

## INSTITUTIONS OF GOVERNMENT IN THE PRE-COLONIAL KINGDOM OF NKORE

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In any given society—even those popularly called “Stateless” there are groups or individuals who exercise political authority over the rest. In every case there are sources from which such authority is derived and it is these sources that this paper proposes to discuss in the case of Nkore before the coming of the British administration to Uganda.

All the Banyankore believed that the Bahinda who were the ruling house of Nkore, were descended from the Bacwezi—a dynasty that is thought to have ruled a loose empire in this region prior to the accession to power of the Bahinda of Nkore and the Babito of Bunyoro. The Bacwezi, since their departure—or “disappearance” as it is popularly called in local traditions—around 1500 A.D. have been worshipped by the Banyankore. Whether or not the Bahinda were descended from the Bacwezi, which seems improbable, and whether or not the Bacwezi existed at all, is of little consequence in this context. The point is that the Banyankore believed in their historical existence, worshipped them and believed their rulers to be directly descended from them. Thus one of the sources of the authority that the Umugabe (king) exercised over his subjects was this belief.

The kingdom of Nkore had a royal drum—the *Bagyendanwa*—which was the greatest single symbol of Nkore statehood. There were several other drums besides the *Bagyendanwa* but all these others had importance only in so far as they were believed to have some function to perform for the *Bagyendanwa* or to enhance the dignity of the same, so that none of them had independent importance.

According to the traditions of Nkore, the *Bagyendanwa* was made by the last Mucwezi King, WAMARA, who left it in the keeping of a man named Katuku at the time of the “disappearance” of the Bacwezi. It was from Katuku that Ruhinda, the founder of the Bahinda dynasty, procured the drum. Traditionally the drum has had its own establishment, quite separate from that of the *Umugabe*\*\*—a separate capital having herds of cattle, “courtiers”, and areas from which came beer and food for the drums’ keepers and retainers. A few Bagabe are remembered to have lived in the same capital with it. There was no specific rule or rules which required the Mugabe to have a separate capital from that of the drum. This arrangement seems to have been devised to make

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\*\*Omugabe—King.

the maintenance of the large establishments of the Omugabe and the drum manageable.

There was another important consideration too. As Nkore expanded North of the river Rwizi from the beginning of the 18th century and suffered from increasing raids from Buganda and Bunyoro, it was found necessary to devise a viable form of protection around the drum to prevent it from being captured by the enemy. This was achieved by building an establishment around it. Thus the large following of official keepers, courtiers and hangers-on, who were to be found in and around the capital of the drum, formed the core of its immediate defenders in case of an attack. If the fighting went against Nkore, these defenders would run away with the drum while other military units fought rearguard actions to delay the pursuers. So long as the drum was in their hands, the Banyankore never regarded themselves defeated no matter how many reverses they suffered in the actual fighting. But if the enemy captured the drum, then they were completely defeated, so that the security of the drum was of primary importance in fighting off any attack.

The power of the drum in the Banyankore's scale of values and in their system of government, however, did not lie in the number of cattle it was said to possess, nor in the number of retainers in its capital, but rather in the number of beliefs held about it by the whole society. This is why it played a central role in the popular conception of the state. The drum, more than any single object or institution, gave the people the separateness and identity as the nation of the Banyankore. This all-embracing importance of the drum has its foundations in the beliefs of the Banyankore about the origins of their kingdom. These, briefly stated, are as follows: The Bacwezi were wonderful and benevolent rulers; they founded a kingdom of which Nkore was a part; they gave Nkore to their descendants (the Bahinda) to rule and, as a sign of the legitimacy of the authority of the new dynasty, the Bacwezi left their own drum to the Bahinda. This, in a nutshell, is what the Banyankore believe to be the foundation of their kingdom and of their dynasty. Thus the actual possession of the drum by the Mugabe was the indisputable symbol of his legitimate authority and no prince could become a Mugabe without striking the drum publicly. In fact any official who was appointed, no matter how low the position was, was always said—to have "eaten the drum". The fact that the Omugabe derived authority from the drum and that it was the only permanent part of kingship, gave the drum its all-embracing influence over the society.

The approach to the drum by individuals was itself an elaborate affair. In the drum's house there was kept a fire which was never allowed to go out except when the Mugabe died. The fire was lit again when a new Mugabe was installed. An individual coming to the drum for any reason had first to obtain the permission of the official keeper—and this might take several days to secure during which time he/she would be accommodated and fed from the drum's bounty.

The drum was so placed that no one could have entered the house (which had a single entrance) without seeing it. Any person addressing the drum had to do

so while kneeling and in the presence of the official keeper. An exception to this rule may have been the Omugabe who visited the drum in strict privacy. After relevant request had been made to the drum, the official keeper then asked the person making the request to come back after a number of days to receive the drum's answer. The person then withdrew backwards, for no one could turn his back on the *Bagyendanwa*. The answer was, in due course, communicated to the person concerned through the official keeper.

Another aspect of the pervading power of the drum over the people may be gathered from the absolute faith which everyone had in its capacity for justice. Although the drum itself was not believed to have a soul like a human being, it was nevertheless believed to know and to hear everything that went on in the kingdom. If, for instance, a man felt that he had been wronged, but that he could not prove his case before the authorities, he sought justice by taking suitable presents to the drum and asked it to punish his opponent.

The drum was supposed to punish by making the victim ill or by letting wild animals destroy his crops or his cattle. If, in the meantime, the victim discovered, through divination, that the drum was punishing him he would seek out the wronged man and make amends. The drum was important in other ways. Women took presents to the drum to ask for fertility, male children or happy marriages. In time of economic hardship, every Munyankole had the right to appeal to the drum for help and help could never be refused. Such assistance was obtained from the pool of gifts brought to the drum and also from its other assets.

In giving judgement between litigants, *the Mugabe could be swayed by his bad advisers, but the drum's judgement was absolutely fair, because it had no advisers*, and it had independent knowledge of all the transgressions going on in its territory. What is more, the drum's justice and benevolence extended to the rich and the poor, the Mwiru and the Muhima, the prince and the commoner all in equal measure. And so did its wrath. It seems that this faith may have been a result of the keepers having an efficient investigation machinery before deciding cases. It may also have arisen from the unquestioning faith in the drum—possibly a combination of both.

The drum, however, conferred immunity from *all* forms of punishment. If, for example, a man was condemned to death or to some other heavy punishment he would be set free, if he managed to run to Bagyendanwa's house before the execution of the sentence, and he would never be punished for the same offence again.

Thus there seems to be no doubt that the role played by the drum in the political life of Nkore rested largely, if not solely, on the belief that it was made and left behind by the Bacwezi as a visible symbol of the benevolent authority to be exercised over the Banyankore by their rulers. The drum may have been more awesome than the person of the Mugabe because it has always been there, while the Bagabe change.

But no government can rest entirely on unproven beliefs and that of Nkore

was no exception to this maxim. The office of the Mugabe was primarily a political one. The Mugabe was not merely the chief executive and head of state in the sense we understand these terms today, but he was also, in a real sense, the government. His power in this context rested on the patronage at his disposal. All the appointments and dismissals of the functionaries of state were in his hands. He was "the giver of all things," because he was the richest single individual in the land. From his vast riches in cattle and in other material objects, he provided for those in need and gave to those to whom it pleased him to show special favours for one reason or another. In his hands only, lay the power to distribute war booty, and his unquestionable right to confiscate anyone's property for whatever reason gave him real power over his subjects.

But the powers of the Omugabe were not as absolute as they might appear from the foregoing account. These powers were circumscribed by custom and political considerations both of which were not shaped by the Mugabe alone. It was not in his interests to use these powers wantonly, nor could he afford to offend the influential men on whom he so heavily depended to govern the country. Thus, although his power over the whole country was beyond question, it was also recognised that this power went with clear obligations which the Mugabe, and hence his appointees, had to discharge towards his subjects. These obligations included giving maintenance to those in need, the organisation of the defence of the country against external and internal enemies and in the dispensation of justice among individuals and groups within the country. These demarcations of power and responsibility were quite as well known to the rulers as they were to the ruled, but these cannot be explained in terms of legal obligations or contracts because the relationships were personal. The chief knew the men in his area and to many he was connected by blood or marriage relationship or by some special exchange of gifts, so that it was rare for the head of the family to be just a nameless subject to his local chief. The Mugabe knew all his chiefs personally for it was to this relationship that they owed their offices in the first instance. The most effective limitation which militated against the abuse of power by the Mugabe or by his appointees, was the ever present possibility, that any dissatisfied subject could simply leave the kingdom, and *no single* ruler seems to have devised any form of control. The limitation was effective to all levels of government. Thus a Mugabe who trampled on the rights of his chiefs, or on the rights of numerically powerful clans, risked losing those chiefs and clansmen, who could simply move to another country. Similarly the chiefs were individually subject to the same sanction. Yet it was not in the interests of the Mugabe or of his chiefs to lose their followers because their own power ultimately depended on the number of people under their jurisdiction.

The authority of any ruler, however beloved by his subjects, and however completely he controls the economic resources of the country, depends, in the last analysis, on the extent to which he personally controls the armed

forces of the country. This brings us to the discussion of the military administrative structure of Nkore. For the purpose of administration Nkore was divided into regions, each of which was called *ekyanga*. These regions had no definite boundaries. Over each region there presided a chief, or a *Mukungu*, who was appointed by the Mugabe. This chief was also the leader of the *Omutwe* (the basic military unit) which resided in the particular region. In their military capacity, these officials were called leaders of the *Emitwe* (the plural form of *Omutwe*). Their chief duties were to mobilise their warriors in time of war and to lead them in the actual fighting and also to carry out the duties of civil administration in peace time. These were the real wielders of power below the Mugabe. Nkore had no Prime or Chief Minister before the coming of the Colonial Administration.

Next or rather parallel—to the leaders of the *Emitwe* in importance, but not in official hierarchy, were the spokesmen of the numerically powerful clans whose advice was sought on almost all important matters, especially those concerning their respective clans. These were not subject to anyone's authority save that of Mugabe to whom they had a direct reporting access. Though they lived in regions presided over by the *Emitwe* leaders, they were not under them.

Nkore did not have formal courts of law as we understand them today. Most of the cases in fact never came before official circles because there were adequate channels within the society through which cases were settled. The family and the clan gatherings were normally adequate to settle most of the cases involving their members and their decisions were not usually questioned. Murder was the exception but then it was a most rare crime because the deterrents against it were drastic and only the Mugabe had the right to grant the right to the bereaved family of exacting revenge. The few cases which filtered through to the Mugabe were heard by the Mugabe in the council—the council consisting of all the notables who happened to be at the palace. The court of the Mugabe was the venue of last appeal.

Thus, in conclusion, we find that the whole system of Government was informal, personalised and loose, but the Mugabe held all the loose reins necessary to keep it going. His extensive power of patronage and the power to sanction peace or war made his position unassailable. No single group within the country, be it an *Omutwe* or a Clan, could challenge him. Thus we are led to the conclusion that the authority of the Mugabe had a triangular base or source—the beliefs held about his descent from the Bacwezi, the possession of the royal drum which was also believed to have been made by the Bacwezi, and the actual control of the armed forces of his kingdom. This system of government looks, to modern eyes, rather haphazard, but the point is that it worked and this is the ultimate test of any government, however complex or rudimentary.

## FOR FURTHER READING

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