminary Report for the 2015/2016 General Elections', Kampala.

¹⁵ See for example Titeca Kristof. and Paul Onyango, 'The Carrot and the Stick: The Unlevel Playing Field in Uganda's 2011 Elections', *L'Afrique Des Grands Lacs. Annuaire 2011-2012*, 2012, pp. 111-130; Jeffrey Gettleman, 'Instead of Democracy, Uganda Moves Toward Dictatorship Light', *The New York Times*, 17 February 2016.

¹⁶ Human Rights Watch, (2016) 'Uganda: Suspend 'Crime Preventers'. Massive Unregulated Force Threatens Election Security', <u>https://www.hrw.org/news/2016/01/12/uganda-suspend-crime-preventers</u>.

party card and in a way, loyalty to the incumbent candidate. The use of crime preventers helps the government evade accountability. 'Because Crime Preventers are informal and their mandate is loose and undefined, politicians are able to mobilize them for overtly political activities and then claim the Crime Preventers were acting of their own volition'.¹⁷

A recent fact finding mission established that such pro-government groups like crime preventers not only boost security but also, are instrumental in keeping Museveni in power.¹⁸ Whereas some reports have linked such groups to police, others attach them to the President's office (*ibid*). Without a doubt, such groups have links to government structures or officials. In Uganda, linking such groups to the regime is also due to the fact that most of them are formed by ruling party cadres and others are recommended by RDCs- who are the regimes' contact persons in each district. Pro-government security groups are understood in the conceptualisation of Carey and others - not part of official security apparatus, are armed (firearms or other weaponry), organized and linked to either government bodies or officials.¹⁹ These groups differ from official security apparatus like the police, army and intelligence agencies that are provided for under chapter twelve of the constitution of the republic of Uganda. Although pro-government security groups are not founded under any act of parliament, they have been growing in number in recent years. They are known to police and in fact, some work alongside and are paid by police.²⁰

Drawing on the argument that governments in hybrid regimes increase their reliance on extralegal armed forces to intimidate those who compete for political power²¹, one such example of pro-government security interference in the political process is the November 2005 raid of the High Court in which the main opposition leader Kiiza Besigye and 13 co-accused people suspected of belonging to a rebel group- People's Redemption Army (PRA) had been arraigned in court for bail hearing on treason charges. The assault by Black Mamba Urban Hit Squad was 'meant to intimidate and unduly influence the hearing'.²² In another case of March 2007, a paramilitary group raided High Court premises and rearrested six treason suspects.²³ In making

¹⁷ Rebecca Tapscott, 'Preventing Change and Protecting the Regime: Crime Preventers, Local Livelihoods, and the 2016 Uganda Election', p. 16.

¹⁸ HURIPEC and Kituo Cha Katiba, 'The Road to 2016: Citizens' Perception on Uganda's 2016 Elections. A Report of a Fact Finding Mission', Eastern African Centre of Constitutional Development, 2016.

¹⁹ Sabine Carey, Neil Mitchell and Will Lowe, 'States, the Security Sector, and the Monopoly of Violence: A New

Database on Pro-Government Militias', Journal of Peace Research, 50: 2, 2013, pp. 249-258.

²⁰ Andrew Bagala, 'Masked police goons names, faces revealed', *Daily Monitor*, 25 June 2016.

²¹ Aili Mari Tripp, *Museveni's Uganda: Paradoxes of Power in a Hybrid Regime*, London, Lynne Rienner Publishers, 2010.

²² Joshua Rubongoya, *Regime Hegemony in Museveni's Uganda: Pax Musevenica*, New York, Palgrave MacMillan, 2007, pp. 195.

²³ Giovanni Carbone, *No-Party Democracy? Uganda Politics in Comparative Perspective*, Boulder, Co, Lynne Rienner Publishers, 2008; 'Uganda's judges strike over raid', *BBC News*, 5 March 2007.

my argument on regime survival, I now look at how security agencies have been used to counter threats to Museveni's incumbency.

Security Agencies and Eliminating threats to Incumbent Rule

In discussing ways through which security forces in Uganda sustain the Museveni regime and consolidation of power, I discuss three major events/issues that have in the recent past threatened Museveni's incumbency and explain how high and low-intensity coercion has been used by the security forces to protect the regime. These events are first, elections, second Walk-to-Work protests of 2011 and third Buganda riot demonstrations of 2009. These events not only offer great insight on the security forces' willingness to clamp down on any opposition to incumbent rule but also, they help answer one central questions How do security agencies in Uganda sustain the Museveni regime and grip on power?

First, I discuss security forces' role prior to and during elections. Although president Museveni has been winning elections since 1996, the use of force can't be underestimated for a regime that gained power by the barrel of a gun. In both past and recent elections, the media, electoral observers and other international election monitoring groups have captured security involvement in partisan politics in their reports.²⁴ In the most recent 2016 elections, police used the contentious Public Order Management Act (2013) to block and disrupt opposition meetings and rallies in several parts of the country using preventive arrest of key opposition figures. More broadly, intimidation and harassment are other major ways through which security forces tilt Uganda's political landscape in favour of the incumbent. Different scholars have highlighted the issue of harassment and vote rigging by security forces.²⁵ '[S]tate actors were instrumental in creating an intimidating atmosphere for both voters and candidates, and police used excessive force against opposition, media and the general public, justifying it as a 'preventive measure'.²⁶ This militarization creates fear and uncertainty among voters.²⁷ Physical repression/internalised

²⁴ Risdel Kasasira, 'Army role in youth polls puts UPDF to shame, says Tumukunde', *Daily Monitor*, 3 March 2016; European Union Election Observation Mission (2016) Final Report Uganda Presidential, Parliamentary and Local Council Elections 18 February 2016, <u>https://eeas.europa.eu/eueom/missions/2016/uganda/pdf/uganda-fr-forprint-14-04-2016 en.pdf</u>: Amnesty International, Amnesty International Report 2015/2016. The State of the World's Human Rights, London, Amnesty International.

²⁵ Joshua Rubongoya, *Regime Hegemony in Museveni's Uganda: Pax Musevenica*, New York, Palgrave MacMillan, 2007; Roger Tangri and Andrew Mwenda, 'President Museveni and the Politics of Presidential Tenure in Uganda', *Journal of Contemporary African Studies*, 28: 1, 2010, pp. 31-49; Peter Girke and Mathais Kamp, 'Museveni's Uganda: Eternal Subscription for Power', *Konrad Adenauer Stiftung International Reports*, 2011: 5, pp. 49-71.

²⁶ European Union Election Observation Mission (2016), 'Final Report Uganda Presidential, Parliamentary and Local Council Elections 18 February 2016 https://eeas.europa.eu/eueom/missions/2016/uganda/pdf/uganda-fr-forprint-14-04-2016 en.pdf:

²⁷ Kristof Titeca and Paul Onyango, 'The Carrot and the Stick: The Unlevel Playing Field in Uganda's 2011 Elections', pp. 111-130.

fear and intimidation in Uganda have also been highlighted by other scholars.²⁸ Others have argued that Museveni uses security forces to intimidate voters into supporting him and selective deployment to suppress dissent.²⁹

In relating this to the central issue of regime political survival, intimidation of voters creates disparities and is thus detrimental to those that challenge incumbency. In the 2016 elections for example, regime repressive actions extended to the post-election period through house arrests or what is popularly referred to as preventive arrest of leading opposition figures like Museveni's main challenger and former physician Kiiza Besigye, Kampala's Lord Mayor Erias Lukwago, Forum for Democratic Change (FDC) spokesperson and also Kiira municipality legislator Ibrahim Semujju Nganda, former leader of opposition in parliament Wafula Oguttu, FDC deputy Electoral Commission chairman and Nakawa member of parliament Michael Kabaziguruka among others. Security forces' clamp down of the opposition and their supporters following the 2016 elections climaxed with the arrest of Kizza Besigye on treason charges for organising a mock swearing-in session. These arrests fit into the definition of high-intensity coercion. '[H]igh-visibility acts that target large numbers of people, well-known individuals, or major institutions'.³⁰

The second political event that has posed a serious threat to Museveni's incumbency in recent years is the Walk-to-Work (W2W) protests. These were civil protests championed by a group called Activists for Change (A4C) starting 11 April 2011. '[W]alk-to-Work (W2W) campaign, a series of street demonstrations spearheaded by the opposition to contest hyper-inflation of food and oil prices, challenged the regimes authority'.³¹ These demonstrations encouraged Ugandans to go to work walking in protest of Museveni's lavish spending in the 2011 presidential elections which the incumbent won. Unlike the 2001 and 2006 elections when Museveni's main challenger petitioned Supreme Court to annul Museveni's victory, Ugandan opposition leaders in 2011 chose a different path - that of civil disobedience. Political walking was therefore a non-violent and different style of struggle.³²

²⁸ See for example Paul Omach, 'Peace, security and elections in Northern Uganda', in: Sandrine Perrot, Sabiti Makara, Jerome Lafargue and Marie-Aude Foure (eds.), *Elections in a Hybrid Regime: Revisiting the 2011 Ugandan Polls*, Kampala, Fountain Publishers, 2014, pp. 348-371; Aili Mari Tripp, *Museveni's Uganda: Paradoxes of Power in a Hybrid Regime*, London, Lynne Rienner Publishers, 2010.

²⁹ Paul Tajuba, '2016 election is army Vs voters – Makerere don', *Daily Monitor*, 3 February 2016.

³⁰ Steven Levitsky and Lucan Way, *Competitive authoritarianism: Hybrid regimes after the cold war*.

³¹ Sandrine Perrot, 'Epilogue: From the February 2011 elections to the Walk-to Work protests. Did Ugandans really want 'Another Rap?', in: Sandrine Perrot, Sabiti Makara, Jerome Lafargue and Marie-Aude Foure (eds.) *Elections in a Hybrid Regime: Revisiting the 2011 Ugandan Polls*, Kampala, Fountain Publishers, 2014, pp. 423-44.

³² Mahmood Mamdani, 'An African Reflection of Tahrir Square', *Globalizations*, 8: 5, 2011, pp. 559-566.

The regime's response to these demonstrations offers a good example of using repression to impede threats to incumbent rule. Opposition members were beaten, arrested and others put under preventive arrest. Again, building on Levitsky and Way's categorization, violent repression as well as violence towards opposition parties are forms of high-intensity coercion. Although one would argue that security agencies' high-handed behaviour was a justified act and constitutional obligation of keeping law and order, some scholars have attempted to make a connection between the timing of the W2W protests and the degree of force used by security agencies. They followed a wave of mass uprisings in North Africa that came to be called the Arab spring. 'The risk of contagion posed by the Arab Spring, to other countries on the African continent was raised as one explanation for the repressive trajectory of the Ugandan regime'.³³ Others are in agreement. Such events in countries like Tunisia and Egypt have been used to explain heavy deployment.³⁴ Although Ugandan opposition leaders hoped to emulate the Tahrir Square example, security forces used repressive measures to quell these protests. This high intensity coercion aimed at preserving the Museveni regime resulted into the use of teargas, live ammunition, water cannons, arrests, injuries and deaths.³⁵

Finally, I now discuss the 2009 Buganda riots which were sparked off by police blocking of Buganda kingdom officials led by premier John Baptist Walusimbi. The Buganda kingdom officials planned to visit Kayunga, a community of the Banyala and also a small sub-group that seceded from Buganda.³⁶ The Buganda riots in a way re-opened an old rivalry of the central government versus Buganda kingdom that dates back to the first post-independence government of executive prime minister Milton Obote and ceremonial president Edward Mutesa II. This culminated into the 1966 invasion of the King's palace by the military and his subsequent fleeing to exile in London. The state's reaction to the riots that took place in Buganda strongholds and Kampala specifically (the administrative and commercial heart of the country) fits into the description of high-intensity coercion were police, military police and the army worked jointly to supress the rioters. State employed its repressive machinery including Special Forces using lethal and indiscriminate force.³⁷ The riots 'prompted a violent crackdown by the government, leaving at least 27 dead, 100 injured and 560 arrested'.³⁸

³³ Sandrine Perrot S, 'Epilogue: From the February 2011 elections to the Walk-to Work protests. Did Ugandans really want Another Rap?', p. 428.

³⁴ Angelo Izama and Michael Wilkerson, 'Uganda: Museveni's Triumph and Weakness', *Journal of Democracy*,

^{22: 3, 2011,} pp. 64-78.

³⁵ Herbert Ssempogo, 'Besigye, 48 others injured in demos', *New Vision*, 14 April 2011.

³⁶ Tom Goodfellow and Stefan Lindemann, 'The Clash of Institutions: Traditional Authority, Conflict and the Failure of 'Hybridity' in Buganda', *Commonwealth and Comparative Politics*, 51: 1, 2013, pp. 3-26.

³⁷ Gerald Bareebe and Kristof Titeca, 'Personalization of Power under the Museveni Regime in Uganda', *L'Afrique Des Grands Lacs. Annuaire, 2012-2013, pp.* 83-105.

³⁸ Tom Goodfellow and Stefan Lindemann, 'The Clash of Institutions: Traditional Authority, Conflict and the Failure of 'Hybridity' in Buganda', pp. 3-26.

Drawing on the literature of incumbency advantages, other institutions in Uganda have aided security agencies in the regime protection agenda. For example, the passing of the controversial Public Management Act 2013 is a good example. Law making in Uganda, as some scholars³⁹ have shown is used for regime survival purposes depending on the political climate of the time. The Public Order management law empowers the police to regulate public meetings and in fact, several opposition party activities throughout the country have been blocked using the law. From the three illustrations above, my argument is that the regime has combined high and low-intensity coercive measures to deal with actions that threaten Museveni's incumbency. In so doing, Ugandan elections since 2001 have recycled Museveni in power and even opposition protests have been dealt with using the regime's coercive capacity.

Silencing High profile 'Prodigal' Army Officers

I conclude my assessment of how security agencies are used by the incumbent for regime survival by looking at the Museveni's ability to silence high ranking former military officers that have fallen out with the regime. Using police, military police, the army, pro-government security groups and other coercive apparatus like The General Court Martial and prison services, Museveni has to a greater extent silenced his critics. My argument is that Museveni's handling of retired but highly ranked military officers can also explain why other dissatisfied officers would rather protect the regime than criticize it. High ranking military officers that have fallen out with Museveni include the former coordinator of intelligence services Gen. David Sejusa (Tinyefuza), former ISO and CMI boss Lt. Gen. Henry Tumukunde, former army commander Maj. Gen. Mugisha Muntu, former Chief of Logistics and Engineering Col. Kiiza Besigye among others. Gen. David Sejusa is currently facing the military court martial for insubordination, prejudicial conduct and absence without official leave and participation in political party activities contrary to the UPDF Act 2005⁴⁰. Although Gen. Sejusa and his lawyers continue to argue that he is no longer a serving military officer and therefore cannot be charged under UPDF law, the army insists he defied the Chief of Defence Forces (CDF) orders by attending opposition political rallies.41

Another case of silencing high ranked military officer is that of Brig. Henry Tumukunde⁴² who in 2005 while serving as army member of parliament refused to support the controversial

³⁹ Tom Goodfellow, 'Legal Manoeuvres and Violence: Law Making, Protest and Semi-Authoritarianism in Uganda', *Development and Change*, 45: 4, 2014, pp. 753-776.

⁴⁰ The UPDF Act (2005) provides on disobeying lawful orders in Section 133, insubordination in Section 136, Absence without Official leave (AWOL) in Section 148 and Section 99 on the requirements army officers need to fulfil before engaging in politics.

⁴¹ Derrick Kiyonga and John Taremwa, 'Drama as Sejusa is charged in General Court Martial', The Observer, 3 February 2016; 'Uganda's General Sejusa charged with insubordination', BBC News, 2 February 2016.
⁴² Henry Tumukunde has since reconciled with president Museveni, promoted to Lt. General, retired from the army and appointed security minister.

removal of presidential term limits. President Museveni directed his resignation, was arrested and court martialled for subordination.⁴³ Although Tumukunde petitioned court under case 6/2005 restraining a by-election to fill his position, Constitutional Court voted 3-2 to dismiss the petition.⁴⁴ 'The judges observed in this case that some questions are too political for the courts'.⁴⁵ Brig. Tumukunde's trial lasted 8 years, and this deliberate delay and continued house arrest was seen as Museveni's lesson to the rank and file on the consequences of challenging his authority. In fact, his case was presided over by five Court Martial heads- Gen. Elly Tumwine, Lt. Gen. Ivan Koreta, Brig. Bernard Rwehururu, Brig. Charles Angina and Brig. Fred Tolit. I argue here that the cases of Gen. Sejusa, Brig. Tumukunde and a few others can be interpreted as cases of political witch-hunt were state agencies like the General Court Martial are used by the regime in power to prosecute those who challenge Museveni's incumbency. Another case is of retired Col. Dr. Kiiza Besigye - Museveni's former bush war physician and Uganda's main opposition leader. Besigye in 1999 sent an article to the press in which he accused the regime of corruption, dishonesty among other things.⁴⁶ Besigye later apologised and was retired from the army in 2000. He contested Museveni's incumbency and lost in the 2001, 2006, 2011 and most recently in the February 2016 elections. Another retired military officer is Maj. Gen. Mugisha Muntu and currently head of the Uganda's largest opposition party- FDC. Muntu served as Uganda's army commander from 1989 to 1998. Given his respect and army experience as the second longest serving army commander after Gen. Aronda Nyakairima, Muntu has not posed any serious threat in challenging Museveni's incumbency. Other UPDF officers that have fallen out with Museveni or have attempted to challenge the regime have not been deployed as a way of punishment. An example of non-deployed/isolated army officer is Col. Fred Bogere, who as army legislator in the 7th parliament refused to support the removal of presidential term limits.⁴⁷

But what do the cases above demonstrate? In answering the question of how security agencies sustain the regime and ensure political survival, coercive apparatus like the military Court

⁴³ Gerald Bareebe and Kristof Titeca, 'Personalization of Power under the Museveni Regime in Uganda', pp. 83-105; Godfrey Asiimwe, 'Of Fundamental Change and No Change: Pitfalls of Constitutionalism and Political Transformation in Uganda, 1995-2005', *Africa Development*, 39: 2, 2014, pp. 21-46.

⁴⁴ Siri Gloppen and Edge Kanyongolo, 'Judicial Independence and Judicialization of Electoral Politics in Malawi

and Uganda', Accountable Government in Africa: Perspectives from Public Law and Political Studies, 2011, pp. 43-69.

⁴⁵ See Sabiti Makara, 'Deepening Democracy Through Multipartyism: The Bumpy Road to Uganda's 2011 Elections', *Africa Spectrum*, 45: 2, 2010, pp. 81-94.

⁴⁶ Monica Nogara, 'Role of Media in Curbing Corruption: The Case of Uganda Under President Yoweri, K. Museveni During the 'No-Party' System', *DESA Working Paper*, 72, United Nations: Economic and Social Affairs: New York, 2009; Roger Tangri and Andrew Mwenda, 'Military Corruption & Ugandan Politics since the Late 1990's', *Review of African Political Economy*, 30: 98, 2003, pp. 539-552.

⁴⁷ Jude Kagoro, 'Competitive Authoritarianism in Uganda: The not so Hidden Hand of the Military', *Zeitschrift für Vergleichende Politikwissenschaft*, 10, 2016, pp. 155-172.

Martial have deliberately been used by the regime to handle high profile dissenting voices capable of threatening Museveni's powerbase. The decision to court martial Besigye who was a civilian and whose case was before High Court was interpreted as a regime strategy to deny him bail and thus the possibility of nomination and challenging Museveni's incumbency. The charges of treason, (which Besigye won in court) can thus be interpreted as regime machinations of holding onto power. Also, I relate Museveni's ability to silence such formerly high ranking military officers to the debate on how personal rulers deal with threats. Using state repressive machinery, Museveni has used purges to eliminate disloyal, disobedient and independent minded officers. The regime protection project is however not without costs. Opposition harassment, political witch-hunt and violation of constitutionalism are some of the effects. It is thus not surprising that human rights reports in previous years have implicated the armed forces, especially police and the army as the leading human rights violators. The army and its sister agencies like ISO, CMI, ESO, VCCU are also leading human rights violators.

Army Tribalism, Promotions and Regime Survival

I now aim turn to the motivation of army officers in preserving the regime in Kampala. The army is a central part of Museveni's power base. It is 'a partisan organisation that owes allegiance not to the state but rather to the president and what he considers 'his' people'.⁴⁹ Although some argue that UPDF's most vulnerable point is the fact that the most highly ranked army officers hail from Museveni's home area in western Uganda⁵⁰, others would argue that this is a strategy of regime protection. The Banyankore and especially Bahima sub-group have been the main beneficiaries of the NRM regime.⁵¹ I now attempt to link shared ethnic identity with regime protection. Although president Museveni has argued that Banyankole domination in the political and military sphere is due to individual contributions during the liberation struggle that brought him to power in 1986⁵², critics argue it's a strategy of personalising power. In fact, other scholars have broken down the military tribalism from just the number of generals per tribe and high ranking military officers from western Uganda to also, membership of the Defence Forces Council and the Military High Command which still reflects Banyankore ethnic group dominance.⁵³

⁴⁸ Godfrey Asiimwe, 'Of Fundamental Change and No Change: Pitfalls of Constitutionalism and Political Transformation in Uganda, 1995-2005', *Africa Development*, 39: 2, 2014, pp 21-46.

⁴⁹ Stefan Lindemann, 'Exclusionary Elite Bargains and Civil War Onset: The Case of Uganda', *Crisis States Working Paper*, London, 2: 76, 2010, pp. 35.

⁵⁰ Emmanuel Mutaizibwa, 'New faces of the UPDF- Three different groups of Young Turks keen to take over from ebbing old guard', *The Observer*, 8 January 2012.

⁵¹ Stefan Lindemann, 'Exclusionary Elite Bargains and Civil War Onset: The Case of Uganda'.

⁵² See e.g. Mubatsi Asinja Habati, 'NRM politics and tribalism', *The Independent*, 26 January 2010.

⁵³ Giovanni Carbonne, No-Party Democracy? Uganda Politics in Comparative Perspective

Such domination is reinforced by the fact that of the eight army generals in the whole country, five are Banyankore from Museveni's western Uganda. These are Gen. Yoweri Kaguta Museveni, Gen. Caleb Akandwanaho commonly called Salim Saleh, Gen. Elly Tumwine, Gen. Kale Kayihura, Gen. David Sejusa (Western). Others are Gen. Edward Katumba-Wamala (Central), Gen. Abubaker Jeje Odong (Eastern), and Gen. Moses Ali (Northern). 'Banyankole/Bahima domination of the top ranks undermines any attempt to project the army as a national institution with a national outlook'.⁵⁴ The argument that UPDF is a national army has been questioned on grounds of unequal regional representation in army ranks and promotions that seem to favor his tribesmen. 'For more than 25 years of Museveni's presidency, all full five generals- including president Museveni and his younger brother General Salim Saleh- have been Banyankole'.⁵⁵ 'The tribal hegemony has been broken down from Westerners to Banyankore and finally to a small subgroup- the Bahima'.⁵⁶ Central to the debate of army tribalism/favouritism is the fact that Uganda has only had two non-Banyankore army commanders- Gen. Jeje Odong, an Itesot from Eastern Uganda and currently Gen. Katumba Wamala- a Muganda from Central Uganda. Some in fact argue, Gen. Wamala, like Odong in the past has no power in the armed forces but it is rather a regime strategy of regional balance.⁵⁷ The other army commanders have all been from Western Uganda. 'The heavy western bias is mirrored in the distribution of the 23 UPDF Top Command positions'.⁵⁸

A close examination of the elite Presidential Protection Unit (PPU), later renamed Presidential Guard Brigade (PGB) and currently Special Forces Command (SFC) reveals a lot about tribalism within the army. Its top military officers, intelligence officers and other highly ranked military UPDF officers are of the president's Banyankole (Bahima) ethnicity.⁵⁹ The elite SFC⁶⁰ is commanded by the president's son- Maj. Gen. Muhoozi Kainerugaba and deputised by president Museveni's cousin- Col. Sabiti Muzeyi Magyenyi. Critics argue that it is a personalised arm of the military and 'comprises the best-trained, best-equipped and best-paid military force in

⁵⁶ Stefan Lindemann, 'Just Another Change of Guard? Broad-Based Politics and Civil War in Museveni's Uganda', *African Affairs*, 110: 404, 2011, pp. 404; Jones, B, 'Museveni's rule has divided Uganda', *The Guardian*, 2 April 2009.

⁵⁴ International Crisis Group, 'Northern Uganda: Understanding and Solving the Conflict, pp. 13.

⁵⁵ Jude Kagoro, 'Competitive Authoritarianism in Uganda: The not so Hidden Hand of the Military', pp. 167.

⁵⁷ Interview with political and security analyst, 25 July 2016.

⁵⁸ Stefan Lindemann, 'Just Another Change of Guard? Broad-Based Politics and Civil War in Museveni's Uganda', pp. 404.

^{*} The debate on favoring one tribe (Banyankore) in the Army is valid in a way given the fact that Uganda has 65 indigenous communities as of 1 February 1926 (Constitution of the Republic of Uganda).

⁵⁹ Andrew Mwenda and Roger Tangri, 'Patronage Politics, Donor Reforms, and Regime Consolidation in

Uganda', African Affairs, 104: 416, 2005, pp. 449-467.

⁶⁰ There a plans to make Special Forces Command (SFC) an autonomous unit from the UPDF, which further raises suspicion of the president's intention to have his son- Maj. Gen. Muhoozi Kainerugaba succeed him.

Uganda'.⁶¹ The maintenance of family and personal ties in the military fits into the wider debate on personalization of power and is important for regime survival in various ways. This is because it reduces discontent, ensures control of the military and creates many officers interested in ensuring Museveni stays in power. Ethnicity surrounds the strongman with loyalists and also ensures cohesion which is vital for regime security.

Museveni's personalization of power is also reflected in army promotions. The national army (UPDF), according to some observers is defacto and personalised to the president.⁶² 'As commander-in-chief and for many years Minister of Defence, president Museveni has maintained close personal control over the army, micro-managing its affairs, and making key appointments and decisions'.⁶³ The army is thus central to NRM's and Museveni's continued grip on political power⁶⁴, and plays a great part in keeping Museveni in charge. Unlike institutionalized rule, appointments and promotions in the Museveni's personalised system have not based on standard criteria or the UPDF Act 2005 but rather loyalty. At the centre of this personalization debate is the president's fast tracked promotion of his son Muhoozi Kainerugaba to the rank of Maj. General. Succession manoeuvres are no doubt a feature of personal rule and Museveni's promotion of his son up the army hierarchy raises fears he is grooming him for succession.

Building on the attributes of personal rule⁶⁵, Museveni has also used army promotions to purge disloyal, critical and independent minded officers as way of maintaining control. In this way, army promotions have served as a carrot and stick. 'Purging insubordinate and rewarding loyalists has become an important feature of Museveni's ruling strategy'.⁶⁶ Another style of promoting army officers takes the form of indirect payoffs.⁶⁷ This is where army personnel are assigned to government and civil service jobs. For example, former Chief of Defence Forces

Report No.77, Nairobi/Brussels, 2004.

Spectrum, 46: 2, 2011, pp. 3-41.

⁶¹ Roger Tangri and Andrew Mwenda, 'President Museveni and the Politics of Presidential Tenure in Uganda', *Journal of Contemporary African Studies*, 28: 1, 2010, pp. 44.

⁶² Roger Tangri and Andrew Mwenda, 'President Museveni and the Politics of Presidential Tenure in Uganda', pp. 31-49.

⁶³ Roger Tangri and Andrew Mwenda, *The Politics of Elite Corruption in Africa: Uganda in Comparative African Perspective*, Vol. 3, New York, Routledge, 2013, pp. 46.

⁶⁴ See e.g. International Crisis Group, Northern Uganda: Understanding and Solving the Conflict, ICG Africa

⁶⁵ Robert Jackson and Carl Rosberg, 'Personal Rule: Theory and Practice in Africa', *Comparative Politics*, 16: 4, 1984, pp. 421-442.

 ⁶⁶ Gerald Bareebe and Kristof Titeca, 'Personalization of Power under the Museveni Regime in Uganda', pp. 90.
 ⁶⁷ Stefan Lindemann, 'The Ethnic Politics of Coup Avoidance: Evidence from Zambia and Uganda', *Africa*

Gen. Aronda Nyakairima was in 2013 appointed internal affairs minister while still a serving military officer. Currently, several serving UPDF officers are managing Uganda's National agricultural programme- NAADS. This responsibility, hijacked from civil servants and given to the army by the president is discussed in the last section.

Army's Increased Role in Uganda's Political Process: Parliament, NAADS

Two major issues are worth highlighting regarding army's increased role in the politics of Uganda. First, army representation in parliament as provided for in article 78(1)(c) of the constitution of the Republic of Uganda and Parliamentary Elections Act 2005. Second, army management of the National Agricultural Advisory Services (NAADS) which has since been rebranded into Operation Wealth Creation. Regarding the army in parliament, there has been too much debate in Ugandan circles on the role of army representation in parliament if the institution is non-partisan and apolitical. On the one hand, those who support army representation in parliament argue that involving the military in Uganda's governance and political process is good for the country's stability. On the other, critics are of the view that such representation allows the army to support and vote on contentious issues like the removal of presidential term limits in 2005. 'Army representatives in parliament have helped solidify the NRM voting bloc in parliament while giving the military a prominent role in politics'.⁶⁸ This according to others is in a strategy of regime legitimation.⁶⁹

While there is no consensus among political analysts on whether or not to have army representation in parliament, several issues of contention regarding army representation in parliament have emerged over the years. First, is the number of army legislators with some analysts arguing that 10 legislators are many and thus should be reduced to five and eventually phased out.⁷⁰ Second, the process of voting army members of parliament has been short of transparency since there is no independence in the army electoral college. For example, prior to voting army legislators for the 10th parliament (2016-2021), president Museveni nominated 30 UPDF officers and was physically present throughout the voting process. Important also is the fact that only the Army Council votes. This includes members of the army high command, military service directors, commanding officers of brigades, battalions and officers of other top military units.⁷¹ One can argue this is not representative on the entire UPDF force.

⁶⁸ Joshua Rubongoya, *Regime Hegemony in Museveni's Uganda: Pax Musevenica*, 2007, pp. 181.

⁶⁹ Interview with journalist, 22 July 2016.

⁷⁰ Arthur Bainomugisha and Elijah Mushemeza, 'Deepening Democracy and Enhancing Sustainable Livelihoods in Uganda: An Independent Review of the Performance of Special Interest Groups in Parliament', *Policy Research Series*, 13, ACODE: Kampala, 2006.

⁷¹ The Officers in the 10th Parliament', *New Vision*, 7 March 2016; Henry Sekanjako, 'Army elects new Members of Parliament', *New Vision*, 4 March 2016.

Another recent assignment given to the army by the president is revamping the agricultural programme- National Agricultural Advisory Services (NAADS). In the past, NAADS has undergone several changes and has in fact been suspended by the president in 2007 and 2014⁷² due to poor management and failure to meet its original mandate. Scholars argue that the ruling party uses it for patronage especially during elections. Titeca and Onyango have for example shown how NAADS became politicised and a tool for campaigning starting from the 2006 to the 2011 elections. Although NAADS has been mismanaged in the past, the decision to place it in the hands of soldiers has raised some questions. Following the 2014 suspension of the programme, the president assigned the UPDF to take over its implementation and rebranded it as 'Operation Wealth Creation'. The whole idea of the project was contained in a policy brief-Operation Wealth Creation: Conceptualisation of the mission and task analysis. Critics have questioned the president's motivation in assigning a vital social programme to an institution like the army with little experience and technical know-how of agricultural extension services. During interviews with journalists and political analysts, army management of NAADS arises from Museveni's trust in the army to solve his problems. Citing examples of Police and the national ID project where the president has in the past deployed soldiers, some have argued Museveni's deployment of soldiers in NAADS is tactical.⁷³ With many institutional failures in Uganda, Museveni believes the army is the 'only functional institution in the whole country'. 'Museveni thinks he can exercise control over army officers implementing NAADS more than he can keep tabs on bureaucrats in the government ... Museveni's decision to put the army in charge of NAADS dovetails with his efforts to make the army the single most dominant institution in the country'.⁷⁴ Others argue that the army's involvement in NAADS is a way of making the army a player in Uganda's political process, a strategy of deploying idle army officers and also allowing some military officers make money.⁷⁵ For example, the president's brother Gen. Salim Saleh, one of the architects of Operation Wealth Creation heads about 300 other army officers in managing the project. The challenge however arises in the regime's plan to increase the army's role in governance. Some for example argue that NAADS is a pilot scheme for the army's future deployment in the civil service and other roles.⁷⁶

This objective of this paper was to examine how security agencies in Uganda preserve the Museveni regime. In answering this question, I have looked at the various ways through which security agencies deal with political actors that challenge Museveni's incumbency. Secondly, I

⁷² See e.g. Anne Mette Kjaer, 'Political Settlements and Productive Sector Policies: Understanding Sector Differences in Uganda', *World Development*, 68, 2015. pp. 230-241.

⁷³ Eriasa Mukiibi Sserunjogi, 'Naads: Why Museveni trusts army', *Daily Monitor*, 16 June 2014.

⁷⁴ Interview with journalist, 27 July 2016.

⁷⁵ The NAADS program receives over 200 billion Uganda shillings annually from government, making it a very lucrative venture.

⁷⁶ Interview with political commentator, 22 July 2016.

have shown how army tribalism, promotions and increased army role in Uganda's political process are all tactics employed by Museveni to keep security forces personally loyal to him and use them for his political survival projects.

Implications

The issues highlighted above have shown that the use of security agencies for regime political survival has majorly been during events that pose a serious threat to Museveni's incumbency. I have examined how the state's coercive apparatus has been used to impede any actors that challenge Museveni's incumbency. Examining recent demonstrations like the 2009 Buganda riots and the 2011 W2W protests, I have shown how high and low-intensity coercion has been applied in Uganda to protect Museveni's grip on power. Court martials, repressive measures, raiding of court premises, preventive arrests, restrictions on opposition activities using the controversial Public Order Management Act (2013) among other measures have all been employed in the regime protection agenda. I argue that the use of the military for regime political survival raises questions around upholding the constitutional mandate. Article 208(2) of the constitution of the Republic of Uganda 1995 provides that 'The Uganda Peoples' Defence Forces shall be nonpartisan, national in character, patriotic, professional, disciplined, productive and subordinate to the civilian authority as established under this constitution'.

Although president Museveni has succeeded in playing his ethnic cards in the military and it has indeed paid off for regime protection in the last 30 years, handling of promotions within the army and ensuring regional balance should be done more transparently. Although Section 55 of the UPDF Act 2005 provides for the criteria of promotion within the army, debate on tribalism and favouritism of Museveni's tribemates- the Banyankore in the army is common in Uganda. In fact, a reform of the military sector would rid the army of regime loyalists and create a more professional force that defends the constitution rather than Museveni's personal survival interests. The current departmentalization of the military in the guise of professionalization is a scheme aimed at consolidation of power by creating personal units in the army for example SFC that are loyal to the president. Three looming challenges are associated with personalization of the military. First, what do the army old guards or 'historicals' think about Museveni's calibrated plan of preparing his son to succeed him? Second, what do marginalised military officers from other regions of Uganda think? Third, what do defections of high ranking military officers and former regime henchmen like Gen. David Sejusa point to? Whether the issue of quiet but disgruntled serving army officers will act as a boom or bubble depends on future handling of the military.

I have also attempted to fit the argument of using security agencies for regime survival into the wider debate on personalization of political power in Uganda. As I have shown, Museveni is not only commander-in-chief but in a way he also runs the military. Personalization of the military as discussed in the paper takes the form using security agencies to curtail opposition party activities

and fighting political opponents, selective promotion of Banyankore tribesmen that are personally loyal to him and foreign deployment of the UPDF to countries like Somalia and South Sudan without parliament approval. Using the military for regime survival purposes in Uganda falls within the bigger problem of personalization of power and vagueness in the application of separation of powers in Uganda. For example, although article 210(d) of the constitution of the Republic of Uganda 1995 provides for parliamentary approval of deployment of troops outside Uganda, the invasion of Congo, peacekeeping in Somalia and the 2013 UPDF deployment to protect the Salva Kiir administration in Juba were all never approved by parliament. Similar to this, is the formation and increased reliance on the services of pro-government security groups especially crime preventers that are not provided for under any legal framework. This disregard of institutions like parliament fits into the argument that institutions under personal rule have limited ability to constrain the strongman.⁷⁷ As a result, the number of dead UPDF soldiers, military expenditure, entry and exit strategies of UPDF military deployments all remain vague. Strengthening of institutions in Uganda can go a long way in checking power excesses by the incumbent president.

Finally, the president's plan to have his son Maj. Gen. Muhoozi Kainerugaba succeed him needs to be handled carefully. The Muhoozi project dossier in which former coordinator of intelligence services Gen. David Sejusa wrote a letter revealing the regime's plot to assassinate top military officers opposed to Museveni and his succession manoeuvres should not be ignored.⁷⁸ The bigger lesson from Museveni's attempted mixture of personal rule with dynasticism is that there are army officers that are disgruntled with the handling of the succession debate in Uganda. Museveni's rushed promotion of his son Muhoozi Kainerugaba to the rank of Maj. Gen. has been easy considering the fact that as commander-in-chief, the president has power to appoint and disappoint. However, imposing his son on Ugandans or even the ruling NRM party poses certain challenges.⁷⁹ Succession in Uganda remains a sensitive issue that is also compounded by the fact that Uganda has never witnessed a peaceful handover of power from one president to another since attaining independence in 1962. Manipulating of the succession process can pose dire consequences and thus the need for a transparent succession debate and roadmap that doesn't necessitate army involvement.

⁷⁷ See e.g Robert Jackson and Carl Rosberg, 'Personal Rule: Theory and Practice in Africa', *Comparative Politics*, 16: 4, 1984, pp. 421-442.

⁷⁸ See for example 'Ugandan police raid newspaper', *Gulf Times*, 21 May 2013.

⁷⁹ Risdel Kasasira, 'Don't impose Muhoozi on us, Mukula tells Museveni', *Daily Monitor*, 18 September 2011.

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