

Abu Mayanja and the packaging of the first Uganda post-colonial state, 1961–66

A.B.K.Kasozi

Abstract

Since 1894, Uganda has gone through several state formats. The colonial state lasted 68 years from 1894 to 1962, **the first post-colonial state from 1962 to 1966**, the Pigeonhole Constitution state from 1966 to 1971, the Military based state from 1979 to 1986 and the NRM governed state started from 1986. The focus of this paper is to identify who was key in designing and negotiating the structures of the first Ugandan postcolonial state. It is evident from the sources that Abu Mayanja was the major player in developing ideas for forming the governing coalition to which colonial officials transferred power in 1962. He “packaged” Uganda’s first postcolonial state by finding a formula for the various political factions in the state to work together. He was key in negotiating and therefore packaging Uganda’s initial post-colonial state. He negotiated the major articles of the 1962 Constitution with both the Mengo Establishment and Uganda Peoples’ Congress (UPC) leaders, including Milton Obote and Grace Ibingira. Indeed, it was Mayanja who introduced Obote to Sir Edward Muteesa II at Bamunanika Palace and thereafter worked tirelessly to design the alliance between the Kabaka Yekka (KY) and the UPC, which enabled Obote to form a government in 1962. Mayanja was also a prominent player in the London negotiations that led to drafting the 1962 Constitution. In addition, Mayanja managed the 1962 disputed Lukiiko elections, which allowed the Lukiiko to act as the electoral college and get 21 representatives in the National Assembly. The collapse of the first postcolonial state ushered in the gun as the major determinant of the nature of the Uganda state. Government being the power of the state, its structure determines the political behaviour of the state. A constitution or order in council (in the colonial period) defines the nature of the state.

1. Abu Mayanja was responsible for negotiating the major contents of the 1962 Constitution

Abu Mayanja was the major player in developing ideas for forming the governing coalition to which colonial officials transferred power in 1962. He “packaged” Uganda’s first postcolonial state by finding a formula for the various entities of the state to work together. The first postcolonial state administered with traditional and notables from the country’s districts, lasted only five years from 1961 to 1962. It was not an integrated state, but a package of small nations based on ethnicity and social bonds for which Mayanja crafted a shaky formula for unity. Their agreement to live together in one postcolonial entity called Uganda was based on a difficult to operate arrangement called the 1962 Constitution. Agreed upon by notables including traditional rules, appointed chiefs, elected representative of the various ethnic and racial groups within the state, the 1962 Constitution was crafted by Abu Mayanja with the help of other lawyers including Grace Ibingira. Mayanja’s role in crafting the 1962 Constitution lies in his bringing together the key notables from Buganda and Uganda to agree on a formula for the country’s independence. However, the masses were not a party to the negotiations that led to the drafting of the 1962 nor were they given a chance to endorse it through their votes. Abu Mayanja’s task

was eased by the pressing desire of the British imperial power to scramble out of Africa¹. By 1957 the United Kingdom was eager to transfer power to Africans as soon as the latter organised themselves into political parties that could manage the state. Unlike Algeria or Kenya, Uganda “managed to arrive at the threshold of independence with little to show in a way of a long and bitter political struggle” or bloodshed because the British were interested in leaving.² Thus in 1962, the British colonial officials “conceded independence to Uganda without a fight. The real conflicts in the pre-independence period were between contending factions within Uganda” who were trying to capture the post-colonial state.³ For Uganda, there was no bloody struggle for independence as the first batch of pre-independence politicians would like us to believe. Due to lack of capacity to keep colonies, the British run out very quickly from most African countries between 1957 and 1975.⁴ No wonder, one former Uganda Protectorate colonial officer called the British decolonisation process “an undignified scramble-out-of-Africa”⁵ and Samwiri Karugire noted that Uganda “was almost literally frogmarched into independence”⁶.

Mayanja was key in negotiating and therefore packaging Uganda’s initial post-colonial state. He negotiated the major articles of the 1962 Constitution with both the Mengo Establishment and Uganda Peoples’ Congress (UPC) leaders, including Milton Obote and Grace Ibingira. His move to Mengo as a minister of education in the Kabaka’s (king’s) government won him the trust of the Mengo Establishment, and his links with Obote in the Uganda National Congress (UNC) allowed him to communicate freely with both the traditional elements in Buganda and the non-Baganda political elites in Uganda. This goodwill he enjoyed from both sides helped him bring the two camps together to agree on what has been called a “shaky” constitution.⁷ Indeed, it was Mayanja who introduced Obote to Sir Edward Muteesa II at Bamunanika Palace and thereafter worked tirelessly to design the alliance between the Kabaka Yekka (KY) and the UPC, which enabled Obote to form a government in 1962. Mayanja was also a prominent player in the London negotiations that led to drafting the 1962 Constitution. In addition, Mayanja managed the 1962 disputed Lukiiko elections, which allowed the Lukiiko to act as the electoral college and get 21 representatives in the National Assembly.

¹ Pearce, R. D. (1982). *The Turning Point in Africa: British Colonial Policy, 1938-1948*. London: Cass; Pearce, Robert. “The Colonial Office and Planned Decolonization in Africa.” *African Affairs*, Vol. 83, No. 330 (Jan. 1984); pages 77-93; Flint, John. “Planned Decolonisation and Its Failure in British Africa.” *African Affairs*, Vol. 82, No. 328 (July 1963); pages 389-411; Thorton, A.P. “Decolonisation.” *International Journal*, Vol. 19, No.1, (Winter 1963/64); pages 7-29; Cell, J. W. “On the Eve of Decolonisation: The Colonial Office Plans for the Transfer of Power to Africa.” *Journal of Imperial Commonwealth History*, Vol. 8, 1979/80 (May 1980), pages 234-57; See also Ntambi Kakembo, Patrick (1989). “Colonial Office Policy and the Origins of Decolonisation in Uganda, 1940-1956,” PhD dissertation, Dalhousie University; Lawal, Olakunle A. “From Colonial reforms to Decolonisation and the Transfer of Power, 1947-1960.” *Journal of the Historical Society of Nigeria*, Vol. 19 (2010); pages 39-62.

² Englohm, Geoffrey. “Political Parties in Uganda’s Independence,” *Transition*, No. 3 (January 1962), pp. 15–17.

³ Glentworth, Garth and Hancock, Ian. (July 1973). “Obote and Amin: Change and Continuity in Modern Uganda Politics.” *African Affairs*, Vol. 73, No. 2888, pp. 237–255. See also Kakembo, Ntambi, Conclusions, pp. 265–277

⁴ Brendon, Piers (2008) *The Decline and Fall of the British Empire, 1781-1997*. New York: Vintage Books.

⁵ Ryrie, Sir William, “Uganda in 195758” In Brown, Douglas, and Marcell Brown (1996). *Looking Back at the Uganda Protectorate: Recollections of District Officers*. Dalkeith, Australia: Own published.,pp. 347-52

⁶ Karugire, Samwiri Rubaraza (1980). *A Political History of Uganda*. Nairobi: Heinemann, page 142.

⁷ Mutibwa, Phares Mukasa. (1992). *Uganda Since Independence: A Story of Unfulfilled Hopes*. Kampala: Fountain Publishers, p. 25.

Mayanja was also responsible for initiating key agreements in the KY/UPC alliance. For example, he introduced a motion in the Lukiiko to have Muteesa II become president of Uganda.⁸ Later, in 1964, when Muteesa II realised that to secure Buganda, a subnational or regional leader must have a controlling influence in Uganda, Mayanja advised that Buganda employ a Trojan Horse-like entrance strategy into the UPC. His aim, as well as Muteesa II's, was to retain the integrity of the 1962 Constitution. As a result, Muteesa II permitted the Baganda to join the Ibingira faction of the UPC in droves. Accordingly, Mayanja led a delegation of KY members at the UPC Gulu Conference of 1964, where he was photographed wearing a UPC gown. At a later KY conference, he moved a resolution that the UPC and KY merge into one party, pending approval by members of both organisations.⁹ On 7 July 1965, at a KY delegates conference, Mayanja proposed that the KY should dissolve and its members join the UPC. His suggestion was lost by 121 votes to 1.¹⁰ Privately claiming that the Kabaka would not mind, Mayanja, two KY members of Parliament and several KY Lukiiko members joined the UPC on 9 July 1965.¹¹ Although Mayanja did not openly join the group of five ministers who wanted to oust Obote over the Gold Scandal, his speeches in Parliament show that he sympathised with their views and feared that tearing up the 1962 Constitution—the document he had worked so hard to craft—would bring chaos to Uganda.

After Obote subdued his enemies within the UPC by arresting the five ministers, dismissing unfriendly personnel in the state's organs of coercion, forcing the Kabaka from his palace and into exile, and replacing the 1962 Constitution with the temporary 1966 "pigeonhole" document, he introduced a draft of the 1967 Constitution to Parliament for discussion. Mayanja saw this move as a chance to redesign the state after the bitter struggle for state and UPC control that pitted Obote against others was believed to be over. His parliamentary speeches on the 1967 Constitution draft are some of his best (see chapters 10–17). It seems Mayanja believed that Obote's proposal of this draft reflected his interest in establishing a liberal democratic state in Uganda. Although this was not the case, Mayanja's speeches in the National Assembly are so articulate that they should inspire future members of Parliament to critically analyse political issues before enacting laws or forming public policy.

2. The Kabaka's call cannot be refused: Mayanja joins Mengo as minister of education

Mayanja moved to Mengo as a minister both to answer the Kabaka's call and to find a niche for himself. His move to Mengo as minister of education influenced the structure of the 1962 Constitution and therefore Uganda's initial post-colonial state. By working with the Mengo Establishment, especially the Kabaka and the Katikkiro (prime minister), Mayanja successfully conveyed them of the importance of unifying the Uganda state and the impossibility of detaching Buganda from it. Criticised for embracing sub-nationalism at the expense of nationalism, Mayanja insisted that he needed a constituency, as his relations with Obote were souring with each passing day. The move also allowed him to better influence events in Mengo than he could have as an outsider, as many old chiefs in Mengo considered Mayanja adversarial because he and Muteesa II had become close friends when the latter was in exile between 1953

⁸ *Uganda Argus*, 13 September 1963, p. 5.

⁹ *Uganda Argus*, 30 April 1964, p. 1.

¹⁰ *Uganda Argus*, 8 July 1965, p. 1.

¹¹ *Uganda Argus*, 10 July 1965, p. 1.

and 1955. The Kabaka's appeal to Sir Andrew Cohen had also secured Mayanja's admission and scholarship to Cambridge University, and Muteesa II is believed to have paid for some of Mayanja's legal Bar studies at Lincoln's Inn. On the Kabaka's return from exile in 1955, Mayanja and Ben Kiwanuka were among the Baganda who accompanied him on his flight to Uganda. Therefore, when Muteesa II called Mayanja to work in Mengo, he could not refuse. After all, Mayanja's quarrel was with the old chiefs who benefited from the fruits of the 1900 Agreement, not with the Kabaka who was regarded as the Buganda itself, a subtlety Obote and many other Ugandan politicians of the time failed to grasp when they defined all Baganda as "feudalists".

At this time in Buganda, the Kabaka was regarded by his people not only as a political leader but also an institution, and all sectors of society were linked to the Kabakaship. The Kabaka was the social head—the head of clan leaders (the Ssabataka)—whose welfare determined the health of the sub-state. Recent studies indicate that African political institutions like the Kabakaship emerged from a collection of community forces, including the sacred, the social and the political.¹² Mayanja later reported that he faced a great dilemma when invited to serve the Kabaka as a minister. Had he refused the invitation, he would have been blacklisted as anti-Kabaka—as Ben Kiwanuka was later for participating in an election rejected by the Mengo Establishment—which would have eliminated his constituency in his home area. He would also have been unlikely to be elected elsewhere in Uganda, as most of the country's constituencies are geographically and tribally based, making it difficult to run for office outside one's home district.

Mayanja realised that accepting the position, however, could undermine his image as a nationalist, as indeed it did. As noted in the previous chapter, this was the dilemma faced by all Baganda nationalists in those days. A nationalist needs a home constituency to reach the larger crowds of the entire nation. While those outside Buganda could do so directly by acquiring votes, a Ugandan politician had to go through the courtiers and onlookers who surrounded the Kabaka to participate in Ugandan politics. These courtiers and onlookers were not disinterested in upward political mobility; they too were seeking pieces of the pie, which a later politician have called "political cakes", and their methods were often dirty. Like the French revolutionaries who, as Madame Roland noted, exploited the concept of liberty embodied in the Statue of Liberty to commit crimes, people in Buganda often used the Kabaka's name to achieve their own ends.

In a 1983 interview, Mayanja defended his move from national politics to serving Buganda, citing the changing political aims of Ugandan politicians between 1958 and 1962. He lamented that as independence approached, the struggle to capture the post-colonial state through petty and dangerous cleavages based on tribe and religion destroyed the heart of the UNC he had helped to start in 1952. He added that he realized that Obote and several of his UNC colleagues were beginning to define the Baganda based on the actions of the Mengo Establishment, which both Mayanja and Musaazi had fought fiercely because they thought it was an imperialist agent. Most of Musaazi's battles were aimed not at the British but at the Mengo Establishment.

¹² Kodesh, Neil. (2010). *Beyond the Royal Gaze: Clanship and Public Healing in Buganda*. Charlottesville, VA: University of Virginia Press; Vansina, Jan. (2004). *How Societies are Born: Government in West Central Africa before 1600*. Charlottesville, VA: University of Virginia Press

Mayanja therefore became disappointed with Obote's style of operation and his exploitation of the understandable anti-Baganda backlash to gain political popularity. While Mayanja was aware that many Baganda, especially the Mengo Establishment, had benefitted from relations with the colonial state, he was unwilling to extend blame across all the Baganda, especially peasants, whose lot did not differ from those of other Ugandans. He therefore became increasingly discontented with mainstream UNC operations. In a secret memo late in the previous year, a colonial officer had noted:

From the time of his return, Mayanja's pre-occupation was to revive the position of the U.N.C. Information was received from many sources which showed his disappointment in the Party's leadership and with its apparent lack of policy with which to capture the imagination of the people.¹³

When the Kabaka's Government called Mayanja to Mengo, he agreed to serve. It was suggested he should replace the late Kassim Male as minister of education. After a meeting with the Kabaka and Prince Badru Kakungulu, who was the chair of the Buganda Appointments Board, it was agreed that Mayanja be a candidate for minister of education, a position appointed via a Lukiiko vote. Mayanja won by a landslide, receiving 45 votes to Musa Musoke's 13, Dr E. S. Lumu's 7, Muhmud Ntege Lubwaam's 4, Baziliyo Ddungu's 3, and Joseph Luleme Kasajja's single vote.¹⁴

Initially, Obote did not approve of Mayanja's move to Mengo and publicly tried to stop him from accepting the position. After all, Mayanja had brought Obote into the UNC, and Obote probably felt that he still needed Mayanja's inputs.¹⁵ Based on comments by acting UNC Secretary Otema Alimadi at a party meeting, however, Obote realised that Mayanja would be a moderating influence in Mengo. Alimadi went on to wish Mayanja the best in the new position.¹⁶ Mayanja only later admitted that he had problems with the offer from Mengo. As he told Ibrahim Semujju Nganda, "While in the USA, I received a telegram to inform me that the Kabaka had appointed me Minister. I was undecided because I was a leader in a national party but Buganda was also my base. So, I accepted to serve."¹⁷

Accepting a position in Mengo changed peoples conception of Mayanja's political behaviour. Many Ugandans began to view him as a lost nationalist and a staunch sub-nationalist. This, however, was a misreading of Mayanja. He remained a nationalist, realising the need to unite Uganda while protecting the interests of its multiple social groups. Mayanja maintained that the Uganda state, though artificially packaged for colonial strategies, should remain united, with no part chipped away. When a group of Mengo chiefs led by Michael Kintu "declared independence", Mayanja warned them against the action. He later noted that Buganda's independence bid was "a dream that would never be realised" and "only gave rise to a great deal of suspicions that was helping to delay the eventual granting of independence."¹⁸ But his view of state unity differed from that of Obote, as will be detailed in subsequent chapters. Mayanja advocated "unity in diversity", an approach in which each tribal group kept its traditions while

¹³ R.E. Stone to F.D. Webber, 27th December 1959, CO 822-1419, EAF 68/6/04, National Archives, Kew, London.

¹⁴ *Uganda Argus*, 16th December 1959, p. 3.

¹⁵ *Uganda Argus*, 10th December 1959, p. 1.

¹⁶ *Uganda Argus*, 13th January 1960, p. 5.

¹⁷ *The Weekly Observer*, 10–16th November 2005, pp. 32–33.

¹⁸ Makubuya, Apollo. "Abu Mayanja: A Restive Pan-Africanist, Nationalist." *Sunday Vison*, 17th May 2015, pp. 40–41.

the central government was responsible for maintaining peace, security and other sovereign affairs.

3. Mayanja connects Muteesa II with Obote at Bamunanika

Mayanja introduced Obote to Muteesa II at Bamunanika, a country palace near Bombo. This action linked the forces and personalities needed to form a broad political coalition to which the colonial officials could transfer power. Mayanja was thus not only a link between Muteesa II and Obote but also Buganda and Uganda. He knew both men well, and he connected them, removing a major stumbling block to independence. Through this action, Mayanja helped Uganda—represented by Obote, who had united political elites across the country within the UPC against the pretences of the Mengo Establishment in particular and Baganda in general—take power and prevent Baganda elites from capturing the post-colonial state. Many Baganda elites blame Mayanja for having “given away” Buganda’s political playing cards to Obote. The Bamunanika meeting was a milestone in the packaging of Uganda’s post-colonial state, which turned out to be an anti-Baganda state.

There is some controversy, however, about the individual who planned and took Obote to meet Muteesa II at Bamunanika. The popular UPC narrative is that Pumla Kisosonkole came up with the idea and that Mayanja was a mere escort to the meeting of Muteesa II and Obote.¹⁹ However, available sources suggest that while Kisosonkole might have laid some groundwork for the meeting, Mayanja was initially involved in the plan and also took Obote to Bamunanika. For example, a 1965 publication by F.B. Welbourn names Mayanja and Daudi Ochieng as bringing Obote to see Muteesa II at Bamunanika.²⁰ Later, Kenneth Ingham noted that while Kisosonkole organised the meeting, Obote suggested Mayanja accompany him to see the Kabaka.²¹ In his book, the Kabaka describes Mayanja and Ochieng bringing Obote to Bamunanika as follows:

Not long after the election (of 1961) two mutual friends, Abu Mayanja and Daudi Ochieng brought Obote to Bamunanika that I should meet him. He was friendly almost obsequious. We talked and for a few weeks, he sent me letters.²²

Though the Kabaka does not indicate who initiated the visit or who decided who would attend, Mayanja—who told me in a 1983 interview that he regretted having taken Obote to Muteesa II—insisted that the Kabaka had asked him to bring Obote to Bamunanika. Mayanja asserted that he could not refuse the request, as the Kabaka knew that he and Obote worked together in the UNC. Mayanja told Semujju Nganda that to ensure success of the mission, “I drove him [Obote] at night to Bamunanika in a Peugeot 203 station wagon. The Kabaka met us at the staircase. I knelt and Obote followed suit. Kabaka told him to rise up.”²³ In this interview, however, Mayanja did not mention who else was involved in organising the meeting. In an interview with Andrew Mwenda, Obote reported that Mayanja took him to see Muteesa II but did not detail how the meeting was planned, saying “I went to see Muteesa II in Bamunanika with Abu Mayanja. That was my first time I met Muteesa II and we became friends. Ibingira did not play any role in the

¹⁹ 2019 interview with a prominent UPC member in the presence of Kirunda Kivejinja, who headed the UPC Research Unit in the early 1960s.

²⁰ Welbourn, F.B. (1965). *Religion and Politics in Uganda, 1952–1965*. Nairobi: East African Publishing House, p. 22.

²¹ Ingham, Kenneth. (1994). *Obote: A Political Biography*. London: Routledge, p. 51.

²² Muteesa II, Sir Edward. (1967). *The Desecration of My Kingdom*. London: Constable, p. 51.

²³ *The Weekly Observer*, 10–16th November 2005, p. 32.

UPC/KY Alliance that I know of.”²⁴ Obote added that the UPC and Mengo had a common cause: “We both wanted DP [Democratic Party] government out of office.” Mayanja told us that Obote was impressed by Muteesa II’s command of the English language, like a colonial officer who noted the same point that Mutasa’s “...accent, like his dress at the time, was impeccably upper crust”²⁵.

But Mayanja was later haunted by his action of linking the Kabaka with Obote. According to his wife, Mariam, her husband’s moods would shift towards depression whenever he remembered—or was blamed for—connecting Obote with Muteesa II. He regretted this role, especially after 1966. Mariam also insists that Muteesa II asked Mayanja to take Obote to Bamunanika, perhaps after being persuaded by Pumla Kisosonkole, which is consistent with Ingham’s assertion that Kisosonkole was involved in planning the meeting. The meeting between Muteesa II and Obote opened negotiations on designing a post-colonial state to reflect the needs of both the Mengo Establishment (as represented by the Kabaka) and Uganda (as understood by Obote). Mayanja facilitated these negotiations and agreements that followed.

4. Mayanja and the formation of the Kabaka Yekka party

When the Mengo Establishment unhappily realised that the British colonial officers were determined to go and willing to hand power to an organised political party over the heads of traditional authorities, it rushed to organise a political movement to counter the DP’s victory and retain its privileges. Persuaded by Prince Badru Kakungulu and Sheikh Ali Kulumba (who was deputy speaker of the Lukiiko), Mayanja helped members of the Protestant-dominated *Kakamega Club* form the Kabaka Yekka (KY) movement.²⁶ Mayanja is listed as one of the 18 founding KY members, of whom 50% were Protestant, 30% Muslim and 20% Catholic (see [Appendix 3](#)). Mayanja also played a key role in forming the KY/UPC alliance, transmitting and moderating negotiations between Muteesa II and Obote. As demonstrated in a collection of recorded papers, he led many discussions and wrote several KY documents, including its manifesto and the campaign documents “You and Your Vote”, “Kabaka Yekka Amulisa”, “Obulimba Bwa DP” and “Kabaka Yekka Exposes the Lies of DP” for the 1961 Buganda election, which the KY won in a disputed landslide.²⁷

By mid-1961, the Mengo Establishment had realised that it could neither separate Buganda from Uganda nor block the road to independence. It was outmanoeuvred by the DP in the 1961 national elections. Possibly by appealing to religious emotion, the DP successfully reached Baganda peasants without going through the Mengo Establishment. To remain in business and maintain some power in the post-colonial state, the Mengo Establishment needed Uganda, so it leveraged Mayanja’s intelligence to create a mass movement to defeat the DP. For his part,

²⁴ Milton Obote: My Story, 1925–2004. Interview by Andrew Mwenda. *Monitor Online*, 9 April 2005/13 December 2005.

²⁵ Gray, R.C.B “Buganda Posting “In Brown, Douglas and Marcell Brown (1996). Ibid pp.83-87

²⁶ Earle, Jonathan. (2017). *Colonial Buganda and the End of Empire: Political Thought and Historical Imagination in Africa*. New York: Cambridge University Press; Hancock, I. R. (1970). “Patriotism and Neo-Traditionalism in Buganda: The Kabaka Yekka (King Alone) Movement, 1961–1962.” *The Journal of African History*, Vol. II, p. 434; Hancock, I. R. (1974) “The Kakamega Club of Buganda.” *The Journal of African History*, Vol. 12, pp. 131–135.

²⁷ Earle, Jonathan. Ibid, p. 173.

Mayanja realized that Buganda and Uganda needed each other to achieve independence. Though Obote's party aimed to prevent Baganda elites from capturing the post-colonial state, it needed Buganda if it was to inherit the state.

Mayanja also realised that as a Muslim, he was more secure working with Protestant elites, who admitted Muslim students to their education and medical institutions more generously than did Catholics. Due to their large numbers, Catholics did not need the support of Muslims at the polls to win elections. But the Protestants needed Muslim votes to retain their privileges in Buganda. Mayanja thus became a bridge between Muslims and Protestants. By helping the Mengo Establishment defeat the DP, Mayanja secured for it another five years before it was crushed in 1966 by the man Mayanja had introduced to the Kabaka, Milton Obote. It is doubtful, however, that Mayanja had a "concealed agenda" to Islamize or increase the influence of Islam in Uganda, as suggested by Jonathan Earle. Mayanja's participation in Ugandan politics was much larger than such an agenda. As later chapters will show, addressing injustices against Muslims was part of his effort to establish a just and liberal democratic society in Uganda.²⁸

As noted above, the KY party was founded by members of an elite Protestant group to preserve the privileges of the Mengo Establishment, which surprisingly, Mayanja had staked his life to oppose and even "crossed the Rubicon" to do so. Suddenly, he was called to save this same group! The Kakamega Club, a group to which many KY founding members subscribed and the origin of ideas for protecting the Kabakaship, was founded in the 1940s, when the Kabaka was studying at Budo.²⁹ It aimed to provide the young Kabaka with entertainment and motivation to study. It succeeded in capturing Sir Edward Muteesa II's mind to its insular sub-nationalist point of view on several occasions. Early in 1953, the Kabaka had agreed with the Governor to implement the progressive administrative reforms that Sir Andrew Cohen suggested which included the gradual democratisation of government structures including the districts, legislative and executive councils and the developing of Uganda as a united country. But the chiefs, most of whom were sympathisers of the Kakamega group and connected or related to the beneficiaries of the 1900 Agreement awards, persuaded him to change his mind³⁰. Secondly, when he came back from exile in 1955, he was admired not only in Buganda but also in most parts of Uganda³¹. However, those chiefs failed to advise him to use that goodwill to sway all Uganda to a common national agenda under his leadership. For example, in Teso where he was invited at Kaberamido, he "arrived four hours late" and although he was courteous to the colonial officer, he "ignored almost completely, the Iteso leaders"³².

Sepiriya Kisawuzi Masembe Kabali, who led the formation of the KY movement, "was born in 1912, his father had once been Omuwanika in the Kabaka's government; four generations of his

²⁸ Earle, *Ibid*, p. 170.

²⁹ Hancock, *Ibid*, 1974.

³⁰ Marshal, Don (An administrative officer in the Uganda Protectorate) "The Deportation of the Kabaka" In Douglas and Marcelle V. Brown (1996). *Looking Back at the Uganda Protectorate: Reflections of District Officers*, Dalkeith, Australia; pp67-70, See also R.C.B Gray "Buganda Posting", In Douglas and Marcelle Brown, *Ibid*. pp 83-87.

³¹ Mujaju, Akiiki, "The Role of UPC as a Party of Government" *Canadian Journal of African Studies* 10, no. 3(1976) pp.443-67.

³² Griffith, Owen "What went wrong" In Douglas and Marcelle Brown, *Ibid*. pp327-330

family had already served at Court.”³³ Meeting on 24 May 1961 under the chairmanship of Latimer Mpagi, 37 Baganda—including Mayanja—drew up six resolutions, one of which was that “Buganda should never be ruled by a common (non-royal) person.” These resolutions became the basis of the KY, whose founders used the Kabaka’s name to garner Baganda mass support. The incumbent Kabaka, Muteesa II, had become popular after Sir Andrew Cohen exiled him, making him appear a defender of African interests. In 1945 and 1949, Muteesa II was less popular, and Kivu had publicly warned him that he could be deposed like Kagulu and Mwangi II.³⁴ The KY’s stand was that “no one should precede the Kabaka on the soil of his Kingdom”. It allowed no one to “be above the Kabaka”. It is unclear whether the Kabaka realised that the KY movement could not win or rule Uganda, the state that controlled the instruments of violence throughout the country, including his kingdom.

That a section of Buganda society used the Kabaka’s name to gain mass support incensed the educated elites, especially the Catholics. In response, Catholic Archbishop Joseph Kiwanuka wrote his famous Pastoral Letter—one of the most penetrating political statement of the period—to warn against using the Kabaka’s name in politics.³⁵ The Kabaka, he pointed out, was the king of all Baganda, and using his name for a political party would make the institution of kingship sectional, possibly compromising the monarchy by making it appear as belonging to and serving only one section of society. He prophesied that when political parties are established in a country, “if the King still mixes in politics”, the kingship is digging its own grave. This letter infuriated Muteesa II, who ordered its writer's arrest. As the archbishop had gone abroad on pastoral duties, however, acting Church leader, Father Ssebayinga, was arrested in his stead. Although he was released a few hours later, the action was a blunder by Muteesa II. The Catholic elites used the incident to persuade Catholic masses that Muteesa II was anti-Catholic and protecting the Protestant oligarchy in Mengo. The action thus united the Baganda Catholic elites in their suspicion of Muteesa II’s unequal treatment of his subjects.

The establishment of KY not only alienated Baganda Catholic elites from their king but also blocked Baganda elites from assuming control over post-colonial Uganda. Despite the Baganda’s advantages, a Buganda-only based party could not win national elections without participation by non-Baganda, for the Baganda comprised only 18–20% of the country’s population. In the rest of the country, the KY movement was interpreted as a manifestation of Baganda arrogance, further alienating the Baganda from the rest of the country. Within Buganda, it increased tempers and undermined the relationships amongst Catholics as well as between Protestants and Muslims. It is no wonder that a senior colonial assistant commissioner of the special police branch, writing to the permanent secretary of security and external relations, noted that the KY “is likely, . . . if successful, to become a considerable political liability in that it appeals to the unreasonable emotions of the Baganda when reasoned compromises are needed.”³⁶

³³ Hancock, Ibid, 1970.

³⁴ Hanson, Holly, 2020, see also Griffith, Owen” The Governor and the Kabaka -II” In In Douglas and Marcelle V. Brown, (1996) Ibid. pp91-93

³⁵ Kasozi, A.B.K. (2013). *The Bitter Bread of Exile: The Financial Problems of Sir Edward Muteesa II II During His Final Exile, 1966–1969*. Kampala: Progressive Publishers, pp. 326–328.

³⁶ S. Le Poidevin, Senior Assistant Commissioner of Police, Special Branch to PS, 27 June 1961, FCO 141/18392, National Archives, Kew.

5. Formation of the UPC/KY alliance

Cornered, the Mengo Establishment sought to participate in all Uganda politics to preserve whatever privileges, (or “Ebyaffe”), they had. Mayanja had the acumen and drive to link Mengo with Uganda. After its aborted declaration of independence on 1 January 1961, which it failed to implement and which the Protectorate Government neglected by preparing elections, the Mengo Establishment leaders began to panic. Although only 5% of eligible voters had registered in Buganda, the 1961 elections that brought the DP to power were accepted as legal, and Benedicto Kiwanuka became the chief minister of Uganda. The UPC’s desire to acquire power and the Mengo Establishment’s shock at the DP’s election victory prompted the two groups to unite to remove the DP from power. The UPC accepted Buganda’s demands for a special “federal” relationship with Uganda and the Kabaka to become head of state in order to gain power.

The UPC’s and KY’s interests were diametrically opposed. The UPC was founded in 1960 by a coalition of prominent politicians from outside Buganda to counter Buganda leaders’ sub-nationalism, to correct the uneven economic development that favoured Buganda and to prevent Baganda elites from taking over the post-colonial state. Due to its centrality, environmental advantages like abundant rainfall and good soil, and hierarchical organisation, Buganda developed faster than other regions of Uganda. The rest of the country—particularly the northern regions, where the UPC leader Obote was born—was poorly developed. The KY leaders who benefitted from these unequal relations among regions wanted to maintain the Buganda sub-state from which their privileges flowed and thus continued to use the Kabaka’s name to retain support of the Baganda masses. The KY and UPC were united only in their leaders’ Protestant religion and their desire to block the DP (and therefore the Catholic elites) from taking over the post-colonial state. No wonder so many people have called the arrangement an “unholy alliance”. It is possible that Muteesa II never realised he was being taken for a ride by both the UPC and his Mengo chiefs when he allowed his official name to be used for political purposes. In all these negotiations, Mayanja took a leading role as ideologist, though the Katikkiro, Kintu and Muteesa II had the final word. Whether Mayanja had secret intentions of securing his friend Obote as ruler of Uganda or—as he later told us—thought the alliance was the only way to achieve independence, we can never know. But he played the leading role in the development of the alliance. At the end of the negotiations, control over the core of the state—the management of the instruments of coercion—was not been discussed. As it turned out, the central government retained most of this control, while the Baganda received only positions, not power- *byoya bya nswa* (in Luganda). This was a great lapse in Mayanja’s strategy.

6. The London Constitutional Conference and the making of the 1962 Constitution

Mayanja was responsible for negotiating the major contents of the 1962 Constitution. He was the leading mind on Buganda’s negotiating team at the London (Lancaster House) Constitutional Conference that laid down the major elements of this constitution upon which the initial post-colonial state was built. While Lord Munster’s Relationship Committee had designed the structure of the post-colonial Uganda state in 1961, Mayanja was the intellectual leader in producing ideas for packaging the major agreement articles into the 1962 Constitution. These ideas tried to design a “future form of Government best suited to Uganda taking into account the

relationship between Buganda and Uganda as a crucial issue.”³⁷. He led the negotiation that created the shaky agreement between Buganda (represented by Muteesa II) and Uganda (represented by Obote) to work together to achieve self-rule, and this agreement became the 1962 Constitution.

The 1962 Constitution thus formalised the federal nature of Uganda, linking Buganda, the kingdoms of Ankole, Toro and Bunyoro, and the Busoga region to Uganda in a federal or semi-federal relationships with Uganda. The remaining districts were directly linked to the state in a unitary relationship. Most Ugandans were not included in the discussions that led to the developing of the 1962 Constitution. They did not vote for a draft or participate in setting dates for self-government or independence. It was the chiefs, notables and district heads meeting in London who discussed and decided on the articles of the 1962 Constitution. Ugandans from disadvantaged areas, such as the eastern and northern provinces, who desired access to resources in the central region saw the 1962 Constitution as a temporary document that they would tear up as soon as circumstances permitted.

According to A.D. Lubowa, Mayanja was the brain behind the manoeuvres that resulted in the Lukiiko indirectly electing Buganda members of Parliament. At the London Conference at Marlborough House, Mayanja refined this strategy and sold it to all Buganda delegates.³⁸ In doing so, he worked closely with both the Kabaka (who greatly trusted him) and Obote (who was using him to get what he wanted). Although Ben Kiwanuka and his DP protested by walking out of the conference, Buganda ditched democracy, preventing direct elections for members of the National Assembly in the kingdom. In trying to stop Ben Kiwanuka, the Mengo Establishment, led by Mayanja, did not consider the long-term impact of its actions. Buganda handed Obote a victory on a silver platter, a victory he would exploit to destroy the kingdom they were trying to preserve. The late Professor William Senteza Kajubi, who was in the DP delegation at this conference, told me that at that critical moment, Buganda as we knew it had committed suicide.³⁹ It lost what little pretence of a state the 1900 Agreement had preserved from its precolonial status.

How then should future generations judge Mayanja on this point? Was Mayanja being true to his democratic ideals by giving the Mengo Establishment what it wanted? In an interview I had with him in 1983, Mayanja said that his intention was to accelerate independence and that he trusted that Obote, though not as polished as he would have liked, was the only person at that time who could bring Uganda together. Further, he distrusted the old men of the Mengo Establishment with whom he worked, despising their lack of knowledge about critical political issues and their failure to separate personal and public interests. He added that he was loyal to the Kabaka and the institution of kingship in Buganda as well as to the Uganda state. He not only wished to preserve the Buganda kingship but thought it could exist in a liberal democratic state in which kings were without political power.

7. Managing the disputed 1961 Lukiiko elections in Buganda

³⁷ Lord Munster’s Report (of the Uganda Relationship Commission), 1961

³⁸ A.D. Lubowa in a document given to Mrs Marium Mayanja.

³⁹ Senteza Kajubi, William. Discussion with author in late 1979.

Mayanja was tasked with drafting proposals for direct elections of the Lukiiko.⁴⁰ Working with William Kalema on the Election Committee, he managed these elections, which selected the 21 members of Parliament on behalf of Buganda. The two men demarcated the 68 Lukiiko constituencies for members of that body. Elections for those who took over the colonial state were so rushed that voters were unable to contemplate the consequences of their votes or the integrity of the candidates. Registrations for Lukiiko elections were held on 21 November 1961, the Lukiiko elections took place on 22 February 1962, nominations for the National Assembly in the rest of the country were conducted on 2 April 1962 and general elections occurred on 19 April 1962.⁴¹ Independence was granted six months later, on 9 October 1962. It is no wonder that most of the elected politicians proved unable to build a stable, prosperous post-colonial state.

As a result of its control over the electoral process, the KY won the 1962 Lukiiko elections and thus handed 21 members of Parliament to the UPC to form a government that received the instruments of independence on 9 October 1962. Although many Baganda KY, including the Kabaka, were given high-profile positions in Obote's government, they did not hold positions of power. Obote controlled the positions that held the core of the state—that is, the instruments of coercion such as the army, police and paramilitary—and maintained the right to make war or peace. He therefore controlled policy and resource distribution. The Mengo leaders were either too foolish or too naïve to realise that they had given all their cards to Obote in exchange for empty trinkets. It is clear that after the 21 members of Parliament were handed to him, Obote no longer cared for Mayanja. He worked directly with these members, whom he persuaded to join the UPC, and by 1964, he no longer needed the support of the KY.

8. Mayanja resigns from Mengo and goes to Parliament later on

In June 1964, Mayanja resigned from his position in Mengo as minister of education on the excuse that he had been insulted by the Lukiiko Speaker Eriasafi Kalule in a debating session. However, Mayanja said in 1983 that this insult was the climax of his failure to get on the same wavelength as members of the Mengo government. Many of them were poorly educated and could not understand political issues as fully as he did. For example, when discussing the Ndaiga project, on which Mayanja's views were opposed to those of many Lukiiko members, Beridadi Muwonge told him that he was “ruining the country”.⁴²

On 31 August 1964, Mayanja was elected by the Buganda Lukiiko to replace J. Simpson as a member of Parliament for Kyagwe North East. He narrowly defeated Antoni Tamale 37 to 32. Others who competed in the election included William Kiggundu, who received two votes, and Ntale, who obtained only one.⁴³ As the reader will learn, Mayanja was exceptionally articulate in Parliament, contributing to defining the Uganda state that he wanted to emerge. Parliament and newspapers gave him forums for discussing these issues, many of which should have been discussed and analysed before independence. Celebrating Mayanja's life, Peter Mulira wrote in

⁴⁰ *Uganda Argus*, 29th April 1961, p. 1.

⁴¹ *Uganda Argus*, 21st December 1961, p. 2.

⁴² *The People*, 12th June 1964; *Taifa Empya*, 16 May 1964.

⁴³ *Taifa Empya*, 1st September 1964.

the *New Vision* on 8 November 2005, that “In Parliament, Mayanja was an intellectual jewel in his contributions.”⁴⁴ Similarly, in a memo on the arrests of Mayanja and Neogy, a British High Commission official described Mayanja as a great Parliamentarian.⁴⁵

9. The collapse of the initial post-colonial Uganda state, 1966

The initial post-colonial Uganda state, in which kings and traditional chiefs ruled over their areas but were linked to the centre in federal or semi-federal relationships, collapsed in 1966 when Obote tore up the 1962 Constitution and replaced it with the so-called “pigeonhole” one. As I have argued elsewhere, the 1966 Crisis was not about Buganda per se or the federal nature of the Uganda state.⁴⁶ It stemmed from the struggle between the Ibingira and the Obote factions to control the ruling UPC party and consequently the state. Each faction organised military wings to support its manoeuvres in Parliament. Fearing that the Ibingira group was moving to initiate an inquiry into the Gold Scandal, Obote used his northern majority in the armed forces to arrest five ministers (only one of whom was a Muganda). When he decided to suspend the 1962 Constitution on the advice of Attorney General Binaisa, the Buganda Lukiiko protested. Muteesa II, who was probably secretly working with Ibingira and had requested arms from an embassy in Kampala, was viewed as the mastermind behind the drive to remove Obote’s government. The Lukiiko was accused of asking Obote’s government to leave Buganda’s soil, though a motion to do so was never voted on. In the subsequent confrontation, Obote defined the crisis as a “Buganda crisis” in which Buganda and the Baganda were trying to dismantle the Uganda state. By blaming the Baganda and releasing his army into rural Buganda, Obote alienated the country’s central region, where more than half the country’s production took place. Mayanja’s role in drafting the 1966 Constitution was limited to what he said in Parliament. Although he spoke extensively on Uganda’s involvement in the Congo and on the Gold Scandal, there is no evidence that he was a party to the intrigue aimed at removing Obote by force.

10. The 1967 Constitution: Mayanja advises Obote to travel a democratic path

The Pigeonhole Constitution that Obote introduced in 1966 was not debated in Parliament. Instead, members were asked to find copies in their pigeonholes, hence the nickname. The 1967 draft, however, was debated in both Parliament and the press. Mayanja participated fully in these discussions because he felt that Ugandans, who had neither debated nor voted for the 1962 and 1966 Constitutions, had been given a chance to remake their state. Between June and September 1967, the three months in which the draft was debated, Mayanja proved to be the most incisive critic of the document, which was essentially a revised version of the Pigeonhole Constitution. His comments on the draft are discussed in chapters 10 and 12 of this book..

In the end, the 1967 Constitution abolished all traditional rulers and legislatures, placed most the government’s power in the executive branch and reduced the previous roles of both parliament and the judiciary. In the state’s management between 1971 and 1986, however, the 1967

⁴⁴ Mulira, Peter. “Uganda’s political landscape made Abu Mayanja a nomad.” *New Vision*, 8th November 2005, p. 10.

⁴⁵ File JEU 14/1/FCO 31/490, National Archives, Kew.

⁴⁶ Kasozi, A.B.K, (1994) *The Social Origins of Violence in Uganda, 1964-86*. Kingston and Montreal: McGill-Queen’s University Press, p. 82–84; Karugire, Ibid, 1988, p. 59; Ibingira, G.S. (1980). *African Upheavals Since Independence*. Boulder Creek, Colorado: Westview.

Constitution was either totally forgotten or used as a titular document to support the opinions of those applying. For example, when shown the 1967 Constitution and asked whether he ever referenced it, former Vice President Mustapha Adrisi retorted, “*Yi karatasi gani?*” (“What is that document?”). He admitted that he was illiterate when interrogated by the Uganda Human Rights Commission on 26 July 1988.⁴⁷

Although quite old by the early 1980s, Mayanja worked with Museveni during the final years of the struggle to get Obote and the Okellos out of power. As a member of the Constituent Assembly, Mayanja advocated, though unsuccessfully, for a decentralised state with powers devolved to regions. He also promoted the rehabilitation of traditional rulers without executive powers, an idea that was accepted. The 1995 Constitution, which permits a parliamentary government and a powerful president, was eventually agreed upon. In theory, this constitution balances power amongst the major state organs (the executive, parliamentary and judiciary branches). In practice, however, the executive has assumed more powers than the other branches of government.

11. Why, given his intellectual prowess, did Abu Mayanja play second fiddle and did not become a head of state

From 1952 to 1957, Mayanja was the most highly regarded politician in Uganda. In one of the editor's columns of *Ebifa* of 1st August 1953, the writer speculated that Mayanja could become the Nkrumah of Uganda. But he did not. There are several reasons including the following:

(i) Absence from Uganda at a critical period and being partly barred from political activities by the colonial government.

Mayanja was absent from the country at critical moments of the nation's decolonising activities. He was away from Uganda from 1953 to 1959, studying at Kings College, Cambridge for his degree and Lincoln's Inn for the Bar. During that period, critical decolonising activities took place. First, The Government enacted the Legislative Council (Elections) Ordinance number 20 on 16th October 1957. It permitted a limited franchise for directly elected African members to the Legislative Council. He could not participate in those elections as he was away. Secondly, in the same year, the Governor organised what is now regarded as the first Constitutional Conference to discuss preparations for Self-Government. The Governor appointed Sir J.V. Wild to chair a committee to recommend the form of elections and the functions of the members of the Legislative Council for introduction before self-government. To add to Mayanja's problems, the Uganda National Congress split in 1958, and he was not on the scene to extinguish the fires from within the UNC. Mayanja tried to visit Uganda occasionally rather than do politics by correspondence only. But Protectorate officials, whether by intention or default, reduced his movements. They warned him not to get involved in politics while he was on a government scholarship. Hartwell, who later worked as Acting Governor, wrote to Mayanja that “the Government cannot tolerate mischievous public speaking by a person who is in receipt of

⁴⁷ Mutibwa, Phares. (1992). *Uganda Since Independence: A Story of Unfulfilled Hopes*. Trenton, New Jersey: Africa World Press, Inc., p. 123.

Government assistance by means of a scholarship."⁴⁸ Moreover, he displeased the colonial government by working with John Muhima Kalekezi, the Cairo representative of the Uganda National Congress who had links with leaders of countries behind the iron curtain. In November 1958, Mayanja was barred from passing through Cairo on his return journey to London and warned that the "Government would not continue his scholarship in January and would not be responsible for his return passage from the United Kingdom to Uganda" if he travelled through Egypt and stopped in Cairo⁴⁹. Mayanja complied, changed his travel route, and did not go through Cairo⁵⁰. Sir Andrew Cohen did not communicate with him after Mayanja had linked with John Kale and Sir Frederick Crawford refused to meet him when Mayanja tried to do so.

(ii) Being a Muslim

It was difficult for a non-Protestant Ugandan to get into mainstream leadership roles. After the battle of Mengo in 1892, religion became the classifying agent that determined one's access to resources, and Muslims were at the bottom of the colonial social structure.⁵¹ Although Mayanja was initially regarded as "a lapsed Muslim," he remained a believer in Islam, unlike Yusuf Lule, who converted to Christianity. Ben Kiwanuka was rejected by the mainstream Buganda leadership partly for being a Catholic. It is difficult to imagine that Mayanja, a Muslim, would have succeeded if he tried to be the head of state unless he did so with force like Idi Amin. But such an option, even if he was in possession of it, would have contradicted Mayanja's liberal democratic views.

(iii) Being a Muganda

While the nationwide backlash against Baganda lasted, it was difficult for a Muganda to attract Ugandans under his leadership unless he did so through other social forces like religion. I observed in the 1960s that any Muganda who attempted to stand up for leadership would create a counter-reaction not only amongst the rest of Ugandans but also amongst Baganda if he belonged to what they thought was the wrong religion. However, with changing geographical locations of favoured resource beneficiaries in the country, new social groups earning more than the rest of the country may find themselves in the shoes the Baganda were wearing during the colonial period. The general arrogance and expected backlash that goes with financial and political success is likely to shift from the Baganda to other successful social groups in the state.

⁴⁸ C.H. Hartwell to A.K. Mayanja, 21st March 1958, F C 141/18247/120.

⁴⁹ R.E. Stone to R.D. Weber, 27th December 1958, FCO141/18247/31.

⁵⁰ See FCO 18 247/71, FCO 141/18247/23.

⁵¹ Welbourn F.B., Ibid.1965.