

# Uganda: The Marginalization of Minorities

AN MRG INTERNATIONAL REPORT • UGANDA: THE MARGINALIZATION OF MINORITIES



## UGANDA: THE MARGINALIZATION OF MINORITIES

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## MINORITY RIGHTS GROUP

MRG works to secure rights and justice for ethnic, linguistic and religious minorities. It is dedicated to the cause of cooperation and understanding between communities.

Founded in the 1960s, MRG is a small international non-governmental organization that informs and warns governments, the international community, non-governmental organizations and the wider public about the situation of minorities and indigenous peoples around the world. This work is based on the publication of well-researched Reports, Books and Papers; direct advocacy on behalf of minority rights in international meetings; the development of a global network of like-minded organizations and minority communities to collaborate on these issues; and **the challenging of prejudice and promotion of public understanding** through information and education projects.

MRG believes that the best hope for a peaceful world lies in **identifying and monitoring conflict** between

communities, **advocating preventive measures** to avoid the escalation of conflict, and **encouraging positive action** to build trust between majority and minority communities.

MRG has consultative status with the United Nations Economic and Social Council and has a worldwide network of partners. Its international headquarters are in London. Legally it is registered both as a charity and as a limited company under English law with an international governing Council.

## THE PROCESS

As part of its methodology, MRG conducts regional research, identifies issues and commissions reports based on its findings. Each author is carefully chosen and all scripts are read by no less than eight independent experts who are knowledgeable about the subject matter. These experts are drawn from the minorities about whom the reports are written, and from journalists, academics, researchers and other human rights agencies. Authors are asked to incorporate comments made by these parties. In this way, MRG aims to publish accurate, authoritative, well-balanced reports.



*Karamojong child growing  
food at school*  
© CRISPIN HUGHES/PANOS PICTURES

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# Relevant international instruments

## **Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (1992)**

### *Article 1*

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

### *Article 2*

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and maintain their own associations.
5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group, with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

### *Article 3*

1. Persons belonging to minorities may exercise their rights including those as set forth in this Declaration individually as well as in community with other members of their group, without any discrimination.
2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights as set forth in this Declaration.

### *Article 4*

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.
2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.
3. States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.
4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.
5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

### *Article 5*

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

### *Article 6*

States should cooperate on questions relating to persons belonging to minorities, inter alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

### *Article 7*

States should cooperate in order to promote respect for the rights as set forth in the present Declaration.

### *Article 8*

1. Nothing in this Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.
2. The exercise of the rights as set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.
3. Measures taken by States in order to ensure the effective enjoyment of the rights as set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.
4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

### *Article 9*

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles as set forth in the present Declaration, within their respective fields of competence.

## **International Covenant on Civil and Political Rights (1966)**

### *Article 27*

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

## **Convention on the Elimination of all Forms of Racial Discrimination (1965)**

### *Article 2*

2. States parties shall, when the circumstances so warrant, take, in the social, economic cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

## **The African Charter on Human and Peoples' Rights (1981)**

### *Article 8*

Freedom of conscience, the profession and free practice of religion shall be guaranteed. No one may, subject to law and order, be submitted to measures restricting the exercise of these freedoms.

# Preface

**F**requently referred to in the West as a model of stability after its recovery from authoritarian rule and widespread violence in the 1980s, Uganda has a complex pattern of uneven development, regional conflict, and minority rights concerns. Uganda was among those African states that attained their independence in the 1960s. As is the case with many African countries, Uganda is the home for a large number of diverse ethnic and linguistic groups.

Different minorities have, however, continued to bear the brunt of gross abuses of human rights by armed opposition groups in the north of the country, and Tabligh Muslims suspected of supporting rebel groups have been illegally detained and tortured by Ugandan security forces. Many development programmes – such as the one set up by the government for the Karamojong cluster of peoples, Uganda's largest ethnic minority – have often failed. Nearly 30 years after Ugandan Asians were expelled from the country by Idi Amin, discrimination against new or returned Ugandan Asians is ingrained, despite some government efforts to protect their rights.

From the mid-1960s until 1985 Ugandans suffered the brutal dictatorships of Milton Obote and Amin. These leaders used the ethnic diversity of Uganda as a means to divide and rule the country, pitting one ethnic group against another. Until recently this has led Uganda and its peoples to suffer from cycles of violence; this legacy continues to afflict minority rights in the country today.

The National Resistance Movement (NRM), led by the current president, Yoweri Museveni, seized power in 1986 after Obote's government was overthrown by force in the previous year. While there is no evidence to suggest that the current government is using divisive tactics as used by those before it, there is strong evidence that certain ethnic groups are disproportionately affected by the problems that confront Uganda – especially by the civil war in the north of the country (e.g. the Acholi). There is also evidence that some minority communities have become targets for negative propaganda, allegedly for resisting some government policies (e.g. the Karamojong). In southwest Uganda, the Batwa Pygmies are still suffering as a result of forced alienation from the forest, and many Batwa have been reduced to begging.

In a referendum held on 29 June 2000, Ugandans opted for a one-party political system which reduces opportunities for political pluralism. There is great concern that this might deprive minority communities of possibilities for expressing their own political aspirations. The current system denies minorities the right to organize political parties of their own.

The last country report on Uganda by MRG was published in 1989. Since then many changes have taken place, including changes of governments, the outbreak of HIV/AIDS, Uganda's involvement in the wars in the Democratic Republic of Congo (DRC) and in Sudan, and

there have been many major changes in world politics. In order to reassess the position of minorities in Uganda, MRG has commissioned this new Report. It was researched and written by Dr Wairama Godwin Baker, who is a lecturer at the Faculty of Law of Makerere University, Kampala.

This new MRG Report describes the demographic distribution of minorities in Uganda and examines their marginalization in terms of minorities' access to education, health and other life opportunities – entitlements that are enshrined in the Ugandan Constitution, and in international and regional human rights treaties to which Uganda has subscribed. The Report concludes with a set of policy recommendations which MRG believes will promote inclusiveness and help currently disadvantaged communities gain more equitable access to resources, opportunities and participation in the decision-making process.

**Mark Lattimer**

*Director*

November 2001

# Glossary of minority groups

**Alur** (Aloro, Alua, Alulu, Dho, Jo, Lur, Luri). Population in Uganda: 420,000,<sup>1</sup> 1.9 per cent of the population; 500,000 in Democratic Republic of Congo (DRC).<sup>2</sup> Location: north of Lake Albert. Group: Alur, Alur-Acholi, Eastern Sudanic, Luo-Acholi, Nilotic, Nilo-Saharan, Southern, Western Luo. Dialects: Jokot, Jonam, Mambisa, Wanyoro. Agriculturalists, hunter-gatherers and livestock farmers.

**Ba'amba** (Hamba, Humu, Kwamba, Ruwenzori Kibira, Rwamba) Population in Uganda: 16,000,<sup>3</sup> 0.07 per cent of the population.<sup>4</sup> Location: Bundibugyo district, DRC border, south of Lake Albert, Ruwenzori Mountains. Group: Atlantic-Congo, Bantoid, Benue-Congo, Bira-Huku, Central, D, Narrow Bantu, Niger-Congo, Southern, Volta-Congo. Dialects: Kyanzi (Kihyanzi), Suwa (Kusuwa). Closely related to Bera, Bhele, Bila and Komo. Agriculturalists and livestock farmers: goats, sheep.

**Bagungu** (Rugungu). Population in Uganda: 25,000, 0.11 per cent of the population.<sup>5</sup> Location: north-east shore of Lake Albert. Group: Atlantic-Congo, Bantoid, Benue-Congo, Central, J, Narrow Bantu, Niger-Congo, Nyoro-Ganda, Southern, Volta-Congo. Fisherpeople.

**Bakenyi** (Lukenyi). Population in Uganda: a few hundred or thousand assimilated to the Basoga, totalling 1,200,000,<sup>6</sup> 8 per cent of the population. Location: Busoga Province, between Lake Victoria and Lake Kyoga. Group: Atlantic-Congo, Bantoid, Benue-Congo, Central, J, Narrow Bantu, Niger-Congo, Nyoro-Ganda, Southern, Volta-Congo. Bakenyi are closely related to Soga. Agriculturalists and fisherpeople.

**Bakonzo** (Olukonzo, Rukonzo, Sanza). Population in Uganda: 361,709,<sup>7</sup> 1.7 per cent of the population.<sup>8</sup> Location: south-west Uganda, Ruwenzori Mountains. Group: Atlantic-Congo, Bantoid, Benue-Congo, Central, J, Konzo (J.40), Narrow Bantu, Niger-Congo, Southern, Volta-Congo. Agriculturalists and livestock farmers.

**Batwa** (Lumbuti, Lutwa). Population in Uganda: 1,971, 0.0089 per cent of the population.<sup>9</sup> Believed to be the original inhabitants (indigenous peoples) of the forests of Central Africa. Also living in Burundi, Central African Republic (CAR), DRC and Rwanda. Agriculturalists and hunter-gatherers.

**Bavuma** (Ruvuma, Soga). Population in Uganda: not known. Location: Buvuma Islands, Lake Victoria. Fisherpeople.

**Ik** (Icietot, Ngulak, Teuso, Teuth). Population in Uganda: 5,000, 0.022 per cent of the population.<sup>10</sup> Location: north-east Karamoja. Group: Eastern Sudanic, Ik, Kuliak, Nilo-Saharan. Cultivators and hunter-gatherers.

**Kakwa** (Bari Kakwa, Kwakwak). Population in Uganda: 86,472,<sup>11</sup> 0.6 per cent of the population.<sup>12</sup> Location: north-west Uganda in West Nile district, also DRC and Sudan. Group: Bari, Eastern, Eastern Sudanic, Nilo-Saharan, Nilotic. Agriculturalists and livestock farmers.

**Karamojong** (Karimojong, Karimonjong). Population in Uganda: 370,000,<sup>13</sup> 2 per cent of the population.<sup>14</sup> Location: east and north-east Uganda, Karamoja district around Moroto. Group: Eastern, Eastern Sudanic, Nilo-Saharan, Nilotic, Teso-Turkana, Turkana. Dialects: Dodos (Dodoth), Jie (Jiye), Karamojong. Related to Labwor and Tepeth. Nomadic Pastoralists.

**Lugbara** (Maracha, Terego). Population in Uganda: 200,000, 0.9 per cent of the population.<sup>15</sup> Location: north-west, west Nile district, and DRC. Group: Central, Central Sudanic, Eastern, Madi-Moru, Nilo-Saharan. Agriculturalists and livestock farmers.

**Luluba** (Olu'bo, Olubogo, Oluboti). Population: 15,000 in all countries.<sup>16</sup> Group: Central Sudanic, Eastern, Moru-Madi, Nilo-Saharan. Agriculturalists and livestock farmers.

**Ma'di** (Ma'adi, Ma'diti). Population in Uganda: 130,558, 0.59 per cent of the population.<sup>17</sup> Location: Madi, north-west Sudan border near Nimule, West Nile district. Group: Central Sudanic, Eastern, Moru-Madi, Nilo-Saharan, Southern. Agriculturalists, fisherpeople and livestock farmers.

**Ma'di, Southern** (Ogoko, Okollo, Rigbo). Population in Uganda: 48,000, 0.21 per cent of the population.<sup>18</sup> Location: West Nile – Okollo county, on the west bank of the Nile River. Group: Central Sudanic, Eastern, Moru-Madi, Nilo-Saharan, Southern. Agriculturalists, fisherpeople and livestock farmers.

**Muslims** Population in Uganda: 3,500,000, 16 per cent of the population. Muslims are mainly Sunni, but there are some Muslim followers of the Aga Khan among the Asian community. Approximately 70,000 people are members of the Tabligh/Salaf Sects.

**Nubians** (Kinubi). Population in Uganda: 14,739, 0.666 per cent of the population.<sup>19</sup> Location: Arua, Bombo and elsewhere in Uganda. Group: Baaka, Baari, Ghwaya, Jamarawu, Kaakwa, Makarata, Mundu, Muuru, Nuba, Nyangwana, Tagalawu. Soldiers and Traders.

**Soo** (So, Tepes, Tepeth, Teu). Population in Uganda: 5,000, 0.022 per cent of the population.<sup>20</sup> Location: Karamoja district, Mount Moroto on Kenya border. Group: Eastern Sudanic, Kuliak, Ngangea-So, Nilo-Saharan. (Younger people speak Karamojong as main language.) Under threat of assimilation as with the related Niangea before them.<sup>21</sup>

**Ugandan Asians** Population in Uganda c. 40,000, 0.18 per cent of the population.<sup>22</sup> There are several groups of Ugandan Asians, depending on their ancestral country of origin in Asia, including Hindu, Gujarati and Pakistani. They migrated to Uganda in the late nineteenth and early twentieth centuries.



# Background

**A**round 500 BCE,<sup>23</sup> Bantu-speaking peoples migrated to the area now called Uganda. By the fourteenth century, the area was dominated by this group, which comprises of the Ankole, Baganda (people of Buganda, who speak Luganda), Banyoro, Basoga and Batoro. Uganda was formed in 1894 by colonial Britain as a protectorate<sup>24</sup> and it acquired its independence on 9 October 1962. The name Uganda derived from the Kingdom of Buganda. Shortly before independence, several politicians proposed that the name of Uganda be changed to 'Nilian', because the River Nile is common to many different ethnic communities. The proposal was rejected.

Uganda now comprises of 56 formerly-independent traditional societies or ethnic groupings, with a few groups who have their origins elsewhere, such as the Nubians and Ugandan Asians. Because the ethnic groups in Uganda used to be independent traditional societies whose people, language and territory were clearly demarcated, the process of nation-creation – without the peoples' consent – caused predictable problems.

Today, Bantu-language speakers comprise slightly over two-thirds of the population. They include the Eastern Lacustrine and Western Lacustrine Bantu, living in the populous region of East Africa's Great Lakes. Eastern Lacustrine Bantu-speakers include the Baganda, Basoga, and many smaller societies in Uganda, Kenya and Tanzania. Western Lacustrine Bantu-speakers include the Banyankole, Banyoro (people of Bunyoro), Batoro, and several smaller groups.

The second largest group is the Nilotic people, comprising of the Iteso and Karamojong cluster of ethnic groups who speak Eastern Nilotic languages, and the Acholi, Alur and Langi, who speak Western Nilotic languages. A smaller group of people speaking Sudanic languages, who also arrived in Uganda from the north over a period of centuries, includes the Kakwa, Lugbara, Ma'di, Nubians, and other small groups in the north-west of the country. Uganda also has a large refugee population, including refugees from Burundi, Rwanda, Somalia and Sudan.

## Politics of exclusion

**T**he history of Uganda defies many theories on the nature of the pre-colonial and post-colonial state. For example, it could be argued that bringing many ethnic groups together need not lead to conflict and can contribute towards making larger and more viable states, with all groups having minority status. Therefore, multi-ethnic societies should not be any more prone to civil wars and instability than more homogeneous states.

In Uganda, however, civil wars and political instability have depended on the degree of 'suffocation' of particular

groups at particular times: for example, the Acholi (since 1986), the Baganda (1966-86), and Bakonzo and Karamojong cluster (since the early twentieth century). When Uganda became independent, Sir Edward Mutesa, the King of Buganda, was elected the first President and Milton Obote the first Prime Minister. The decade immediately after Uganda's independence was a time of enormous social and political change, generating social and political tensions.<sup>25</sup> Prime Minister Obote seized control of the government from President Mutesa in 1966 (Obote I government) with the loss of hundreds of Baganda lives. Despite the friction between Buganda and central government, there was no serious negative public opinion against or intolerance of minorities. However, Buganda continued to have strong political differences with Obote's regime; this culminated in the abolition of the Buganda and other traditional monarchies.<sup>26</sup> The ruling ethnic groups of the newly-independent state appeared to have adopted a 'winner takes all' approach.

On 25 January 1971, Col. Idi Amin, of Kakwa-Lugbara parentage, deposed President Obote, a Langi, in a military coup, and Obote went into exile in Tanzania. Amin's regime fanned negative ethnic and xenophobic sentiments in 1972 when he expelled over 60,000 Asians by giving them 90 days' notice. Amin also launched a reign characterized by gross human rights abuses, and the torturing and killing of thousands: in 1977 Amnesty International estimated 300,000 dead. The Acholi and Langi, among others, were particularly targeted.

After the fall of Amin's regime to a Tanzania army-led force in 1979, a series of interim administrations was ended when Obote made a comeback, leading his Uganda People's Congress Party (UPC) to victory in 1980 elections that opponents claimed were rigged. The Obote II government could not resolve problems regarding ethnicity, lawlessness, political insecurity and violence. The fragility of Uganda's internal security came from two related features: the emergence of opposition groups pledged to oust the UPC government by force, and the absence of an effective national army. The Obote II regime played on anti-Rwandan sentiments, and abused the rights of the thousands of refugees who were forced to live in dire conditions under constant harassment by security police.<sup>27</sup> The refugees were expelled in 1982-3. Save the Children, Oxfam, the Ugandan Red Cross, and other organizations' efforts to assist the thousands of people displaced by the war in the Luwero Triangle<sup>28</sup> (in Buganda) were often frustrated by the military who stole supplies meant for the displaced.

The Obote II regime was ended by a coup led by Gen. Okello Lutwa, an Acholi, in 1985. Lutwa's regime was in turn ended in 1986 by Yoweri Museveni, a Munyankole,<sup>29</sup> who had declared and fought a guerrilla war against Obote's second government. While the Amin and Obote II regimes were guilty of the politicization of ethnicity



issues, Museveni's National Resistance Movement (NRM) government tried from the start to promote the implementation of group rights,<sup>30</sup> albeit mainly in terms of gender and for short-term political gain. Since 1986, government policies have not stopped conflict and the displacement of people, and this conflict and displacement has mainly been in areas occupied by minorities. The NRM regime has been characterized by peace and prosperity in most of the fertile south, and rebel attacks on civilians and armed conflicts between rebels (the Lord's Resistance Army [LRA])<sup>31</sup> and government forces, causing massive displacement (see later). The economic and social prosperity in the south contrasts sharply with the abductions, landmines, mutilations, rapes, thefts of property and threats from the LRA, active in northern districts of Gulu and Kitgum since 1986; the armed activity by the Allied Democratic Front (ADF)<sup>32</sup> in the western districts since June 1997; and to a lesser extent, attacks on civilians by the now defeated West Nile Bank Front (WNBFF) in the north-west between 1995 and 1997.

The humanitarian problems in those districts that were historically disadvantaged and which are home to the majority of Uganda's minorities and disadvantaged groups, remain. There is the displacement of hundreds of thousands of people, and many are in camps with little or no access to education or health facilities, etc. The country's most dispossessed and vulnerable live in the most unstable regions of the country. Insecurity resulting from insurgencies in the west and north, and from cattle rustling in the north-east (Karamoja), is seriously hampering rural development in these areas.

According to the United Nations (UN):

*'Most of Uganda's crises have neither been accidental nor incidental. Many have stemmed from deliberate strategies of insurgency and nearly all have led to mass human suffering and damaged local economies. Most occur with unbridled frequency and set both the stage and the limits of humanitarian action.'*<sup>33</sup>

The peoples' suffering is seemingly endless because the political goals of the LRA and ADF are unclear. ADF forces reportedly consist of Salaf sect Muslims<sup>34</sup> and former Ugandan soldiers from earlier regimes. The LRA appears to have roots in Christian and local traditional religions. The Ugandan government has long accused the Sudan government of providing military aid to many of the rebel groups.

Through all the rapid and violent changes of government outlined above, the Ugandan post-colonial state, while prone to playing a similar role to that played by the colonial state, has generally been more unpredictable. Many ethnic groups have found in the 'independent' state a more sympathetic instrument for the advancement of their own interests, mainly under the principle of 'winner takes all'. Thus while successive governments have accepted ethnic diversity, they have also suppressed particular ethnic groups in order to promote the interests of the political leader's ethnic group. This has led to a cycle of conflict and violence.

## Definition of a 'minority' in the Ugandan context

Much of the data in this Report was obtained by conducting an initial informal survey<sup>35</sup> among members of groups deemed to fit the description of 'minorities' who have lived in the districts of Kampala, Mbale and Moroto. Information on socio-economic, political and cultural factors affecting each minority group was collected through personal interviews, structured interviews with relevant government officials, library research and the personal knowledge of the researchers.

In the Ugandan (and sub-Saharan African) context, it is possible to argue endlessly about the meaning of the word 'minority' and whether a particular group of individuals forms a separate minority. Despite studies by experts from the UN Sub-Commission for the Prevention of Discrimination and Protection of Minorities,<sup>36</sup> and lengthy debates in many forums in which minority protection has been addressed, no definition of the term 'minority' has proved universally acceptable.<sup>37</sup> Questions such as what is a minority, who defines a minority, who are the beneficiaries of minority rights have met resistance from many governments (particularly those that strive to exclude claims for minority status and rights), minority groups themselves, and organizations representing minorities. Consequently, from our research, there appear to be two major problems in defining minorities in an African context:

- in some cases, cultural, materialistic or other tendencies can create a bias towards 'predetermined' rather than objective definitions.
- in other cases, mainly on claims of objectivity, the definitions are made by those who are neither minorities nor closely connected to minorities, and who therefore lack an 'experiential' knowledge of the situation of minorities.<sup>38</sup>

Taking the above into consideration, it is clear that defining a minority in Uganda is particularly complex, because Uganda has at least 56 distinct ethnic groups,<sup>39</sup> and is therefore a country where many groups regard themselves as 'minorities'.<sup>40</sup> Without reference to other grounds on which minorities can be grouped – such as religion or language, numerical strength, access to political power, and/or cultural or economic resources – it is worth noting that most ethnic groups in Uganda each represent no more than 17 per cent of the population<sup>41</sup> and none has a majority power to significantly influence national cultural, economic or political events. It is therefore common for many groups in Uganda to regard themselves (perhaps erroneously) as minorities, exclusively on the grounds of their small population, instead of regarding themselves as 'disadvantaged'. There is a resulting inertia in decision-making, especially with regard to a definition of minorities and the allocation of scarce resources, all of which have been central to Uganda's cycle of crises.

## Working definition

The UN Human Rights Committee has stated that defining a minority under the International Covenant on Civil and Political Rights should not be at the discretion of a government, but is an objective definition. Despite the lack of a universally acceptable definition, it is important to note that any disempowered group, regardless of its numerical size, could be considered a minority. Any quantitative ceiling would, for example, have prevented the classification of disempowered black South Africans as a minority during apartheid, a situation that would have been morally unjustifiable and would have lent credence to the behaviour of the white-run regime as a 'majority' regime. Similar problems with such a 'ceiling' could arise if such a concept was applied to the Hutu-Tutsi situation in Burundi and Rwanda.

However in Uganda, the above ceiling is not problematic because no group has serious ethnic (numerical), linguistic, religious, economic<sup>42</sup> or political advantage, and all that is essential is to establish whether a particular group suffers or has historically suffered disempowerment or discrimination on economic, social, cultural or political grounds.<sup>43</sup> When the above is considered, the groups that can be regarded as minorities in Uganda are: Alur, Ba'amba, Bagungu, Bakenyi, Bakonzo, Batwa, Bavuma, Ik (Teuso), Kakwa, Karamojong, Lugbara, Luluba, Ma'di, Muslims, Nubians, Soo and Ugandan Asians. While this list is not exhaustive, the above specified groups have suffered and continue to suffer discrimination. They tend to satisfy Gurr's<sup>44</sup> indicators for identifying minorities such as high birth rates, high mortality rates, poor health facilities and low levels of literacy and skills ('demo-stress' factors); and a lack of resources compared to other groups and marginalization in land ownership<sup>45</sup> ('eco-stress' factors), or they are excluded from Uganda's economic, political or social-cultural life. These groups need special protective and/or corrective measures to be able to attain a state of 'normalcy' in society.



# Minority Concerns

Since colonial times, Uganda has barely functioned as a single country within a constitutional framework that establishes central and local government. This may be attributed to the British design that created a 'plantation and industrial economy' in the south and a labour (ethnic) reserve in the north and north-east of Uganda. The north and north-east were marginalized and many of today's minority concerns stem from this division. Within this framework, there has been little respect or protection for minorities,<sup>46</sup> and virtually no process to accommodate those wishing to retain their cultural identity. Core elements of minority rights, such as the right to organize as a group; to use their own language; to be able to preserve, to reproduce and to develop their own culture, and therefore to control or have a significant impact on the content of their education have all been violated. The usual retrogressive assumption is that minorities are 'temporary' societies destined to disappear as a result of 'modernization'. This leads to attempts to assimilate minorities into the dominant society, an approach that has had a tremendous impact on Ugandan minority groups, including the Bakonzo, Batwa, Ik (Teuso), Karamojong cluster, and Nubians.

Because of this approach, the realization of minorities' values and cultural diversity has been ignored, unless a political cost is attached to such neglect. A case in point is that such policies have already led to the extinction of Lusinga, a language formerly used by the Singa of Rusinga Island. It is also notable that no interest has been shown in the existence of a minority people, the Seguku, who are claimed to live in caves on an island of Lake Victoria. The Bavuma of Lake Victoria's Buvuma Islands, who called for semi-independence from Uganda when Sir Harry Johnstone was framing a Constitution for the Uganda Protectorate, are now neglected and powerless. In many cases, a gradual decline in the use of certain languages and cultural practices among minorities – and even non-minority groups – can be seen.

Uganda is under a perpetual threat of violence, and minorities have borne the brunt of the violence. However, they have also, at times, been perpetrators; having been denied access and peaceful avenues for reform, members of minorities have been in groups engaged in armed violent conflict against various regimes since independence.<sup>47</sup>

However, because of increasing international attention on the situation of minorities, the improvement of their living conditions and their social integration have become a critical part of the governance process in Uganda. In line with international obligations, Uganda has now adopted progressive constitutional provisions; however, serious inadequacies remain, with the lack of a specific policy framework or national minority institutions to protect and promote minority rights.

## Minorities and the Constitution

The Constitution of the Republic of Uganda, 1995, does not define 'minorities', although it provides under Article 36 that:

*'minorities have a right to participate in decision-making processes and their views and interests shall be taken into account in the making of national plans and programmes'.*

The Articles immediately preceding it provide for affirmative action (Article 32), the rights of women (Article 33), the rights of children (Article 34), and the rights of people with disabilities (Article 35), indicating that the framers of the Constitution had a limited view of the term 'minorities'. However, Article 32 is very progressive. It places a mandatory duty on the state to take affirmative action in favour of groups who have been historically disadvantaged and discriminated against on the grounds of age, disability, gender and/or any other reason created by history, tradition or custom. This provision, while primarily designed or envisaged to deal with the historical disadvantages of children, people with disabilities and women, is the basic legal source of affirmative action in favour of minorities in Uganda.

In addition, cultural and religious rights of all Ugandans are protected under Article 37 of the Constitution. The Article gives everyone a right to profess, practise, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others.<sup>48</sup> However, it is important to assess how far in practice this provision guarantees individual rights, in particular for ethnic, religious or linguistic minorities.

Constitutional and other legal provisions aside, it is clear that Uganda has a long way to go on minority issues. Even on the question of gender equality, where most advances have been made, much remains to be done.<sup>49</sup>

Further, in addition to the little knowledge and research about the complex cultural, legal, political and socio-economic problems of minorities, Ugandan institutions and structures are very poorly equipped and financed to deal with such issues. Despite the revival of the Ugandan economy since 1986, minority members (with the exception of Ugandan Asians) suffer greater unemployment and lack of access to political and other rights, due to an entrenched lack of resources such as land, and the prevalence of illiteracy and discrimination.

This Report aims to present a fair picture of the situation of minorities living in Uganda, the general and specific legal institutions guaranteeing their rights and interests, and existing or proposed initiatives and structures through which minorities may voluntarily be integrated with Ugandan society and given a genuine equality of opportunity. The Report also highlights the obstacles to minority rights protection, including: social resistance, a

lack of information, short-term and politically-motivated cooperation from central government,<sup>50</sup> a poorly developed and unresponsive civil society, and the limited voice of those most affected – i.e. the minority communities and their few organizations, where they exist.<sup>51</sup> However, the lack of conclusive definitions of minorities, and a scarcity of available data must be borne in mind.

## Distribution of Uganda's minorities

Minority groups are scattered across Uganda, but are specifically found as follows: in the north – Alur, Ik (Teuso), Kakwa, Karamojong cluster, Lugbara, Luluba, Ma'di, Nubian; in the east – Bagungu, Bakenyi, Bavuma, Ik (Teuso), Soo; and in the west – Abayanda (Batwa), Ba'amba, Bakonzo. There is also a religious minority group, Muslims of the Tabligh sect, and a racial minority, Ugandan Asians. Since more than three-quarters of Uganda's population live in rural areas, most of Uganda's minorities lead a rural existence; however, even within this rural context, minorities are often the most disadvantaged in the country.

The 56 or more distinct societies that constitute the Ugandan nation are usually classified according to linguistic similarities. The majority of Ugandans speak either Nilo-Saharan or Congo-Kordofanian languages. Nilo-Saharan languages, spoken across the north, are further classified as Eastern Nilotic (formerly Nilo-Hamitic), Western Nilotic and Central Sudanic, and they form the languages of the bulk of Uganda's minorities. The majority Bantu languages in the south belong to the much larger Congo-Kordofanian language grouping. Since Uganda's independence, ethnic divisions between Bantu-speaking peoples in the south and Nilotic-speakers in the north have been aggravated by conflict, purges and other gross human rights violations.<sup>52</sup>

## Issues and measures relating to Ugandan minorities' protection and support

### Legislation

States are the primary subjects of international law and therefore they carry the basic responsibility for the observance and implementation of minority peoples' and others' rights. In Uganda, measures to protect and support minority rights are connected to four areas: treaties and legislation, the related policy of affirmative action, the establishment of new legislative institutions, and credit or financial support for minority groups.

Uganda is party to the African Charter on Human and Peoples' Rights (ratified by Uganda in 1986), the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) (acceded to in 1980)

the International Covenant on Civil and Political Rights (ICCPR) (ratified in 1987) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (ratified in 1987). However, Uganda has not put a framework into place to implement international human rights provisions for the protection of minorities, i.e. those in the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, and the International Labour Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries.

The lack of a framework to implement the provisions of international Conventions and Declarations for the protection of minorities hampers the task of harmonizing constitutional rights for minorities with international standards, and makes enforcement and monitoring of those rights more difficult. Thus, while the promulgation of the 1995 Constitution was a positive step in the recognition of the rights of minorities in Uganda, the provisions fall short of international standards. The only specific mention of minorities in the 1995 Constitution is under Article 36 which guarantees minorities the right to participate in decision-making, and to have their views taken into account in the making of national plans and programmes. However, this Article is still respected more in the breach than the observance.

To protect minorities, general provisions such as Article 32 (1) and (2) of the Constitution have to be resorted to, which guarantee affirmative action in favour of groups that have historically been discriminated against on the basis of age, disability, gender or any other ground created by custom, history or tradition in order to redress their existing disadvantages and to give them equal opportunities.

Minority points of view have also appeared in new or proposed legislation over the last few years, for example, the Land Act 1998 and the Karamoja Development Statute 1995, etc., and it is assumed that new laws shall comply with the constitutional guarantees of minorities' basic rights.

### The Movement system – impact on minorities

The NRM government, which started ruling Uganda in 1986, was initially characterized by a broad-based political arrangement and a popular participatory system of local government. The participatory nature was, however, based on the exclusion of alternative political systems from national politics; this was on the grounds that political parties had bred national divisions based on ethnicity, religion and party politics. To offset the lack of competitive politics and institutional support, the NRM declared 'individual merit' to be the key basis for anyone wishing to participate in politics.<sup>53</sup>

The NRM introduced Resistance Councils (RCs), which were to act as grassroots political organs for mass mobilization. The elections held under the RC system in 1989 and 1994 have been among the fairest ever held in Uganda. However, the RC system, initially billed as a breakthrough in grassroots mobilization, has now largely ossified.

Despite the constitutional guarantees, the NRM continues to govern through the 'Movement' or 'no-party' system of governance.<sup>54</sup> While the system has guaranteed the

NRM's political dominance, and effective control over political parties and the opposition,<sup>55</sup> serious strains are beginning to appear.<sup>56</sup>

In contrast with the beginning of the NRM regime, violations of political freedoms in Uganda are on the increase. Freedom of association, assembly and expression are rights guaranteed under the 1995 Constitution<sup>57</sup> but are severely restricted. Equally relevant is the right to freedom of opinion and expression<sup>58</sup> (which also includes the right to seek, receive and impart information and ideas through any media, regardless of frontiers), guaranteed under the same Article.

In particular, the issue of pluralism has risen to the fore. The NRM has stated that the pluralistic nature of Ugandan society has been the basis of Uganda's post-independence problems, because different groups have discriminated against each other on ethnic, religious and other grounds, failing to achieve national harmony and cooperation, or equal access to all resources in society.<sup>59</sup> Pluralism has therefore been eliminated from Ugandan political life through the Movement policy of assimilation via the law.<sup>60</sup> This can further block minorities' and other disadvantaged groups' efforts to reproduce and develop their own culture and identity.

The NRM government's continued constitutional ban on independent political activities, which prohibits political parties from holding party conferences, public rallies, sponsoring candidates in elections and opening branch offices, has come under pressure. These restrictions have had a considerable impact on the right of members of minority groups who are opposed to the Movement to express themselves. The impact of the no-party democracy on minorities may be oppressive unless they agree with the Movement. Minorities do not get the chance to come together and freely express themselves, therefore their bargaining power is reduced. The very few members of minority groups in government have to convince the Movement apparatus through 'consensus' that a minority problem is a 'Movement' problem that needs to be examined and dealt with. As a member of a minority group noted: 'When you attempt to organize [politically], you become a potential enemy.'<sup>61</sup>

A major problem is that NRM policies tend to identify only two groups as 'minorities', i.e. those who were instrumental in the NRM war/struggle, and 'historical minorities or women and the disabled'.<sup>62</sup> Both of these groups are disadvantaged but do not, on their own, fall within our definition of minorities, however, both now wield considerable political power that is increasingly being translated into economic and social power. In granting rights to these groups, the NRM essentially sought political gain through the creation of 'special representation' for these groups in the legislature.<sup>63</sup> There is no clear indication that separate programmes have been devised to deal with problems facing minorities such as illiteracy, insecurity and poverty.

## Individual security

Minority members' security was an issue before the NRM government and continues to be so. This is mainly because post-independence governments inherit-

ed the British colonial administration's economic and labour policies. These tended to favour the maintenance of stability and growth in the plantation-led economy of the south of Uganda, with little attention paid to the north and parts of the west of Uganda. Further, British colonial policies of divide and rule created minorities such as the Alur, Bakonzo, Karamojong, Lugbara and Nubians, as well as disadvantaged groups. These minorities and disadvantaged groups were the favoured soldiers of the Kings African Rifles of the British colonial administration, and criteria for recruitment into the army were tailored to fit their physique,<sup>64</sup> which favoured people from the north and north-east of Uganda.

Because of the army's recruitment policy and its politicization, after the fall of each regime – Obote I government (fell in 1971), Amin government (fell in 1979), Obote II government (fell in 1985), Lutwa government (fell in 1986) – succeeding governments have carried out purges, mass murder attacks,<sup>65</sup> reprisals and mass dismissals against those suspected of supporting the outgoing regime. Most of those affected have been members of minorities or disadvantaged groups.<sup>66</sup>

When the NRM under Museveni, along with the National Resistance Army (NRA), took power in 1986, revenge killings were recorded in the north and north-east, with extensive looting of livestock. The region rose up. This was initially thought to be a temporary response, but is now virtually permanent in the Gulu and Kitgum districts of the Acholi, despite long lulls in fighting that can last many months. The NRM administration underestimated the now 15-year rebellion that has seen new rebel groups arising out of the ashes of 'defeated' rebel groups. The most resilient rebel group has been the LRA,<sup>67</sup> that has mutilated, kidnapped, raped or killed hundreds of civilians – attacking Acholi, Iteso, Kakwa, Langi, Lugbara, Nubians – but allegedly continues to receive significant support from the government of Sudan. It is alleged that it uses the LRA as a counter to the Ugandan government's alleged support for the Sudanese People's Liberation Army (SPLA).

Serious violations of human rights such as arbitrary arrests, burning of houses, killings, rapes and torture have been recorded in the areas occupied by minorities and disadvantaged groups in the north and north-east as well as in far-western Uganda on the border with the DRC. The war fought with modern, cheap but devastating weapons has caused a massive and unprecedented humanitarian crisis in north<sup>68</sup> and west Uganda on the border with the DRC and the Great Lakes region generally. The areas most affected are occupied by minorities and disadvantaged groups who are placed between government forces and rebels – mainly the ADF, LRA and other rebel groups such as the Uganda Democratic Army – as 'human shields' or buffer zones.

The fighting has deprived people of clean water, food, health care, sanitation, schools and other social institutions. The social fibre and cohesion of the minority and disadvantaged groups affected such as the Bakonzo and Karamojong (see section on Karamojong below) has been greatly damaged. In the conflict in northern and western Uganda, one of the key factors has been religion (see section on Tabligh/Salaf sects below). The Sudanese govern-

ment (Islamic fundamentalist-led) has also been accused of supporting the ADF (a rebel force operating in Uganda that has killed hundreds of civilians in Kasese and surrounding areas in raids and ambushes on civilians' homes and crowded markets). Some of those killed by the ADF were mutilated, sometimes by beheading. During the year 2000, ADF attacks in Bundibugyo, Kabarole and Kasese resulted in 114,000 internally displaced persons, (about 80 per cent of the areas' population) – 11,161 from Kabarole and 20,000 from Kasese.<sup>69</sup> Civilians, many of them Bakonzo, both adults and children, were abducted during ADF raids to serve as porters or for forced recruitment into the rebel army. According to Kabanankye, members of the Batwa suffer from ADF attacks; such attacks are often forest-based.<sup>70</sup>

The NRM has accused the Sudan regime of funding the ADF on grounds that the ADF is composed mostly of Muslim youths (among other religious and ethnic groups) who have no particular ideology or visible support apart from what originates in Sudan. The NRA (now Uganda Peoples' Defence Forces – UPDF)<sup>71</sup> therefore initially concentrated on a defence/hot pursuit approach combined with alleged covert support for the SPLA. However, as the insurgency has persisted, the NRA/UPDF has started showing serious lapses in discipline, resulting in violations of human rights through the burning of houses, extrajudicial killings, mass and arbitrary arrests and torture.<sup>72</sup> People living in the north-east of Uganda and in Kasese, the regions with the highest concentration of minority groups, have come to feel that the government is

incapable of providing them with security. Protests by members of minorities against harassment by government soldiers and rebel attacks on protected camps have increasingly been met with counter charges that people in these areas, or their members of parliament (MPs), are rebel collaborators – a charge that can result in arrest and detention under counter-insurgency law.<sup>73</sup>

That most of the areas occupied by minorities have the highest number of internally displaced peoples (IDPs) in Uganda is a clear indicator of the lack of security.

## Education

Education is an area where the majority of Uganda's population, and especially minorities, suffer an acute lack of access. It has become a notorious fact that virtually all of the students who perform well are from schools in or near urbanized parts of central Uganda where the rural poor and particularly minority groups do not live. While it can be argued that minority members and the disadvantaged can send their children to these schools, such an argument is, at the very least, contrary to the principle of the decentralization of services to bring them as near to the people as possible, a principle that is now central to government policy. The policy that prevailed before and after independence, which showed no initiatives to decentralize education and create centres of appropriate education throughout the country, must be reversed. This policy has left the poor and especially members of minorities –

### Geographical distribution of IDPs at the end of June 2000 and the end of November 2000

Area	June 2000	November 2000	Group most affected – minority/disadvantaged
Adjumani (West Nile)	10,000	2,000	Kakwa (M), Lugbara (M)
Bundibugyo (Western)	120,000	105,000	Ba'amba (M), Bakonzo (M), Bafumbira (D)
Gulu	370,000	370,000	Acholi (D)
Kabarole	20,000	14,595	Bakiga
Kapchorwa	5,000	n.a.	Sebei (D)
Kasese	35,000	16,000	Bafumbira (D), Bakonzo (M)
Katakwi	15,000	15,000	Iteso (D)
Kibaale	12,000	n.a.	Bakonzo (M), Batwa (M)
Kitgum	90,000	82,645	Acholi (D)
Masindi	47,000	5,000	Alcholi (D), Banyoro (D)
Total	724,000	610,240	

(Source: UN Humanitarian Coordination Unit (UNHCU), 14 July 2000 and 20 December 2000.)

Key: M = Minority; D = Disadvantaged.

who frequently have particular educational and affirmative action needs – with few options.

The 1995 Constitution guarantees the right to education under Article 30. Article 34 requires the state and parents to offer basic education to a child. It also accords special protection to orphans and other vulnerable children.

To implement these provisions, among others, the NRM government introduced free universal primary education in 1997, with the initial aim of enhancing primary level intake throughout the country and thereby addressing the high levels of illiteracy in Uganda. Universal primary education was meant to benefit the poorest people and should therefore benefit minorities.<sup>74</sup> Under the scheme, the government pays the school fees and provides a grant towards materials and other activities like sport. Indeed, when enrolment figures alone are taken, many children have greatly benefited under the programme.<sup>75</sup>

The 1992 Education White Paper proposed that children be taught in their first language for the first four years of their education. This modifies the position under the colonial Education Act, updated in 1964, which states that the official language of instruction/education in Uganda is English. The new position was entrenched in the Uganda Constitution, Article 37, which provides that:

*‘every person has the right, as applicable, to enjoy, practise, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others’.*

The 1992 Education White Paper is however a general policy instrument and does not contain guidelines for pre-school instruction or the education of minorities. There still remains considerable confusion about the language content of education, especially the regulation of minorities’ languages and dual-language instruction in education. Most schools still teach in English and the teaching of minority languages, as well as issues related to the instruction and education of minorities, remain virtually untouched. As discussed below, there is no or little attempt to teach minority pupils about the culture, history or traditions of their own people, or about minority rights.

The Education White Paper has a commitment to gender equality. However, education in Uganda is still characterized by female illiteracy and high drop-out rates. Girls comprise 45 per cent of primary schools, 30 per cent of lower secondary schools and 20 per cent of upper secondary schools. Women make up less than 33 per cent of students in universities and colleges.<sup>76</sup>

For ethnic, linguistic or religious minorities, education has tended to remain difficult to access because of the tendency to uproot minority children from their traditional ways of life, in addition to the fact that most minority parents cannot even afford basics such as school uniforms and books. Further, war has had a huge impact on children – and the future of Uganda. Since 1982, children have been deliberately targeted. Many girls have been routinely raped as captives, and boys forced into fighting.

To illustrate the plight of minorities under Uganda’s educational system, we look at two examples, the Batwa and Karamojong.

Karamoja (see the section on the Karamojong below) has been neglected by colonial and post-colonial governments, making Karamoja, which borders 12 districts, largely undeveloped in relation to neighbouring districts regarding its hospitals, infrastructure and schools – though even these 12 districts are below the national averages.

Currently, there are a few missionary-run schools in Karamoja, but the last census – 1991 – put the literacy rate for females at 6 per cent, and for males at 11 per cent, as opposed to the national average of c. 52.5 per cent.<sup>77</sup> The education system was designed to ‘transform’ the Karamojong into ‘modern’ Ugandans, i.e., it was geared primarily towards formal learning for children aspiring to urban life and a departure from traditional Karamojong society.<sup>78</sup> Several projects, governmental and non-governmental, designed to make the Karamojong abandon their traditional pastoral nomadic existence, have been undertaken in Karamoja to push the Karamojong into adopting formal education. Most of the projects have floundered on the extremely strong cultural traditions of the Karamojong that have proved very resistant to Western values and education. One version of Karamojong resistance to Western education has it that during the Second World War, the British who went to Karamoja to recruit young men for the war effort wrote the recruits’ names with a pen. When many of the recruits never returned, the Karamojong cursed the pen and symbolically buried it.<sup>79</sup> Nevertheless, in 1995, the Karamojong symbolically lifted the curse their forebears had put on the pen, in recognition of the importance of literacy.

Whatever the cause, the lack of interest in formal education among the Karamojong largely remains. However, this may change if the claims of the Alternative Basic Education for Karamoja project (ABEK) are true. The project, initiated and operated by the NGO Save the Children, Norway (Redd Barna), in cooperation with the Ministry for Karamoja Affairs and the district education authorities, is based on a curriculum designed to suit the nomadic lifestyle of the Karamojong.

The ABEK project is said to be hinged on the Karamojong’s participation. Facilitators are selected from within the communities and trained to teach in pairs. The curriculum is centered on areas of study directly relevant to the Karamojong way of life, including: crop production, health, livestock information, peace and security. Elders are used to act as facilitators for specific subject areas such as Karamojong history, and on survival within their community.

This project with c. 7,000 children enrolled, also allows parents to attend ‘school’<sup>80</sup> with their children to learn. This approach, if well implemented, can reduce the ‘deficiencies’ the Karamojong traditionally associate with formal, Western-style education, and avoid the educational segregation of the Karamojong. It has to be stressed here that despite its ‘good report’, some Karamojong people feel that this project may still ultimately turn out to be ‘Westernization’ by other means.<sup>81</sup>

In the case of the Batwa, after the Batwa’s eviction from the Mgahinga and Bwindi forests, the Mgahinga and Bwindi Impenetrable Forest Conservation Trust (MBIFCT)<sup>82</sup> has set up a ‘Batwa desk’ to provide the Batwa with access to educational and health services, as

well as leased land for Batwa families.<sup>83</sup> However, despite some encouragement from the Trust and regular parental checks at the schools to note whether the children attend, Batwa children still generally do not go to school, preferring the forest. Many only attend when incentives such as free uniforms are promised. The children's action may be an indication that unlike the ABEK system, the current education system that is being offered to the Batwa children is not appropriate to their needs and does not fit with their traditions. It may also be a verification of the allegations (see discussion below on the Batwa) that teachers in foreign donor-established schools routinely divert resources from these institutions to non-minority institutions or for private gain, a case in point being the Kitariro Batwa Pygmies Project.<sup>84</sup> It is imperative that the education that is currently offered to the Batwa (and other minority) children is critically analysed to ensure that it can help them to preserve, promote and develop their traditional way of life, practices and languages.<sup>85</sup>

## Health

Uganda is one of the countries with the poorest medical and social services in the world. Access to health care is severely limited, with only 49 per cent of the population living within 5 km of any type of health unit. Rural communities are particularly affected as health facilities are mostly located in towns along main roads. Further, most qualified health personnel (75-80 per cent) are stationed in urban hospitals.<sup>86</sup>

The state of minorities' health and access to social services is predictably appalling. According to a 1989 UNICEF report, only 18 per cent of Ugandans in the north of Uganda had a health unit within 5 km of their homes.<sup>87</sup> Given the continued civil conflict in large parts of the region, this position can only have deteriorated. Since at best only about half of the population has access to medical facilities, most minority groups have no access to a health care infrastructure, and lack access to immunization, for example, and to medical supplies. In many cases, members of minorities rely on their traditional knowledge of medicinal herbs, though even the transmission of knowledge is seriously threatened by 'modernizing' forces<sup>88</sup> that are often accompanied by serious environmental degradation, loss of biodiversity (including loss of herbs with medicinal value) and urban migration by young members of minority groups.

In general, members of minorities are often not planned for in the public health system, mainly because of a lack of resources and effective representation. Therefore, while infant mortality rates are high in Uganda, and life expectancy rates are low, 42 for men and 43 for women,<sup>89</sup> the situation is worse for minorities. For example, among the Batwa women of Kisoro, there are two still births out of every dozen live births (with an infant mortality rate of 17 per cent) and only five out of 10 children reach their first birthday. Further, out of those five children, few reach their fifteenth birthday<sup>90</sup> (see section on Batwa below). These figures are far worse than the national averages, i.e. an 11 per cent infant mortality rate, and an 18 per cent chance of dying before the first birthday.

The causes of extremely high mortality rates among minority members are not only due to a lack of well-equipped hospitals and health centres or the myriad of diseases affecting Ugandans, but also to the violent civil conflicts to which many members of minorities fall victim.

## Environment

Historically, the environmental protection movement and approaches to environmental protection have not given priority to considerations of equity or minority interests, and the situation in Uganda is no different.<sup>91</sup> While the concepts of environmental justice, environmental regulations, and the fair treatment of all groups of people with respect to environmental protection, emerged at the international level as some of the most compelling social justice concerns of the 1990s, in Uganda, these concepts are still largely novel.

Since colonial times, the Ugandan government has pursued legislative and taxation policies which, in practice, have led to only wild animals being allowed to live inside the national game parks and reserves. The establishment of given areas as game parks and reserves has, since its inception in colonial times, caused affected minority groups to be totally uprooted and dispossessed. The revenue earned from tourism is hardly ever redirected to meet the needs of those displaced through the creation of the parks. There are various examples of dispossession and uprooting through the creation of environmental conservation schemes.

One enduring example is the British colonial government-originated 'conservation of Karamoja for tourist purposes' project (see section on Karamoja below). This 'human reserve'-type scheme harmed and stigmatized the Karamojong, and reinforced false and offensive images of their being 'primitive' or 'backward'. In the 1960s, the Obote I government followed this policy and created Kidepo National Park. The creation of this Park destroyed the Karamojong's access to a grazing and watering point during the dry seasons. This has resulted in conflict between the Karamojong (in search of water and pasture) and their neighbours during the dry seasons. The fact that the Sahara Desert has continued to move south and has therefore prolonged the droughts – sometimes lasting for a year at a time – has also prolonged the Karamojong's search for water. This had led to an intensification of conflict, mainly with their southern neighbours, the Itesot. Most governments have failed to understand this process; instead they have often sanctioned the army to attack and kill the Karamojong, frequently in large numbers, or have sanctioned fighting between rival groups.<sup>92</sup> It should also be noted that exclusion of the Karamojong from the National Park has potentially changed the ecosystem, perhaps irretrievably so.<sup>93</sup>

With the creation of Kidepo National Park, the Ik (Teuso) were uprooted and dispossessed; they were considered poachers if found in the Park. Being subsistence farmers without cattle and having played off the Dodoth (a Karamojong sub-group) against the Turkana (in Kenya) for a long time, the Ik were rejected by most of their agro-pastoral Karamojong neighbours and were left to



starve rather than be allowed to join nearby villages. This resulted in the deaths of some Ik, and others having to leave the area to become low-wage earners in nearby towns. The Ik (meaning head/first to arrive) acquired the name 'Teuso' (meaning poor people, dogs, or those without cattle or guns) from their neighbours after they were evicted from Kidepo.<sup>94</sup>

Turnbull's<sup>95</sup> biased anthropological account of this society (1972) met with a strong hostile reaction from Amin's government. Amin prohibited foreigners' entry into Uganda, especially in rural areas. Outsiders' access to the Ik therefore remained very limited. Access was further impeded by general insecurity in Uganda, cattle raiding by the Turkana and the inaccessible mountain region in which the Ik lived. By the time relative peace was re-established in Uganda in the late 1980s, information about Ik society was scarce. Recent and more positive information about the Ik has however been provided through the work of researchers such as Hoffman,<sup>96</sup> among others.

Another case of dispossession concerns the Batwa. The Batwa traditionally relied on the Bwindi and Mgahinga forests for a living. In 1991, these two forests, which house half of the world's remaining gorillas, were upgraded from game reserve to national park status. The new status meant that the Batwa, who were landless, could no longer have free access to the forests on which they had depended for their subsistence. The Batwa and others' lack of access, even in the very long term, was entrenched when Bwindi was declared an international heritage site.

Another issue for concern is living and working environments of minorities. The colonial policy of using labour from the northern districts in the south without, for example, any proper housing policy, meant that urban slums grew up in Kampala, Jinja and other towns. These were and still are largely populated by people from minority and disadvantaged groups, e.g. Acholi, Alur, Bakonzo, Itesot, Kakwa, Langi, Lugbara, Nubians. Because of their concentration in plantation and other labour-intensive activities, members of minority and disadvantaged groups have been disproportionately affected by environmental problems, including waste disposal problems,<sup>97</sup> and in the case of plantation workers, exposure to pesticides. This situation has intensified with Uganda's rapid liberalization.<sup>98</sup> Due to a lack of political voice and education among the groups adversely affected, serious environmental problems have remained unchecked by successive governments.

At the same time, existing environmental laws that can protect communities, including pollution regulations and guidelines for public involvement, have not been enforced by local and central government. This is mainly due to a lack of resources, a fear of commercial interests and a lack of a strong civil society to influence decision-making.

## Cultural issues

Part from in those areas affected by war (the north, north-east and parts of the west of Uganda), the Movement government has gone further than previous

governments in sensitizing the public about cultural issues. The restoration of the kingdoms has had a major impact on the revival of different groups' cultural activities. There have also been mass education campaigns by the government on ethnicity and culture. However, the restoration of these kingdoms and other cultural institutions, was limited to major groups. The institutions of the Bahima, Bakonzo, and other minorities and disadvantaged or small groups have not been restored.

Uganda's Constitution and numerous Acts of Parliament expressly outlaw discriminatory practices. And, as previously discussed, Article 32 places a mandatory duty on the state to take affirmative action in favour of groups that are historically disadvantaged or discriminated against.

However, in practice these legal provisions are often ignored. For example, in the area of employment policy, there is no specific minority-based programme for job creation, training/retraining or support schemes. Women in minority ethnic groups and from the Muslim Tabligh sect, have little chance of becoming self-supporting in household agricultural activities, and livestock farming possibilities are even more severely limited than for women from dominant ethnic or religious groups.

## Employment

Employment studies are virtually non-existent in Uganda. However, it can safely be assumed that due to a lack of formal education, the proportion of unemployed people is higher among minorities than non-minorities. The introduction of privatization, and the resulting social and economic transformation, has meant that minorities, who are severely under-represented among private business decision-makers who now run the economy, have been pushed out of the labour market at an unprecedented rate, causing many to lose their low-level bases for making a living. This is an area that urgently needs to be researched.

## Minority institutional activity and support

Most minority groups are 'represented' by an MP from their county.<sup>99</sup> However, these MPs are often unable to influence government policy.

Many NGOs have been set up, but the few that have been specifically established to help minorities tend to act as 'development' NGOs, building houses, providing tools, etc. to members of minority groups. Most of the NGOs doing this work are donor-dependent, often because their members live on less than a quarter of a US dollar a day, and cannot therefore raise funds for self-reliance activities.

The NGOs working for minorities include MPEFO, a multi-disciplinary team of activists, human rights and community leaders, and researchers, who are committed to supporting and promoting the right of minorities to self-determination, and to publicizing their plight.

However, this group, founded in 1990, has done very little on the ground, especially in the areas of publications, research, sensitization of the Ugandan public, and promotion of affirmative action, and has very little, if any, visibility in Uganda.

Similarly, HURIPEC, a human rights and peace centre based at Makerere University's Faculty of Law, has yet to run active programmes concerning minorities. The Centre has held workshops and conferences on the rights of minorities, especially the Batwa (in partnership with MRG), but is not currently carrying out any education or research work.

Most of the institutional support received by minorities is generated by international NGOs and donor support to local NGOs and churches. Karamoja has a plethora of international NGOs and donor activity and criticisms have been raised about uncoordinated or unplanned activity that tends to increase donor dependency without any significant transformation of the Karamojong situation.

However, despite the general lack of initiatives by most minorities, the Muslim Tabligh sect and Ugandan Asians run active self-reliance programmes that are only prevented from transforming the lives of their members due to a lack of political power.



# Some Ugandan Minorities in Detail<sup>100</sup>

## The Batwa

**T**he Batwa pygmies of Uganda (also known as Abayanda) live in south-west Uganda in the districts of Bundibugyo, Kabale, Kisoro and Rukungiri.<sup>101</sup> According to Kabanankye, the number of Batwa living in the districts of Kabale, Kisoro and Rukungiri in Uganda was estimated at 1,771 in 1995, although Kabanankye cites 3,000 in 1997.<sup>102</sup>

As noted above, the Bwindi Impenetrable National Forest of Uganda was the home of the Batwa before they were evicted, causing them to become dependent on the Mgahinga and Bwindi Impenetrable Forest Conservation Trust (MBIFCT).<sup>103</sup>

Most Batwa are landless. The eviction of the Batwa from the Mgahinga and Bwindi forests disrupted the Batwa's traditional forest-based lifestyle. For centuries, the Batwa depended on hunting and gathering from the forest. However, today, only a few Batwa still live in Echuyya Forest Reserve and Semliki National Park,<sup>104</sup> most live on the periphery of their ancestral forest lands. The Batwa's dispossession and landlessness is due to the environmental conservation and ecological measures of the Ugandan government and international agencies. In the early 1990s, the Ugandan government declared the Semliki National Park a protected area and evicted all those who had entered and settled in the area, including Batwa. Further, to make way for the famous mountain gorillas in Bwindi and Mgahinga forests, the Batwa were 'relocated' by the MBIFCT without their free and informed consent, and without any public hearing.<sup>105</sup> This was the last straw for the Batwa who had gradually been displaced from the forests by settler farming communities and logging companies, who had greatly damaged the forest and imposed private land rights limiting the Batwa's freedom of movement. While the MBIFCT provides some Batwa families with land leases of a very short duration as a 'solution', it is unknown what will happen after the leases expire. The largest problem is that only a few families are covered under the scheme and most are now 'squatters' on neighbours' lands.

There appears to be a retrogressive assumption that the Batwa are a temporary society destined to be assimilated and to 'disappear' into the dominant society as a result of 'modernization'. Thus the best that can be done for them is offer them protection during their transition to 'modernity'.<sup>106</sup> The Batwa (like the Basongora and Karamojong) are treated as a 'population' rather than a

people. The approach is therefore to assimilate them. This is harmful to a people who have many unique aspects to their way of life, which is gradually disappearing. To quote Kabanankye:

*'They have certain spiritual and religious ties with forests. Specific sites are revered and considered central to their existence. [...] They move through the past and present through sacrifices and sacred places. Each geographical area, especially those inside forests, has a name that relates to history and the remote past – the world of mythical ancestors.'*<sup>107</sup>

This loss is a great loss to the common heritage of humankind.

The drastic change to their lifestyle, along with their small number and despised status, have brought the Ugandan Batwa close to being wiped out. The Batwa have been forced to join new religions and participate in modern lifestyles. Kabanankye<sup>108</sup> tells the moving story of Rajab Daniel Mbunga who was circumcized by Muslims (thus acquiring the name Rajab) and baptized by Christians (acquiring the name Daniel), while still consulting his ancestors as Mbunga. Daniel Rajab Mbunga would attend all places of worship with a strategy to see who offered better promises of clothing, food, spiritual renewal and other benefits to his family and community.<sup>109</sup>

The Batwa are discriminated against and marginalized. They have little access to modern education or health services, even when compared to the meagre national averages. Most do not have access to immunization or vaccination because they are not aware of the benefits of these services and they cannot usually afford them.<sup>110</sup> Their health is therefore in great jeopardy, especially since their eviction from the forests denies them access to their traditional herbal remedies.

## Institutional participation and support for the Batwa

**R**epresentation of the Batwa in local Council and other political leadership roles is not encouraged; there are only Batwa in one or two posts at the village level. Batwa, therefore, are generally represented by people from other ethnic groups. Batwa are supposed to silently accept policies made by non-Batwa, a condition the Batwa do not voluntarily accept but there are few Batwa leaders.<sup>111</sup> According to a Mufumbira (who requested anonymity):

*Batwa are well treated when there is political gain or financial gain from tourists. Then you dress them in suits, take pictures, after which they revert to the forest. In any case they are disappearing.*<sup>112</sup>

This shocking cynicism permeates all discourse about the Batwa, whether public or private. Very few people understand the need for respect for the rights of the Batwa as human beings. According to another respondent, there is a very close connection in people's minds between the Batwa and wildlife – though many people have been sensitized to the need to protect wildlife.

The fact that Batwa are now increasingly scattered throughout the west of Uganda, coupled with the derogatory attitudes mentioned above, has played a leading role in the denial of their rights. Their traditional way of life was communal, with well-established social support structures that were instrumental to their survival. Today, they have to work mostly as casual labour for nominal wages that are often less than half those paid to non-Batwa.

The Batwa are disadvantaged both quantitatively and qualitatively. As we have seen, their political representation is severely limited. According to Abdullah, a half-Mutwa respondent from Kisoro, even those elected are often elected because of their degree of assimilation and not because of their capacity to fight for the rights of Batwa. He concluded by noting: 'the Batwa are regarded as secretive, violent people not to be trusted with leadership'.<sup>113</sup>

As discussed, some international NGOs have done commendable work in assisting the Batwa and sensitizing people to their plight. Much of this work has been in the area of education and promotion of Batwa self-determination and rights, and assistance to the Batwa to enable them to deal with 'modernization' forces. This type of work, while very desirable, is generally externally driven and perceived by the recipients as a means of making money.<sup>114</sup> These initiatives have not equipped the Batwa to deal with the crises they are facing. Most Ugandans believe that the Batwa live outside Uganda, or that only a few live in Kasese district, and are unaware of the issues. There is a marked lack of coordination of efforts to assist the Batwa, and a serious scarcity of information in the form of literature or data relating to the Batwa, who are often treated as a peripheral part of the communities they live in.

## The Kakwa

Kakwa<sup>115</sup> live in the region bordering the north-west of Uganda, the south of Sudan, and the north-east of the DRC. They originate from the south of Sudan and are closely connected to the Bari, also from the south of Sudan. The Kakwa constitute less than 1 per cent of the population of Uganda. Although Kakwa people speak an Eastern Nilotic language, they are geographically separated from other Eastern Nilotic-speakers.

The Kakwa socio-cultural system is based on small kinship groups living in village clusters. Councils of male elders hold most of the socio-cultural power. The Kakwa are agriculturalists, and practise some livestock farming, on a subsistence basis. The Kakwa, like the Nubians,

closely preserve their lineage according to clan, and the clan has formed the traditional basis of their social and political life. The clan was led by a chief known variously as Ba Ambogo, Buratyo or Matter, assisted by clan elders known as Temejik. Kakwa society was classified into lower and upper classes with the lower classes acting as a source of labour for animal rearing, domestic, farming and hunting purposes; and the upper classes acting as landowners.

The Kakwa clans, however weak, conducted war against rival clans and neighbours if they believed that their ancestors would bless the war.<sup>116</sup> Women also participated in the wars, but were not deliberately killed in the fighting.

The Kakwa achieved widespread notoriety during Amin's regime and have been seriously discriminated against since Amin was deposed from power.<sup>117</sup> In 1979, many Kakwa people were forced to flee Uganda after the joint liberation army, Uganda National Liberation Front (UNLF) troops, attacked and carried out revenge killings in most of the West Nile area – where Kakwa and Lugbara, Nubian and other groups associated with Amin's regime live. In late 1980, ex-Amin forces invaded from the south of Sudan and forced some Uganda National Liberation Army (UNLA) units out of the West Nile region. They were organized into two main groups: the Uganda National Rescue Front (UNRF), based principally among the Aringa people of north-east Arua; and the Former Uganda National Army (FUNA) forces, based mainly among the Kakwa people of north-west Arua.

Both groups were eventually defeated or disbanded. However, from 1995, the Kakwa and Aringa (from Aringa county) under the West Nile Bank Front (WNBFF), pursued the aim of creating an independent Islamic West Nile state (comprising of the north-western districts of Arua, Moyo and Nebbi) by carrying out insurgency activities, from bases in Sudan and the DRC. This activity has now come to a virtual halt after thousands were massacred by the UPDF in 1999.

Since Amin's fall, the Kakwa, like the Nubians, have often had to disguise themselves as members of other groups to avoid confrontation with the majority of Ugandans from the south. The Kakwa have also become suspicious of any outsider showing a keen interest in their affairs, an attitude that has been detrimental to the acquisition of first-hand information for this research.

## The Karamojong

The Karamojong cluster of inter-related clans and communities living in the north-east of Uganda form the largest ethnic minority living in Uganda. They live in an environment which, despite its sparse rainfall, has supported their pastoral way of life for centuries. The environment is harsh and fragile with a very high risk of drought. While they grow crops to supplement their diet, they rely mainly on cow's meat, milk, and blood for food. The Karamoja region, consisting of Kotido and Moroto districts, is one of the least developed areas in the country. Cattle raiding by the Karamojong within and around Karamoja continues to be common.

Within Karamoja, the dominant groups are the Dodoth

in the north, the Jie in the central region, and in the south a cluster of closely-related ethnic groups speaking the same language differentiated by dialects – with the exception of the Labwor who speak the Luo language.

In Moroto district, there are three ‘authentic’ groups that call themselves the Karamojong, i.e. the Bokora, Matheniko and Pian. In addition, there are three sub-ethnic groups: the Pokot who were originally from Kenya but were relocated to Uganda by the British colonial administration to occupy part of Pian territory;<sup>118</sup> the Kadam and Tepeth, who are also culturally related to the Pokot. The original inhabitants of the area are said to be the Chekwin and Upe, who regard themselves as marginalized within Karamoja.

In the district of Kotido, there are the Dodoth, Jie and Jo-Abwor, comprising the Labwor, a Luo-speaking people that calls itself Karamojong. The Kalenjin-speaking group, the Pokot (or Upe), occupy a territory that overlaps the Uganda-Kenya border. All the groups in Kotido and Moroto are collectively commonly referred to as the Karamojong.<sup>119</sup> All these groups create a volatile intra-Karamojong relationship that sometimes flares into violent armed conflict. The dominant sub-ethnic groups are now the Jie of Kotido and the Matheniko of Moroto who have superior weaponry.

By 1921 the British had firmly established a military administration in Karamoja, and guns were not allowed in the hands of any local people except the chiefs appointed by the British. This situation continued for the next 50 years. The so-called ‘Karamoja problem’ arose because the colonial government adopted a policy to maintain Karamoja’s natural heritage for tourism purposes, a policy that never took off due to a breakdown of law and order after Uganda gained independence.<sup>120</sup> Successive post-independence governments have dealt with the ‘Karamoja problem’ as a problem of refusal to change and integrate, i.e. as a ‘social deviance’ problem. Government policies, as reflected in the wording of relevant laws and decrees, for example the Pacification of Karamoja Decree, deny the Karamojong any meaningful participation in their own socio-cultural reforms. Extremes of post-independence government policies to ‘pacify’ the Karamojong came under Amin in the mid-1970s. The government sought to ‘civilize’ the Karamojong using heavy infantry and artillery, including tanks, to stop Karamojong cattle raids in neighbouring areas. This led to a very heavy death toll<sup>121</sup> that Amin billed as a ‘final solution’ to the ‘Karamojong problem’. However, after the fall of Amin, the Karamojong renewed their resistance to government pressure to abandon their pastoral lifestyle.

During the 1960s, the Turkana from the west and the Toposa from the north – with modern firearms, especially high-powered rifles – began frequent incursions into Karamoja, raiding for cattle and whatever else they could take. The armed police of the Ugandan government who were stationed in Karamoja were ineffectual in responding to these raids. This predicament continued until the coup by Amin in 1971 brought a different armed force into the district. While Amin’s army was more brutally efficient in stopping the raiders, the recovered livestock was stolen by the soldiers and sold to local cattle traders.<sup>122</sup> This caused the Karamojong to distrust all for-

mal government initiatives and to increasingly resort to self-help, creating a vigilante culture in addition to traditional cattle raiding.

During the 1978-9 war between Uganda and Tanzania,<sup>123</sup> insecurity within Karamoja and Uganda as a whole resulted in a virtual breakdown of trade and commerce. Many Karamojong families had lost their cattle to rival groups or had hidden them in secret grazing areas. Traders were unwilling to take the risk of transporting cattle out of Karamoja due to fear of attacks. Almost all NGOs abandoned Uganda and Karamoja. The resulting social disaster caused 21 per cent of the Karamoja population (estimated 50,000) to die of starvation in the 12 months up to December 1980.<sup>124</sup>

When Amin’s regime fell, the well-armed Karamojong raided neighbouring districts, especially the Acholi, Itesot and Langi. The Obote II government’s (1981-5) armed offensives to pursue cattle raiders and disarm the Karamojong largely failed.<sup>125</sup> By the time of the fall of the Obote II regime, an internal and international trade in light arms was well underway in Karamoja, dominated by the Jie and Matheniko. Continued militarization and armed conflict in the south of Sudan, the west of Kenya, and the south of Ethiopia, created a steady and lucrative trade in guns and ammunition across these borders into and out of Karamoja.<sup>126</sup> This trade continues and must be a point of international concern. Further, armed violence, the deterioration of the traditional economy (especially through the depletion of cattle herds), and the abandonment of traditional agricultural areas, left the Karamojong traumatized throughout the 1980s and most of the 1990s. All of this has changed the Karamojong’s way of life.<sup>127</sup>

Drought and hunger form a recurrent feature of life in Karamoja. Its communications, education, healthcare, infrastructure, etc. are poorer than elsewhere in the country.<sup>128</sup> Competition for scarce resources, particularly water and pasture, and the high value placed on cattle, have produced a culture of raiding and warfare within which men are noted for their bravery and their wealth. This practice leads to a vicious cycle in which the Matheniko raid the Bokora, Jie and Labwor; and the Bokora and the Jie raid the Matheniko. The Dodoth and Matheniko seem to have a permanent peace treaty, but the Dodoth raid the Jie and Turkana of Kenya. The Bokora, Dodoth, Jie and Matheniko all raid the Labwor. This complicated cycle is underlain by the fact that men need cattle to marry. Young men have a powerful incentive to establish their reputations and build their own herds through mounting raids on other pastoral groups.

The Movement government has been pressurized, especially by the growing influence of international NGOs, to place the development of Karamoja on its agenda. The result has been the creation of a Ministry of State for Karamoja. The government has set up a World Bank-supported Karamoja Development Programme that is mandated to ‘supervise the general transformation of Karamoja Region and bring about rapid economic and social development’. It was also supposed to advise government on issues concerning Karamoja, supervise the Karamoja Development Agency, coordinate development processes in the region, promote and coordinate peace and unity in the area, and mobilize and educate the peo-

ple. Most of these activities have failed and the Karamojong were not consulted about these programmes.

In the 1990s, the NRM introduced a further complication into Karamoja affairs, i.e., it was decided that the Karamojong be armed as a way of allowing them to defend themselves against attacks from Kenya (Jie, Pokot, Turkana) and Sudan. This government action raised the level of the inter-ethnic conflict<sup>129</sup> and cattle-raiding conflicts with neighbouring Acholi, Itesot, Kumam and Langi in Uganda, and the Pokot in Kenya. The NRM government's reasoning was supported by some writers<sup>130</sup> on Karamoja affairs, but condemned by virtually all of the Karamoja's neighbouring ethnic groups who saw arming the Karamojong, given their tradition as raiders, as a government licence to terrorize their neighbours.<sup>131</sup> The worst fears of their neighbours were confirmed in the late 1990s, when the Karamojong terrorized the Itesot, Kumam, Langi, Pokot, Sebei, Turkana, and even the war-torn Acholi. In addition, as noted above, cattle raiding has increased income disparities among the Karamojong themselves, causing further socio-cultural instability as well as economic inequality.<sup>132</sup>

In response, the government promulgated a law forbidding the Karamojong from carrying their weapons outside of Karamoja and recently agreed to disarm the Karamojong,<sup>133</sup> though only token moves have been made in this regard.

## The Nubians

Ugandans of Sudanese descent classified as Nubians<sup>134</sup> numbered about 15,000 at the 1991 Census. They are the descendants of Sudanese military recruits who entered Uganda in the late-nineteenth century as part of the colonial army and were employed to quell popular revolts. Sir Samuel Baker brought the Nubian soldiers from Kondoro, Nimule to Uganda. Their language is a variant of Arabic and most are Muslims.

With their mercenary status and military connection to the colonial government, the Nubians owed allegiance only to the latter. Since Nubian armies often raided surrounding villages, capturing slaves and 'wives', they came to be hated and feared.<sup>135</sup> Because of their military occupation, they tend to live close to military installations.<sup>136</sup> The largest concentration of Nubians in East Africa outside Sudan is at Bombo in Uganda, where the colonial government originally settled the Nubian soldiers. Bombo remains the location of an army barracks and the Ugandan army headquarters. When the Nubian soldiers settled in Bombo, the then King of Buganda 'gave' them 40 Baganda wives; therefore the Nubians intermingled with the Baganda and adopted Luganda. This was followed by further intermarriages with other ethnic groups, especially the Acholi, Batoro and Lugbara, leading to many Nubians having close relatives in these communities' areas.<sup>137</sup>

Nubians not employed in the army often prefer to live in Acholi or among Muslim communities in the north. Since the fall of Amin's regime, they have primarily become a dispersed urban population, generally avoiding Western education and opting for Muslim schools. In Buganda, where the majority of Nubians live at Bombo,

they are tolerated but are not trusted – due to their former role in Amin's murderous regime. Nubians have a distinctive dress, have a different diet from that of the local population and have tribal marks. Further, Nubians suffer discrimination because, like the Lugbara, they regard their ancestral home as being the south of Sudan, forming part of a larger and ancient Nubian empire. Nubians often work as unskilled or semi-skilled labourers, or as traders and are looked down upon. Nubians are discriminated against in employment like many minority groups, unless they have particularly rare skills. Most Nubians are forced to pass themselves off as belonging to other groups to find work. Within the army, they have had to keep a low profile, remaining in the lower ranks, to avoid confrontation with the public.

## The Ugandan Asians

Over the last century, the composition of minorities changed with 'new' minority groups such as Asians and Nubians emerging. It is these 'new' minorities, combined with a growing refugee population of Burundians and Rwandese, against whom much political sentiment has been raised in the form of the 'non-Ugandan refugee/minorities question'.

The decade immediately after Uganda's independence was a time of enormous social and political change and transformation, generating social and political tensions.<sup>138</sup> However, serious negative public opinion against and intolerance of 'foreign' minorities – the Asian community – did not seriously arise until Amin fanned those sentiments in 1972 when he expelled over 60,000 Ugandan Asians, giving them 90 days' notice.<sup>139</sup>

The issues that have plagued Ugandan Asians since their expulsion and return have been those of citizenship and access to political power. Ugandan Asians began to return from 1982, but in larger numbers since 1986, after the end of the war (in the south of Uganda) and the foundation of the NRM government. While most minorities living in Uganda are Ugandan citizens, for Ugandan Asians, the question of citizenship has been an issue, with many now preferring to be called 'Asians living in Uganda'.<sup>140</sup> This politicization of minority citizenship, contrasts sharply with the constitutional measures directed at the creation of equality of rights and equal opportunities, through the protection of the rights of all citizens – including the rights of minorities. While the Amin and Obote II regimes were guilty of the politicization of citizenship issues relating to Ugandan Asians and other groups, the NRM government has struggled to promote the full practical implementation of Ugandan Asians' minority rights,<sup>141</sup> thereby creating a seemingly minority-friendly social environment.<sup>142</sup> However, a close analysis of public discussion of issues relating to Ugandan Asians and other groups deemed 'foreigners' such as the Banyarwanda, indicates an unwillingness on the part of the general public to end all forms of discrimination and exclusion against these groups. In a positive development, however, Ugandan Asians have started a pressure group to push for their being named as a Ugandan ethnic group.

Those against the Ugandan Asians claimed that they

were exploitative and refused to integrate, however, the core of the problem lay in their possession of resources and skills – they were financiers, industrialists, intermediaries and traders, and were groomed by the British. Their skills gave them an important role in the post-independence development of both the peasant-agricultural sector and of industrial production.

By 1969 there were 70,000 Ugandan Asians (Gujarati or Hindu). They were officially regarded as ‘foreigners’, even though more than three-quarters of them had been born in Uganda.<sup>143</sup> The group arrived in the late-nineteenth century and most had come as workers on the railway line. The colonial government forbade Asians from purchasing land, forcing them to live in urban areas – a factor that caused them to be thought unwilling to integrate with other Ugandans. They concentrated on trade and commerce, gaining control of retail and wholesale trades, including coffee and sugar processing, and cotton ginning.<sup>144</sup>

After independence, and especially when the Obote I government threatened to nationalize many industries in 1969 under the so-called ‘move to the left’ strategy, Ugandan Asians exported much of their wealth and were accused of large-scale graft and tax evasion. The resulting tensions paved the way for Amin’s infamous expulsion of the Ugandan Asians in 1972.

After Amin’s fall, Ugandan Asians were called by the Obote II government (1981-5) to return to Uganda. Some returned to claim compensation for their expropriated buildings, estates, factories and land, but most remained outside Uganda. In the 1991 Census, the Asian population in Uganda was counted and stated to be among the ‘other, not stated Ugandan’ population of 67,294. This treatment indicates the official view of Ugandan Asians in Uganda today.

The position of Ugandan Asians remains precarious, despite the NRM government’s reliance on this group to play a crucial role in Uganda’s economic revival. One commentator has described his feelings thus:

*‘If it is true that I am a citizen like anybody else [...] I am just like anybody else and I am not apologizing that I was born here and I do not want to apologize to anybody in the world whether [...] any foreign government or anybody else [...] Because you know in our constitution [...] it says that everybody should be treated the same, so I have the right to own property like anybody else, there is no classification like in South Africa that you are Asian, you are No. 2 or you are No. 3, we do not have that classification unless we change our constitution.’<sup>145</sup>*

Today, Ugandan Asians feel discriminated against on a cultural, political and social basis. According to Ahmed Sharif, a Ugandan Asian, discrimination is ingrained in Ugandan society and the conditions facing Ugandan Asians are disadvantageous. He feels that Ugandan Asian families should be free to mix more with the rest of Uganda’s peoples and should not be discouraged from actively participating in Ugandan politics and in all spheres of Ugandan life – including the army where at the moment they are totally unrepresented. Many of the Ugandan Asian respondents interviewed agreed with

Sharif’s assessment that discrimination was ingrained and that there was a deliberate, if unspoken, denial of access to political (and social) power. However, many professed that they have full freedom of worship and therefore suffer no religious discrimination. Many Asians also associate minority status with economic well-being and feel that so long as they are not poor and have worldwide connections, they are not a minority.

## Tabligh/Salaf sects of Ugandan Muslims

An estimated 2.6 million Ugandans, representing roughly 15 per cent of the population, practise Islam. Islam arrived in Uganda from the north and through inland networks of the East African coastal trade by the mid-nineteenth century. The main factor that popularized Islam in Uganda was Kabaka Mutesa I, the first President of Uganda’s, conversion to Islam in the nineteenth century.

When Amin, a Muslim, became president in 1971, his presidency became very closely associated with Uganda’s Muslim community, Amin’s Kakwa-Lugbara background, and closely-related ethnic groups. Ironically, the 1972 expulsion of Asians from Uganda reduced the Muslim population significantly. When Amin started gross violations of human rights, Uganda’s Muslims became associated with these crimes against humanity and this led to hatred and discrimination against Muslims, especially those ethnically linked to Amin. After Amin’s overthrow in 1979, Muslims were heavily discriminated against. Further, Muslims were massacred in western Uganda at Kiziba, River Rwizi in Ankole. A total of 49 were killed in a single incident.<sup>146</sup>

Today, the 1995 Constitution protects the rights of religious minorities such as Muslims and guarantees them the right to practise their religion in accordance with the Constitution.<sup>147</sup>

As to whether Muslims are a minority, Imam Kasozi is of the view that:

*‘Whether Muslims are a minority is a question that depends on who asks it and when and where he [sic] does it. The majority of Muslims in Uganda do not consider themselves a minority, they only believe that it is said to deny them certain rights and roles that would belong to them. If the Muslim community is looked at in comparison with the rest of Ugandans they would appear a minority but if compared to other sections individually they may not. To me, I could consider the Muslim community as a considerable minority since I’m certain that we are about 25 per cent of the total national population much as the official figures put us at 12 per cent under the 1991 population census.’<sup>148</sup>*

Many Tablighs complain about a great many instances of official discrimination against Islam and Muslims, in particular against members of their sect. For example, they state that when selections are being made for government appointments, the proportion of Muslims is insufficient. They also question whether those selected

are 'true believers'. Employers often make an outright rejection of Tablighs. It is also said that access to resources such as land has always been denied. The Buganda Agreement of 1900 allocated land to religious institutions – except Islamic ones which did not get any official land, only land through private donations from Baganda princes like the late Badru Kakungulu. The Tabligh sect has no official headquarters and often has to literally fight for prayer places with Christians, especially in Kampala city.

Post-independence governments have fuelled conflict, supporting one Muslim group against another. For example, in 1968, the government supported a faction of the National Association for Administration of Muslims (NAAM) against another group. This led to the death of two Muslims at Kemishego in Ankole district (now Ntungamo).<sup>149</sup> There are further instances of government interference in Muslim affairs. In 1993 President Museveni rejected a Uganda Muslim Supreme Council (UMSC) General Assembly decision regarding the election of UMSC officials. The elections were held to reconcile various factions of the UMSC and were officially attended by a Presidential Advisor, the Solicitor General and three others. When the Assembly did not elect people the President favoured, he turned down the Assembly's choice.

The government has also interfered in Muslim affairs by restricting Muslim NGOs' freedoms. Muslim NGOs, especially those run by Tabligh sect members, have been illegally searched without any clear search warrant being produced.<sup>150</sup> Muslim leaders also claim that it is very difficult for a Muslim group that does not show a political affiliation to the government to register as an NGO. It is noted that where registration has been allowed, the government has restricted the scope and area of operation – i.e. to one district or region – and because the NGO is registered for only one year, subject to renewal, such renewal can be denied without clear reasons being given. This happened in the case of Al-Muntade Al-Islami.<sup>151</sup>

## Individual security – the case of Tablighs

The fate of Muslims – especially Salaf sect members (part of the Tabligh group) accused of involvement in ADF terrorist activities – shows that Tabligh Muslims are justified in protesting against deep-seated prejudice,<sup>152</sup> which often makes their social integration extremely difficult. Yusuf Nsibambi makes remarks that apply generally to Muslims and accurately describe the plight of Tablighs in Uganda. He states:

*It is an insult that when you are from a minority religion in Africa, you can be arrested and re-arrested for no cause until those in authority feel that you are completely subjugated [and] that you will seek mercy by pleading guilty.*<sup>153</sup>

Nsibambi discusses the plight of Tabligh/Salaf sect Muslims suspected of treason,<sup>154</sup> who have refused to apply for amnesty on the grounds that the Amnesty Act 2000 automatically criminalizes all those applying for

amnesty under the Act, since it assumes all applicants under the Act have been involved in 'rebel' or 'terrorist' acts against the state.

As the LRA war in Acholi has progressed and the alleged role of the (Islamic) Sudanese government has continued, so have Salaf/Tabligh sect members' complaints of extensive mistreatment by security officials in Kampala and in the west of Uganda. In 1997 and 1998, many Muslims – mostly from the Salaf sect – were arrested on suspicion of being supporters of rebel groups.<sup>155</sup> In Kampala, over 100 members of these sects were arrested by unidentified officials at their places of business, residence and in public areas. The men detained were denied due process, and held in unofficial, unregistered places of remand locally known as 'safe houses'. Some were tortured. After a public outcry about the safe houses, the Uganda Human Rights Commission publicly called for the release of the men on the grounds that such detention was illegal and a violation of their constitutional rights. The Ministry of Internal Affairs released a partial list of those on remand, indicating that those under detention were suspected of collaboration with rebel or terrorist groups known to be operating in the country. The wives of some of the remaining detainees demonstrated publicly in Kampala, which led to the release of some of those missing; however, 33 remain unaccounted for.<sup>156</sup>

During this process, many Tabligh, particularly in the West Nile region, have become victims of conflict in Uganda. Accusations and counter-accusations have been levelled against them, alienating many Tablighs from society. Many families have been affected, children have left school, and property has been destroyed. In the west of Uganda particularly Kasese, innocent Muslims belonging to the Salaf sect have suffered injustices because the ADF is alleged to be led by some Muslims. Hundreds have been arrested and detained without trial and some are thought dead.<sup>157</sup>

Further, Muslim organizations seeking to help those displaced by conflict are suspected of aiding rebels and refused access. In 1996 after war erupted in Kasese, a Muslim organization solicited assistance from abroad to take to the Muslim community in Kasese who had been internally displaced. Security personnel prevented the subsequent delegation from delivering this assistance. Further, members of the relief party were temporarily detained in Bushenyi, even though they had proper identification and had sought legal permission from the Minister of Internal Affairs and the other relevant authorities. Other organizations were allowed to deliver their supplies freely.<sup>158</sup>

## Muslim self-reliance efforts

Despite government interference, the Ugandan Muslims of all sects have made tremendous efforts to fulfil their aspirations. To overcome discrimination, Muslims decided to educate their children. The community now boasts of a number of excellent schools, some functional health centres, high literacy rates, and small businesses starting up. These achievements have helped challenge social disadvantage and stigmatization.



Muslims feel that corruption has grossly affected their community, especially at entry points in all forms of public services. Further, promotions have been denied, and their advancement blocked. Muslims also feel corruption was behind the closure of Greenland Bank Ltd, a Muslim-owned bank, because the bank was thought by government to be behind the rapid pace of Muslim economic advances.<sup>159</sup>



# Measures to Promote Minority Rights

Constitutional and other government policies supporting the rights of minorities have led to minority rights' protection being added to the role of the new public institutions in Uganda. Civil society has also played a small role in promoting the rights of minorities, and this role could become more significant in future. However, much more work is needed from Ugandan organizations, and by minority-run groups, to sensitize the government and the public to their needs and rights.

## Public law institutions: the Uganda Human Rights Commission

In line with Articles 51-8 of the Constitution, the Uganda Human Rights Commission was established. The Human Rights Commission is responsible for investigating any kind of rights abuse of Ugandans, including minorities, that comes to its attention, and for initiating general and individual measures to remedy such abuses.

Minority group members can turn to the Human Rights Commission if, in their judgement, they have suffered injury due to the infringement of their constitutional rights – as a result of the proceedings or measures of an authority or public service organization, or where such a body has failed to take measures – or where there is a danger that the constitutional rights of minorities may be violated. For example, as discussed earlier, the Human Rights Commission investigated the case of 41 missing people, documenting their religious status (that 33 are Muslim) and indicating incidents of torture and maiming of members of the Muslim community.<sup>160</sup>

The Human Rights Commission also prepares reports to parliament (Article 52 [1] [d] and [2]) and analyzes on which parliamentary or cabinet bases resolutions concerning affected minorities and the promotion and protection of their rights can be raised, and on which Cabinet can draft minority policy concepts. So far most of the Human Rights Commission's action in this area has centred on the general rights of women and people with disabilities. While the Human Rights Commission is supposed to continuously assess the situation of minorities and the implementation of their rights, in practice, a lack of finance, a poor understanding of what constitutes a minority,<sup>161</sup> and a politicization of the issues<sup>162</sup> greatly hampers this function. The same problems hinder the mandate of the Human

Rights Commission to harmonize the implementation of government programmes related to minority rights; and the Human Rights Commission has failed to closely follow the implementation of minority rights by administrative bodies and local councils.

Similarly, there is no continuous contact between the Human Rights Commission and representatives of minorities, with a possible exception being with regards to gender issues. Therefore there is a failure in the planning and implementation of appropriate institutional measures to prevent the violation of minority rights.

# Conclusion

This Report has sought to show that the failure to realize the existence of minorities, and consequently to deal with the problems faced by minorities, has been among the key factors that have caused Uganda to fail to achieve a society based on the rule of law, social cohesion and equal opportunity. This has led to perpetual conflict and instability. The situation of minorities has either been ignored or only considered from a political angle.

It is evident that there is an urgent need to conscientize Ugandan policy-makers and the public about the need to recognize the reality and existence of minorities in Uganda, and to take measures for the voluntary social, economic, political and cultural integration of minorities into Ugandan society. These tasks can only be successfully undertaken through continuous and consistent efforts.

In the past, as our examination of the problems facing some minorities has shown, the state has not recognized or enforced a respect for cultural, ethnic, religious or linguistic diversity – unless for its own political ends. Consequently, in the case of groups such as the Batwa, Karamojong, Tabligh Muslims, etc., there has been little attempt to encourage minority groups to set up their own development priorities. Minority concerns are not just those of language or culture, but are also related to education, employment, social and training issues. These issues have been historically compounded and demand complex solutions, and both state and non-state measures.

The rights of minorities and the disadvantaged must be promoted and protected. Ugandan history has shown that when people are deprived of hope, of economic, political, social or other assistance from government or society, they can resort to violence. It is important to give hope to minorities, so that groups such as the ADF and LRA, among others, cannot attract people to take up arms.

A matter for urgent consideration is the government's position regarding minorities who it considers to be politically opposed to the government – such as the Bakonzo and members of the Tabligh/Salaf sects. The NRM government has largely repeated the mistakes of past regimes in this area.<sup>163</sup> Most NRM programmes in relation to minorities have generally been of a short-term, political character, and the NRM government has used military force against 'uncompromising' minorities. Such violence is condemned and should not be repeated.

Another area of concern is the need to safeguard all aspects of minority culture, especially language. Most minority languages are in great danger of disappearing. There is little or no recognition that minority languages, irrespective of the scope of their functionality and the number of speakers, are indispensable in preserving and developing the original cultural treasures of Uganda's various ethnic cultures.

A consequence of the failure to protect minority culture, is the failure to preserve minority identity. Not only

tolerance but also a positive attitude of cultural pluralism by the state and the wider society is needed. Further, not only an acceptance of, but also a respect for the distinctive characteristics and contribution of minorities in the life of the national society as a whole is required. Protection of identity means not only that the state shall abstain from policies that have the purpose or effect of assimilating the minorities into the dominant culture, but also that it shall protect them against activities by third parties which have an assimilatory effect. Crucial in these regards are Uganda's language and educational policies.

A multi-faceted approach should be adopted to reduce peoples' disadvantage and protect minority rights. There is also a need to strengthen the political commitment to minority rights in Uganda. The government should work with minority and cultural leaders to find solutions to social problems such as poverty, insurgency and underdevelopment. It is essential that minorities and disadvantaged groups do not feel at risk or perceive themselves to be at risk from the government or society. There is a need for continuous dialogue and measures to improve Uganda's social cohesion and its economy.

# Recommendations

1. The government of Uganda should provide for and facilitate the effective participation rights of minorities and indigenous peoples in political, social and economic life, in keeping with international norms. Systems of government and administration should be set up that allow minorities and indigenous peoples to participate in decision-making and implementation. Legislative procedures should allow representatives of minorities and indigenous peoples, and minority representative institutions, a special role – such as initiation, prior consultation and special voting rights – regarding any bill with a bearing on minority rights.
2. The government of Uganda should support and encourage organizations that promote minority and indigenous cultures and languages, and should promote cultural exchanges, understanding and reconciliation between different communities. The Uganda Human Rights Commission should continuously assess the situation of minorities and the implementation of their rights, and should receive the necessary resources to do so, or further national institutions should be established with a specific mandate to promote the rights of minorities and protect them from discrimination.
3. The government of Uganda should develop inclusive and intercultural educational provisions and curricula, which ensure that all groups have an understanding of their multicultural society, and that there are shared and common values in the public domain which evolve through democratic consultation. The education currently offered to the children of the Batwa and the Karamojong should be critically analyzed to ensure that it promotes and develops their traditional ways of life, practices and languages.
4. The government of Uganda should take urgent steps to promote peaceful coexistence, and to eradicate the discrimination and persecution of minorities. Having due regard for any recent history of oppression or displacement of minority and indigenous communities, it should offer appropriate compensation and enact remedial policies.
5. The government of Uganda should adopt measures to protect, maintain and promote linguistic and cultural diversity. Institutional networks aiming to promote and develop the cultural heritage of minority and indigenous peoples should be supported and developed. All initiatives supported by donors and inter-governmental organizations should be required to demonstrate that they will not negatively affect cultural and linguistic diversity.
6. MRG welcomes Uganda's accession to a number of important international human rights and humanitarian instruments, and the incorporation of such standards into the Constitution. MRG urges the Ugandan government to take immediate steps to implement these national and international human rights standards. In particular, government and security forces and non-state actors should be made accountable for violations of such standards. The Ugandan government should also accede to international human rights standards for the protection of indigenous peoples and minority group rights such as ILO Convention 169. The government must also take steps to implement the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities.
7. Government agencies, donors and NGOs who fund social service initiatives should ensure that minority issues are incorporated within the project management cycle, including monitoring and evaluation, to ensure sustainability. They should give full support to all groups and peoples, including children, older people, people with disabilities, women and those living with HIV and AIDS within minority and indigenous groups, to assess and analyze their own perception of rights and development, and subsequent actions should reflect the outcome.
8. The rights of the Batwa to their ancestral forest lands should be recognized. Forest conservation projects such as the Mgahinga and Bwindi Impenetrable Forest Conservation Trust (MBIFCT) in traditional Batwa areas must fully involve Batwa communities if genuinely sustainable conservation is to be achieved.
9. The government of Uganda and multilateral and bilateral development agencies should carry out specific assessments of the impact of proposed projects and programmes on the economic and social development of indigenous peoples and minorities as an integral part of the project cycle, through a transparent process with the free and informed participation of the affected communities.

- 1 Statistics cited by Johnstone, 1993, see <www.ethnologue.com> for more details.
- 2 Uganda Bureau of Statistics.
- 3 1991 census.
- 4 Statistics cited by Ladefoged, see <www.ethnologue.com> for more details.
- 5 1991 census.
- 6 1991 census.
- 7 1991 census.
- 8 Ladefoged, *op. cit.*
- 9 1995 figures; Kabanankye, K.I.B., 'A statement of concern: the plight of the Batwa peoples', Makerere University, unpublished, 1995.
- 10 Hoffman, R.V., *Gentle Genocide for a Throwaway Tribe? The Future of the Ik*, 1997, <http://homel.gte.net/hoffmanr/index.htm>.
- 11 1991 census.
- 12 Ladefoged, *op. cit.*
- 13 1991 census.
- 14 Ladefoged, *op. cit.*
- 15 Johnstone, *op. cit.*
- 16 No population figures for Uganda are available. 1985 SIL
- 17 1991 census.
- 18 1983 SIL
- 19 1991 census.
- 20 Ladefoged, *op. cit.*
- 21 Hoffman, *op. cit.*
- 22 An estimate from the 1991 census.
- 23 BCE – Before Common Era (equivalent to BC).
- 24 Uganda was first reached by Europeans as well as Arab traders in 1844. An Anglo-German agreement of 1890 declared it to be in the British sphere of influence in Africa, and the Imperial British East Africa Company was chartered to develop the area. The Company did not prosper financially, and in 1894 a British protectorate was proclaimed. Few Europeans settled permanently in Uganda, but it attracted Indians (including Goans) and Pakistanis, who became important players in Ugandan commerce.
- 25 It is this period which caused strong differences to arise between the central government and Buganda, differences which were to prove critical in blocking Uganda's post independence progress and even threatened to turn the Baganda into a minority.
- 26 President Obote summed up his animosity to the Buganda cultural/political establishment when he is alleged to have declared: 'A good Muganda is a dead one.'
- 27 For further information, see the Report of the Commission of Inquiry into Violations of Human Rights in Uganda between 1962-1986, Government Printers, Entebbe, 1995.
- 28 In 1982, Yoweri Museveni launched a guerrilla war to unseat the Obote II government. This was mainly fought in what came to be known as the Luwero Triangle in Buganda, central Uganda.
- 29 The first post-independence leader from the Bantu to stay in power for a period exceeding five years since independence.
- 30 This is possibly because Banyarwanda and Ugandan Asians form a considerable part of the hardcore support for the Movement government, a factor which is beneficial but might cause a resurgence of discrimination should the Movement government fall from power. In the meantime, President Museveni, who has been labelled a 'Munyarwanda' by some of his political opponents, has always promised to take firm steps against anyone perpetrating or committing acts against these two groups of minorities, whether individuals or communities.
- 31 In the northern districts of Gulu and Kitgum, the LRA, comprising mostly of ethnic Acholi and allegedly supported by the government of Sudan, has been active since 1986. Among the insurgent groups, it is widely considered to be the most serious human rights offender, systematically committing attacks on the civilian population, including rapes, and the mass abduction of children.
- 32 In the south-western districts of Bundibugyo, Kabarole and Kasese, armed clashes between government troops and the ADF, allegedly composed mainly of Muslims of the Salaf sect, have intensified since June 1997 and resulted in massive civilian displacement.
- 33 United Nations Humanitarian Coordination Unit (UNHCU), *Humanitarian Update Uganda*, vol. 2, issue 9, 27 November 2000.
- 34 See the 1998 *Annual Report* of the Uganda Human Rights Commission, p. 64.
- 35 The purpose of the informal survey conducted by the author and Wabwire J., research assistant, was to determine whom people considered to be minorities.
- 36 See the studies of Jules Deschênes, Asbjørn Eide and Stanislav Chernichenko, all members of the Sub-Commission.
- 37 The term 'minority' was not precisely defined even for the application of Article 26 of the International Covenant on Civil and Political Rights.
- 38 A counter argument is that a definition of a minority by a member of a minority would not be objective. However, the definition need not be an individual's definition.
- 39 Third Schedule to the Constitution of the Republic of Uganda, 1995.
- 40 Under Ugandan law, however, there is no provision for a group to declare itself a minority.
- 41 Total population of Uganda 22,012,000 (1995), including 16,072,548 of Ugandan citizenship (1993 SIL). It should be noted that minorities are not always numerically fewer than the rest of the population. For example, A. Pitsch views the Baganda as a minority despite their being the largest ethnic group living in Uganda, see 'The Baganda', June 1998, updated October 1999 by A. Danso at <http://www.bsos.umd.edu/cidcm/mar/ugabaganda.htm>.
- 42 By the early 1970s, Ugandan Asians had almost achieved economic dominance, a situation that Amin used to justify his action to expel them from Uganda.
- 43 Indeed, the Baganda have often claimed 'minority status' on the grounds of central government discrimination against them – e.g. by the state abolishing the monarchy. However, the treatment of Baganda in Uganda must be seen in the context of the 'special' relationship the British colonial government had with them which led to matters relating to Buganda becoming perpetual 'public interest' issues.
- 44 Gurr, T.R., *Minorities at Risk: A Global View of*

- Ethnopolitical Conflicts*, with contributions by B. Harff, M.G. Marshall, J.R. Scarrit, United States Institute of Peace Press, Washington, D.C, 1993. See also, Caportorti, F., *Study on the Rights of Persons belonging to Ethnic, Religious and Linguistic Minorities*, 1991, para. 568.
- 45 Minority groups tend to lose out by being forcefully displaced or evicted from their land.
- 46 Indeed, a frequent official response is that apart from the Batwa and Ik (Teuso), there are no other minorities in Uganda. For example, Father Waliggo, a leading human rights activist and a Commissioner at the Uganda Human Rights Commission, is of the opinion that the only minorities in Uganda are the Basongora, Batwa pygmies, the Ik (Teuso) of Karamoja and Seguku alleged to live on an island on Lake Victoria. Telephone interview with Rev. Isanga, 11 November 2000.
- 47 Minority groups have also been used in the army. The first minority group to be used in the army were Nubians who immigrated into Uganda from either Egypt or Sudan in the late nineteenth century. These were professional soldiers who were willing to work as 'mercenaries' as the easiest point of entry into society. However, many other minority groups in Uganda came to regard the army as the only feasible way to economic, political and social power. Thus minorities have always formed the core of the army. However, two minority groups who have not joined the army in large numbers compared to their population are members of the Karamojong cluster and Ugandan Asians.
- 48 This provision was included, among others, due to great pressure from traditional institutions and their rulers; such institutions had been abolished by the Obote I government in 1966.
- 49 See *The Human Rights Reporter*, Uganda Human Rights Commission Report, 1999, p. 65; also Tuhaise, N.P. and Kibalama. E., 'Affirmative action and the status of women in Uganda', *East African Journal of Peace and Human Rights*, vol. 6, no.1, 1998.
- 50 Political calculations include the need to maintain a 'clean' national and international image. Most of the minority-related actions of past regimes and the current National Resistance Movement (NRM) government have hinged on image and political gain rather than on an objective national interest. This includes the much vaunted creation of a state 'ministry' to deal with the needs of Karamoja.
- 51 Various non-governmental organizations (NGOs) have been established to deal with minority-related issues, but few deal specifically with minority rights.
- 52 The common assumption is that there is political north-versus-south divide. However, this is not the whole picture since the elite come from all over Uganda, and often indiscriminately exploit the vast majority of poor Ugandans who live in the rural areas while also practising nepotism. See *Report of the Commission of Inquiry into Violation of Human Rights in Uganda between 1962-1986*, *op. cit.*
- 53 The principle of individual merit which requires those aspiring for political office to present themselves to the electorate in their personal capacity rather than as a political party representative, was shown to be impracticable in the recent presidential elections – the results of which were unsuccessfully challenged in the Supreme Court. The principle is made unreal because institutional support must always be relied on by the incumbent.
- 54 The Movement Act (1986), makes all Ugandans part of the Movement system. See also Kasfir, N., 'No-party democracy in Uganda', *Journal of Democracy*, 9 (2), pp. 49-63, 1998.
- 55 The Political Organizations Bill was completed in 1997 but continues to gather dust. Recently, the Minister for Constitutional Affairs announced the Bill would be tabled soon and would lift some of the restrictions under which political parties currently operate, such as the ban on holding delegates' conferences. Political party activities, such as holding public rallies, sponsoring candidates and the use of political colours, etc., will continue to be suspended under Article 269 of the Constitution.
- 56 The declaration in October 2000 by one of the key Movement founders, retd Col. Kiiza Besigye, to stand for the presidency, and the institutional reaction against the declaration, caused unprecedented disharmony within the Movement.
- 57 Article 29, of the Uganda Constitution 1995.
- 58 Article 19, Universal Declaration of Human Rights Article 29, Uganda Constitution, 1995.
- 59 See *The Social Summit Programme of Action*, A/CONF. 166/9, ch. IV, where these issues are extensively discussed.
- 60 See the Movement Statute, 1998, which makes all Ugandans members of the Movement.
- 61 Statement made during a private interview with the author by a 32-year-old Muslim man from a minority group.
- 62 These are defined under Movement politics as: 'groups which may even be a physical majority that have been discriminated against historically and treated as if they were minorities'. Article 32, Uganda Constitution, 1995.
- 63 The controversial inclusion of 10 members of the army into parliament supports this assertion.
- 64 Some of the criteria were that recruits had to be very dark skinned, at least six feet tall and of wide chest span. See *Parliamentary Committee on Defence and Internal Affairs on the War in Northern Uganda*, Government Printers, January 1997, Kampala, p. 5.
- 65 In particular, Amin purged the Acholi from the army and made mass murder attacks against Acholi and Langi that depopulated entire villages. The attacks and purges were meant to eliminate Obote's supporters, since Obote was a Langi and heavily relied on the Acholi, cousins to the Langi, in his army.
- 66 For example, under Obote's second regime (1981-5), Acholi and Langi soldiers perpetrated revenge massacres in Amin's home region, the West Nile, killing many Kakwa, Lugbara, Nubians and other members of minority groups deemed to have been Amin's supporters. Acholi were also held largely responsible for massacres during the Luwero Triangle War (1982-6). In July 1985 Acholi soldiers overthrew Obote but their military government lasted only a few months until

- January 1986 when the NRM under Museveni took control.
- 67 The LRA kidnapped approximately 10,000 Ugandan children in just three years (1997-2000). See *Year 2000 Report*, African Rights.
- 68 'Northern Uganda, justice in conflict', *Year 2000 Report*, African Rights, pp. 54-60.
- 69 Kabanankye, *op. cit.*
- 70 *Ibid.*
- 71 The UPDF is the result of the formalization and institutionalization under the constitution of the NRA, which had been a guerrilla army. See Articles 208-10 of the Constitution, 1995.
- 72 See the dissenting report on *Sessional Committee on Defence and Internal Affairs Report*, Kampala, 1997.
- 73 Charges of being rebel collaborators have been levelled against some of the MPs from Kasese who are said to have aided and abetted a rebel attack in which 11 people were killed after the recent presidential elections in March 2001.
- 74 The government is supposed to pay tuition fees for all orphans and for up to four children per family.
- 75 In 1986, there were 2.5 million children enrolled. Today (2001), there are over 6.5 million children aged 6-15 enrolled for primary school education. Out of these, 158,000 are children with disabilities.
- 76 Tuhaise and Kibalama, *op. cit.*
- 77 See 'Ethnologue: Areas: Africa, Uganda', at <<http://www.sil.org/ethnologue>>.
- 78 Statement of a 24-year-old Karamojong man, first-year student at Makerere University.
- 79 Cited in Licht, M.F., <<http://www.cenet.org.uk/newslett/news4/p3.htm>>.
- 80 Classes are conducted near the homesteads known as manyattas. Facilitators conduct lessons under the trees early in the morning before the workday begins and again in the evening when the workday has ended. Girls bring younger siblings for whom they are responsible, and boys can learn to read and write while watching their herds of goats graze nearby. Parents and elders can also come to the lessons to follow the children's progress and to learn themselves. Instruction is in their own language, and the teaching methods are active, also using traditional songs and dances.
- 81 A view expressed by a group of Karamojong Makerere University students in a personal communication.
- 82 A joint trust set up by the Government of Uganda in 1995, with funding from the Global Conservation Trust and the World Bank.
- 83 In 1997, MBIFCT leased land for three years for 38 Batwa families, and bought agricultural tools and seeds. Because the Trust provides land leases of a very short duration, it is unknown what may happen after the leases expire.
- 84 See Kabanankye, K.I.B., *Status of Minorities and Marginalized Communities in Uganda*, Makerere University, 1997.
- 85 For details, see the section on the Batwa, below.
- 86 *Ministry of Health Draft National Strategic Plan, 1997/8 - 2000/2 Government of Uganda*.
- 87 *Children and Women in Uganda, A Situation Analysis*, UNICEF, Kampala, 1989.
- 88 For example, the use of prescribed drugs, immunization and a 'non-spiritual' approach to medical treatment – an approach that is traditionally regarded by the Batwa, and many other African communities, as separating the body and mind and therefore not being holistic.
- 89 WHO, *The World Health Report, 1998*.
- 90 Kabanankye, K., *op. cit.*, 1995.
- 91 Minorities and their opinions are often ignored in pursuit of 'major development projects' which may benefit the majority. View of Oweyegha Afunaduula, Senior Lecturer, Department of Zoology, Makerere University.
- 92 Amin, the Obote II and the NRM government's armies have all attacked the Karamojong. See the *Report of the Commission of Inquiry into Violation of Human Rights 1986-1994*, ch. 7; and the *Verbatim Record of Proceedings*, Commission of Inquiry into Violation of Human Rights.
- 93 View of Oweyegha Afunaduula, *op. cit.*
- 94 Hoffman, R.V., *op. cit.*
- 95 Turnbull, C.M., *The Mountain People*, New York, Simon and Schuster, 1972.
- 96 Hoffman, *op. cit.*
- 97 Waste disposal, especially in areas occupied by minorities, is extremely poor. With regard to human waste disposal, it is reported that in 1993, the latrine coverage rate was 4 per cent in Karamoja as compared to 88.5 per cent in the south-west. *Ministry of Health Draft National Strategic Plan, 1997/8 - 2001/2002, op. cit.*
- 98 Liberalization has created a market-driven labour policy that favours the influential ethnic groups and only prioritizes minorities with special or rare skills, leaving most minorities to carry out only menial tasks. The state has discontinued virtually all support measures for basic needs. This has had a tremendous impact on minorities, women and the rural poor.
- 99 An Asian Ugandan has been elected to represent youth from eastern Uganda in the next Parliament.
- 100 The author has chosen to focus on some of those minorities where information was reliable due to the difficulty of acquiring accurate information on these concerns.
- 101 See the Report by Lewis, J., *The Batwa Pygmies of the Great Lakes Region*, MRG, London, 2000.
- 102 According to Kabanankye, Batwa are represented in virtually all districts of Uganda, though over 80 per cent live in western Uganda. See Kabanankye, 1997, *op. cit.* Further, the 1991 Population and Housing Census gave a figure of 1,394.
- 103 A joint trust set-up by the Government of Uganda in 1995, with funding from the Global Conservation Trust and the World Bank, with the aim of safeguarding biodiversity in the two parks.
- 104 Kabanankye estimated, in 1997, the number of Batwa living in Echuuuya Forest at 68 and in Semliki Park at 65, Kabanankye, *op. cit.*, 1997.
- 105 *The Monitor*, 12 July 2000.
- 106 Kabanankye, 1997, *op. cit.*
- 107 *Ibid.*
- 108 *Ibid.*
- 109 *Ibid.*
- 110 A fee of 200 Uganda Shillings (about 14 US cents) is required for every visit to a health unit, regardless of

- the ailment or service required. While this fee was scrapped during the recent presidential elections, the practice remains and pressure from international monetary institutions is growing for its restoration (*The New Vision*, April 2001).
- 111 The most well-known Mutwa (Batwa) activist and leader is Rwubaka, who, throughout the 1990s, has helped sensitize Batwa and non-Batwa to the plight of the Batwa.
  - 112 Interviewed by the author, March 2001.
  - 113 Interviewed by the author, April 2001.
  - 114 It is estimated that over US \$50,000 of donor funds was diverted from the Kitariro Batwa Pygmies Project by teachers. Cited by Kabanankye, 1997, *op. cit.*
  - 115 According to Kakwa legend, the father of all Kakwa was Yeki who named one of his seven sons Kakwanji, meaning 'biter' because he was fond of biting his brother. The descendants of Yeki adopted the plural term and called themselves Kakwa. Another version is that the name Kakwa evolved from the military prowess of the Kakwa against their neighbours because their fierce attacks bit like a tooth.
  - 116 Kabanankye, *op. cit.*, 1997, notes that consultation of ancestors consisted of drawing a circle on the ground and then tying a chicken to the centre of it. The circumference of the circle would be labelled alternatively with signs of defeat or victory. The chicken would be slaughtered. The ancestors' advice was judged from the nearest sign to the point at which the chicken would die.
  - 117 Because Amin's father was a Kakwa and his mother a Lugbara, these two ethnic groups, and Nubians, have been held 'responsible' for most of Amin's failings and the gross abuse of human rights.
  - 118 They are also called the Suk and are related to the Kenyan West Pokot.
  - 119 Quam, M.D., *Creating Peace in an Armed Society, Karamoja, Uganda, 1996*, University of Illinois, Springfield, <<http://web.africa.ufl.edu/asq/v1/1/3.htm>>.
  - 120 To enforce this policy, the colonial government adopted the Karamoja Ordinance under notices reading 'You are now entering Karamoja closed district, no visitor may enter without an outlying district permit'. These were placed at Karamoja's borders with other districts.
  - 121 See *Verbatim Record of Proceedings, op. cit.*; and *Report of the Commission of Inquiry into Violation of Human Rights 1986-1994, op. cit.*
  - 122 *Verbatim Record of Proceedings, ibid.*
  - 123 In 1972, a military force composed mainly of former Ugandan army soldiers who had fled to Tanzania with Obote after the 1971 coup, and Ugandan refugees in Tanzania, attacked Uganda via Mutukula on the border. They were defeated by Amin's army. In 1978, after Amin attacked Tanzania to annex Mutukula, the Tanzanian government retaliated by supporting the Uganda National Liberation Front (UNLF) which was composed of various groups opposed to Amin. The combined force overthrew Amin in 1979.
  - 124 Beillik, R.J. and Henderson, L., 'Mortality, nutritional status and diet during the famine in Karamoja, Uganda, 1980', *Lancet*, no. 11, 1981, p. 133.
  - 125 In 1984, violent cattle raiding in south Karamoja necessitated a joint Kenya-Uganda military operation, displacing an estimated 75 per cent of the population in the extreme south and creating a cycle of famine.
  - 126 The theory behind the arming of the Karamojong was to enable them to defend themselves (and thus Uganda's north-eastern borders) against their traditional rivals from Kenya and against LRA rebel incursions. See Hartung, W.D. and Moix, B., *U.S Arms to Africa and the Congo War*, World Policy Institute at <<http://www.worldpolicy.org/projects/arms/reports/congo.htm>>.
  - 127 The ratio of cattle per person in Karamoja had dropped from six in 1920 to less than two in 1991. See Ocan, C.E., 'Pastoral crisis in north-eastern Uganda: the changing significance of cattle raids', *Working Paper No. 21*, Kampala Centre for Basic Research, 1992, p. 14.
  - 128 *Children and Women in Uganda, op. cit.*
  - 129 In 1999, hundreds of Karamojong died in inter-ethnic conflict among Karamojong clans.
  - 130 According to Cisternino, the best-armed among the Karamoja tribes are the Jie and the Matheniko (a sub-tribe among the Karamojong). The least well-armed are the Dodoth. During 1979-81 the Dodoth, ill-equipped to defend their stock from better-armed raiders, lost practically all of their cattle. See Cisternino, in Quam, *op. cit.*, p. 155.
  - 131 Betty Okwir, Minister of State in the Vice-President's Office, has expressed an eagerness to disarm the Karamojong. However, the Karamojong indicated a willingness to resist any such disarmament. *New Vision*, 7 December 2000.
  - 132 Crimes and practices such as alcoholism, banditry, prostitution, raiding, etc. have increased.
  - 133 Museveni's NRA (now UPDF) initially attempted this, but left the Karamojong heavily armed. Later, the NRM government considered the options of either (1) entering Karamoja and forcibly disarming the local people, or (2) the people could keep their guns and the Karamojong could create a local force to police the use of guns. The first option would be met with violent resistance and the second option was resisted by leaders of ethnic groups surrounding Karamoja. The government has now decided to disarm the Karamoja.
  - 134 A reference to their origin in the area of the Nuba Mountains in Sudan. Ethnic Nubians refer to themselves as (Wa) Nubi.
  - 135 Nubian women supported the war effort through the carrying of ammunition and caring for the wounded.
  - 136 Interview with Mzee Agada Doka, (Doka - Laku), born in 1910.
  - 137 Interview with Mzee Sebbi Ibed Waaya, child of an ex-soldier, born in 1916.
  - 138 It is this period which caused strong differences to arise between the central government and Buganda, differences which were to prove critical in blocking Uganda's post-independence progress and even threatening to turn the Baganda into a minority.
  - 139 In the late 1960s, Obote expelled Kenyan Luo who were working in Uganda without permits. During the Luwero Triangle War between the Obote II government and Museveni's guerrilla army, the Obote government worked up hatred against the Banyarwanda by claiming Museveni was a Munyarwanda and received



- most of his support from his people. The notorious Uganda Peoples Congress (UPC) youth wing under Obote II often hinted at a '90 day' final solution for the 'Banyarwanda problem'.
- 140 Interview with Munir C.
- 141 Particularly regarding their rights to property and to undertake their business interests.
- 142 Ugandan Asians form a considerable part of the hardcore support for the Movement government, a factor which is beneficial but might cause a resurgence of discrimination should the Movement government fall from power. In the meantime, President Museveni, who has been labelled a 'Munyarwanda', by some of his opponents, has always promised to take firm measures against anyone committing acts against Ugandan Asians and the Banyarwanda.
- 143 The colonial government relied exclusively on ethnicity (tribe) to determine citizenship. A 'tribe' was said to have a common culture, geographical confines, language and origin, which criteria neither the Ugandan Asians nor immigrating Banyarwanda met.
- 144 Indeed, the Madhivani family built an industrial empire that became central to Uganda's economy. At its peak in the 1970s, it contributed over 18 per cent of GDP. There were also other commercially-strong families such as Metha which owned, among others, Lugazi Industry complex.
- 145 Part of testimony of witness no. 159, Himatlal Gandesha. See the *Verbatim Record of Proceedings*, *op. cit.*, p. 3,795.
- 146 See, among others, the *Verbatim Record of Proceedings*, *op. cit.*, pp. 89-97.
- 147 See Articles 29 (1) (c), 1995 Constitution.
- 148 Personal interview with Imam Kasozi, September 2000 and March 2001.
- 149 *Verbatim Record of Proceedings*, *op. cit.*
- 150 NGOs illegally searched include Africa Charitable Society, Islamic African Relief Agency, Munadhamaat. It is alleged that several Muslim homes have been searched without a warrant and no reports after the search are given. Further, that those who carry out the searches have refused to identify themselves.
- 151 Interview with Imam Kaketo, Chair of the Uganda Muslim Youth Association.
- 152 For example, Muslims, especially those belonging to minorities such as the Kakwa and Nubians, etc. are seen to have been in 'power' during Amin's reign of terror and are therefore blamed for having terrorized people in the south. However, it is easy to establish that many of those responsible for atrocities were not Muslims and were often people from the south. See *Verbatim Record of Proceedings*, *op. cit.*
- 153 Yusuf Nsibambi, Lecturer, Faculty of Law, *The Monitor*, 31 October 2000, p. 10.
- 154 See U.S Department of State, *Annual Report on International Religious Freedom for 1999: Uganda*; Released by the Bureau for Democracy, Human Rights and Labour, Washington DC, 9 September 1999.
- 155 *Human Rights Commission Report*, 1998, p. 60.
- 156 *Ibid.*
- 157 *Ibid.*
- 158 *Ibid.*
- 159 Obbo, C.O., 'Muslim lions awaken', *The Monitor Newspaper*, 25 November 1997.
- 160 *Human Rights Commission Report*, *op. cit.*, p. 64.
- 161 See Tarinyeba, W., 'Protection of minorities in Uganda: legal and administrative practices', unpublished dissertation submitted to Faculty of Law, 1999, pp. 32-44, where the author discusses various definitions of Ugandan minorities, given by, among others, Commissioners at the Uganda Human Rights Commission.
- 162 In particular, issues relating to Acholi, Karamojong and Muslims are often discussed with heavy political overtones.
- 163 At the recently-concluded National Executive Council meeting of the Movement (24-5 November 2000), President Museveni apologized to people from regions where the government has failed to eliminate rebel activities, i.e. Gulu and Kitgum Districts of Acholi and western Uganda.

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