

# The Cultural Rights of Ethnic Minorities in Uganda – A call for action

## 1. Introduction

This brief stems from a consultative meeting held with representatives of 21 of Uganda's ethnic minority groups in April 2015, with support from the Cross-Cultural Foundation of Uganda (CCFU). It draws the attention of policy makers to the importance of safeguarding the cultural rights of Uganda's ethnic minorities.

This document is also informed by work with six ethnic minorities over the past 3 years: the Ik in Northern Karamoja, the Babwisi, Bavonoma and Bamba in Bundibugyo District, the Ethur in Abim District and the Benet on the higher slopes of Mount Elgon.

All ethnic minority representatives argue here that considerable effort is needed by Government and other stakeholders to prevent their marginalisation on the basis of their cultural identity and - at worst - their cultural elimination.

## 2. Cultural rights

Cultural rights are the rights of an individual and community to enjoy and advance culture without undue interference. These stipulate that people and communities not only have access to their culture (in its evolving forms), but also participate and express

### *Key issues*

*Five key issues, common to the majority of ethnic minorities, need to be addressed if their cultural rights are to be respected:*

1. **Identity and recognition** - *Negative attitudes and stereotypes that affect ethnic minorities and their right to express their culture must be dispelled.*
2. **Education and language** *are major requirements for cultural preservation and identity: they must be comprehensively protected and enhanced.*
3. **Safeguarding cultural heritage** – *With changing modes of life, cultural knowledge, skills, beliefs, values and ways of life that reflect positive aspects of the rich and diverse heritage of some ethnic minority groups are at risk and require urgent safeguarding*
4. **Political representation** – *In part because of their small population, limited exposure and relatively low levels of education, ethnic minorities suffer from limited political representation, especially at district and national levels - a situation that requires urgent affirmative action.*
5. **Access to land as a cultural resource** -*Ethnic minorities have frequently been evicted and displaced from their ancestral land, resulting in grave loss of their tangible and intangible heritage linked to physical spaces. This must be corrected in a respectful, just and consistent way*

and artistic production, participation in cultural life, promotion and protection of cultural heritage, and intellectual property rights.



*The Batwa are but one of Uganda's 30 ethnic minority groups*

### *What are cultural rights?*

- The right to **participate** in and **express** the culture of one's choice in conditions of equality, human dignity and non-discrimination.
- The right to **access** cultural references and resources.
- The right to **enjoy** culture and to advance culture and science without interference from the state or other body.

Cultural rights form part of the 1948 Universal Declaration of Human Rights and of the 2007 United Nations Declaration on the Rights of Indigenous Peoples, among other international legal instruments. In Uganda, the Constitution, the Equal Opportunities Act, and the Traditional and Cultural Leaders Act are some of the instruments that enshrine such rights.

In practice however, cultural rights are rarely on the national agenda. Although the 1995 Constitution provides for people's rights to practice their cultures, the implementation of activities necessary to recognise, protect and promote the cultural rights of all of Uganda's 65 officially recognised ethnic communities equally is rarely seen.

### 3. Ethnic minorities in Uganda

Of these 65 ‘indigenous communities’, 21 are small ethnic groups, with fewer than 25,000 people, according to latest available Census figures. They collectively represent more than 1% of the national population, or more than 200,000 fellow citizens. There are 9 other minority groups with up to 100,000 people each.

Numbers alone however do not adequately define an ‘ethnic minority’ group. No definite answer exists, in part because it depends on who defines a minority. Nevertheless, ethnic minorities share a number of common characteristics: being a non-dominant group (often dominated by majority attitudes and practices), with

common ethnic, religious, socio-economic or linguistic characteristics which are distinct from those of the majority population.

These characteristics often single them out as marginalised groups, frequently living in a remote geographical location, in small communities, poorer than the average population, with limited political representation and lacking access to basic social services. Although there have been some efforts by NGOs and government to promote their welfare and to recognise their social and economic rights, ethnic minorities generally suffer from an unequal distribution of national resources. Many have lost land and other means to survive, due to civil strife or to government policies on forest and wildlife conservation, while very limited alternatives have been provided.

#### *Some of Uganda's Ethnic Minorities (numbers in brackets refer to map location)*



*The 2002 Census lists 19 ethnic groups with fewer than 25,000 people: Tepeth(1), Banyara(2), Batuku(3), Paluo (“Chope”)(4), Babukusu(5), Banyabindi(6), Lendu(7), Basongora(8), Iki(9), Batwa(10), Babebe(11), Dodoth(12), Ethur(13), Mening(14), Jie(15), Mvuba(16), Nyangia(17), Napore(18), Vanoma(19).*

*The third schedule of the Uganda Constitution lists several other minority groups, including the Bamba(20), Babwisi(21), Bagwe(22), Bagungu(23), Bakenyi(24), Kebu(25), Nubi(26) and the Ngikutio(27). Some groups that have self-determined are yet to be included in the Schedule including the Basese(28), Bagangaizi(29), and the Benet(30).*

## 4. The current status of ethnic minorities' cultural rights

Cultural rights are not often mentioned as an issue to address in our country, and the cultural rights of ethnic minorities even less so. Seldom do we hear these fellow citizens speak out, with all the wealth represented by their cultural diversity. As a recent report noted, “*Some minorities base a strong sense of collective identity on a well-remembered or recorded history; others retain only a fragmented notion of their common heritage.*” (CDRN, 2008). Some ethnic minorities are custodians of ancient wisdom culture, paradoxically often protected by their remoteness, their care for their environment and by their marginalisation since colonial times. Unsurprisingly, many groups are still little known to the general public, and the little that *is* known is informed by stereotypes. Because of history, small numbers, marginalisation, lack of self-confidence, and prejudice on the part of the more numerous Ugandan groups, ethnic minorities therefore rarely occupy the centre stage.

The very existence of such groups is in some situations threatened; in others their languages, cultures and traditions are at risk of disappearing because these are not comprehensively promoted, let alone recorded or because Ugandans belonging to minorities have resorted to using the identities of the dominant groups to ‘survive’ through assimilation. Some then see their personality endangered, and are powerless to influence issues affecting them. The representatives of ethnic minority groups CCFU has worked with therefore express the fear that, in spite of various

efforts, their cultural rights have often been violated and must urgently be respected, so that all enjoy free expression and access to their culture, before it dies away.

## 5. Key issues faced by ethnic minorities in relation to their cultural rights

While ethnic minorities live in varied contexts, CCFU’s work and other research, as well as the 21 minorities CCFU has consulted, indicate five common and prominent issues faced with regard to their cultural rights.

### *a. Identity and recognition*

Negative attitudes affect ethnic minorities and their right to express their culture. For the Kebu, for instance, speeches and other information at public and official events are usually in Alur; for the Ik in Nga’karimojong or other languages. The neighbours of the Ik generally consider them as poor and humble: “*With our small population and negative attitudes, we are made to feel inferior to our more numerous neighbours, who undermine and underrate our culture, as when we are mocked for using calabashes as part of our dowry instead of cows.*”

The rights of ethnic minorities are recognised in the National Culture Policy, a policy which, among other provisions, calls for supporting the development of local culture through district budgets. This needs implementation by Government and NGOs, with the ethnic minorities especially in mind. Cultural heritage indeed needs promotion at national and local levels in all its diversity. Representatives from ethnic



### *What is in a name?*

*The very name of ethnic minorities frequently highlights derogatory attitudes and a refusal to accept cultural identity and specificity. Thus*

- *the Kebu in West Nile are often referred to by their neighbours as “Okebu mave” (mere Kebu)*
- *the Napore in Karamoja are often called “Ngikatap” (poor people feeding on cereals)*
- *the Ik are branded as “Teuso” (poor people without cows)*
- *the Paluo are referred to (even in official documents) as “Chope” (men are not there).*
- *a Mubebe in Eastern Uganda is referred to in certain quarters as “Omuhula” (brought by soil erosion)*
- *the Ethur have long been described as “Acholi-Labwor”*
- *the Ngikatyo in Karamoja are called “lomalo” (backward)*
- *the Babukusu are often called “Banyamahanga” (foreigners)*
- *the Tepeth in Karamoja are known as “So” (the poor)*

minorities need to be invited at national fora, to publicise their culture across the nation, so that we all act on their concerns, respect their cultural values and freedom of expression, in equality with all other communities.

Religious institutions also have a role to play, including recognising the value of local belief systems in ethnic minorities' culture, seeking common ground between modernisation in terms of religion and culture, and preaching the importance of cultural diversity and tolerance. As one traditional leader belonging to an ethnic minority in Bundibugyo remarked, “*We are actually seen as wrong people and pagans, making it difficult to attend Church services.*”

Ethnic minorities also recognise that they need to be more active: they need to take all possible action to ensure awareness of the importance of cultural identity and recognition; and promote understanding that, as a community, they have the right to culture and to its expression.

### *b. Education and language*

Many ethnic minority groups live in remote areas, with scant infrastructure. There are for instance currently only 5 primary schools and no secondary schools for the population of 11,000 Ik. Some local languages have been introduced in lower primary schools but a minority language is unlikely to be taught, given the absence of teaching materials and trained teachers (or of the opportunity and freedom to teach in local languages). Children are then taught in ‘foreign’ languages, and so the minority language is threatened. Among the Paluo, for instance, children now learn in Acholi, Alur or Langi, leading to the erosion of Lebpaluo. Similarly, Batuku children learn at school in Rutooro and the Bagwe learn in Lusamyia. Among the Benet, Kupsabiny is taught in the schools, resulting in the loss of Kumosop, the Benet language.

***“Our language is perishing!”***

- *“You hear a boy say “Ana busy” (I am busy). So he mixes Kinubi and English and then our language is perishing!”* - A representative from the Nubian community.
- *We are mostly surrounded by the Alur, so most of our people have turned to speaking Alur or Lugbara. In schools, we do not have texts in our language ...”* – A representative from the Kebu community.

With less informal education than before, there is also a widening gap between the young and old - the youth do not find the time to sit with the elders to share issues of cultural importance and to learn what can be done to preserve their culture. The Benet indeed feel that education and prejudices have threatened their cultural rights. The youth rarely recognise the dangers of some of the western cultures and forget their traditions. Similarly, most Ik youth today perceive their culture, including forms of expression such as dress, dance and eating habits, as backward.

If language is a major requirement for cultural preservation and protection, ensuring that the youth learn how to read and write in the local language is essential. Language needs to be taught in both formal and non-formal education systems; local language committees need to be established; Community Development Offices should supply materials and monitor the teaching in local languages through the Adult literacy reading circles. The role of the District Education Department and District Language Boards, and of the National

Curriculum Development Centre are also important: local language teachers need training to effectively use local languages in accordance with the Education Language Policy and to ensure that the thematic curriculum takes into account local languages, cultural values and practices.

Prejudices also undermine minority languages beyond the school environment. It is not infrequent to hear community members suppressed and either unable or unwilling to speak their language in public. Among the Benet, for instance, the youth fear to express themselves because they are few and they fear ridicule. In Ikland, *“we now for instance sing the bull songs in Nga’karimjong, rather than in our mother tongue”*. In Bundibugyo, when the Bavanoma speak on the radio, others groups call in and ask them to speak in Lubwisi. A Benet further remarked: *“Many of the Benet have lost some of the good traditional songs that were meaningful and used to carry some legendary stories of our existence, to be replaced by church songs. Ancestral names, such as Chekwengu, Makong, Kokoptyerye have been replaced by names like David, Peter and Judith.”*

There is limited literature, and what is available is not much used in the community because of low literacy, inter-marriages or the use of other languages. CCFU was informed that several minority languages (including Kwamba, Luhehe, Kumosop, Ndru-lo, Nubi, Lubwisi, Vanoma), if not written and more widely used, are likely to disappear. Future generations are at risk of losing their vocabularies, their confidence to speak their language, and therefore an important part of their identity.



*Preserving language: members of ethnic minority groups have recently produced a book of creative writing in their languages.*

Where they exist, language materials therefore need to be made widely available. Where they do not, literature (proverbs, history, stories, grammar) needs to be developed, for instance through writers' workshops. Since 2008, SIL-International (a Christian non-profit organisation) has sent personnel to study and develop the Ik language and grammar. It has also contributed to the development of minority languages in Bundibugyo. Other NGOs can also produce development literature, posters, pamphlets and audio-visual materials in the local language. Religious institutions can use local languages in religious services, employing local personnel for this. Radio broadcasters should avail time for programmes in local languages, including teaching programmes. Generally, ethnic minority groups need capacity support and finance to document their languages, as well as bursaries and other forms of affirmative action so that they can join the ranks of the educated elite.

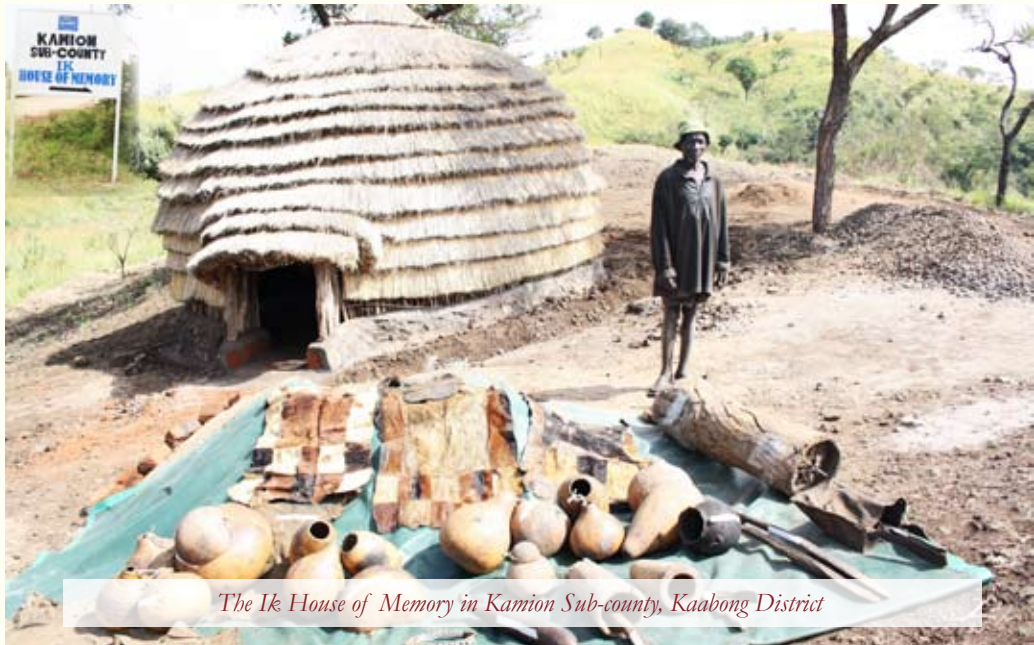
### ***c. Safeguarding cultural heritage***

While there is a recognition that culture has to change with the times (the desirability of gender equality is a case in point), with changing modes of life, 'modern' education,

increased population, a monetised and individualised economy, better infrastructure and communication, some ethnic minority groups are especially keen to safeguard the positive aspects of their rich and varied cultural heritage.

The threatened cultural heritage that ethnic minorities wish to preserve takes different forms. For the Babwisi, Bamba and Bavonoma, for instance, dances, such as *luma* and *balimu*, are an important way to express cultural identity. For the Kebu, iron smelting has long been a matter of pride. For many groups, raw materials for crafts are becoming scarce, the remaining few craftsmen are not supported and have a limited market for their products, partly because of limited value addition. As a result, youth have not taken interest in such skills and, when elder artisans die, the craft may altogether disappear. Traditional medicine is another aspect of the heritage of minority groups, but this too is disappearing: undocumented knowledge vanishes when resourceful persons die; many medicinal trees and plants are no longer available; and some religious institutions regard African traditional medicine and associated practices as satanic. Health workers also denounce traditional medicine, just as some traditional healers denounce western medicine, thus creating confusion in peoples' minds.

The Babwisi say "*Eka etaliyo mukulu ebiya ntangaali*" (a home without an elder burns away very fast). Perhaps most important, ethnic minorities decry the loss of cultural norms, values and customs, such as the mode of greeting, the values of respect - especially for elders and in-laws - and of hospitality. Conflict resolution, mediation and reconciliation mechanisms are other examples. Documenting and raising



*The Ik House of Memory in Kamion Sub-county, Kaabong District*

awareness of the significance of one's cultural heritage - history, practices, values and norms, traditional foods, modes of expression, knowledge of the universe and worldview, etc. - is essential for its preservation and promotion.

Communities themselves can take action. Local cultural leaders (such as clan heads) can for instance be mobilised to document their history and culture. Cultural competitions, festivals and shows can be organised to showcase cultural items and forms of expression. Radio programmes can (and are) held to underline the importance of preserving one's culture. Some groups have capitalised on traditional dances and formed troupes which generate income, such as the "Kigumba Super Actors" of the Babukusu. An annual event is supported by Government to highlight Nubi culture. An 'Ik day' has become an annual event, during which the community feels recognised and showcases its culture to local authorities and neighbouring communities. In Bundibugyo,

a non-hereditary cultural institution, *Obudingiya Bwa Bamba* (OBB) was created for enhanced recognition of the three minority groups.

In 2013, CCFU started to support the establishment of cultural heritage centres or community museums with selected minority groups, of which two are now open in Abim and Bundibugyo. Local leaders should ensure that concerned communities cooperate to support their widespread establishment through the provision of artefacts and other means of documenting culture. They also need to be publicised, supported and effectively managed. Local NGOs and CBOs might help in this respect. CCFU has also supported three communities to identify their cultural resources, and to establish the status of their cultural rights as a first step to lobbying local and national governments to protect and promote their heritage. Another positive development occurred in 2013, when UNESCO awarded the Government a grant for inventorying



the Intangible Cultural Heritage in four Ugandan communities, including the Ik and Basongora. A similar initiative could be extended to other ethnic minorities.

Local communities can also organise exhibitions, crafts workshops and other means to transfer knowledge and skills; herbalists could be brought together to share knowledge and highlight the health benefits of indigenous food and traditional food processing. NGOs could also support this drive by supporting informal education on the importance of culture and its ability to teach the youth positive cultural values and morals, so that they become responsible community members in the future. Religious institutions need to refrain from destroying cultural artefacts and sites belonging to members of their congregation, which some currently label as satanic.

Both formal and informal cultural education therefore needs to be promoted. The respect of cultural values and morals among the youth – including respect for elders, and discouragement of values and practices that are against the social norms of the community e.g. early marriages, witchcraft and immorality are part of this drive. District Education Offices have an important role to play, including reintroducing handicrafts in both primary and secondary schools; emphasising school music, dance and drama festivals and craft competitions, with head teachers supported with available funds and MDD teachers trained in different cultural dances and practices. Heritage clubs could also be established in schools to promote respect for the culture of ethnic minorities.

#### ***d. Political representation***

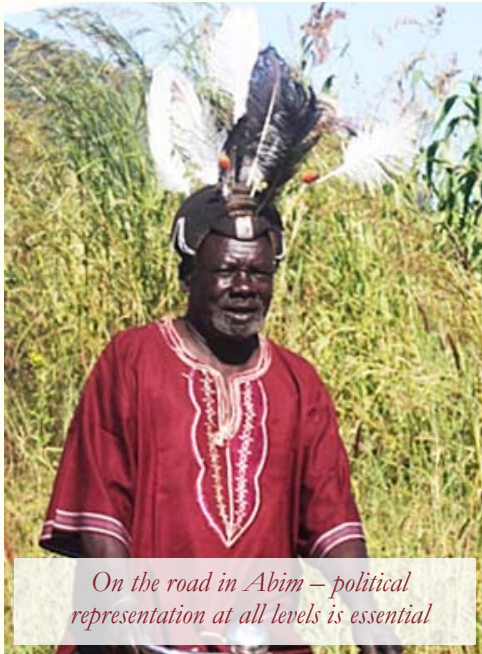
In part because of their small population, ethnic minorities suffer from limited

political representation, especially at district and national levels. At district level, their representation is uncommon at best (Bundibugyo, Abim and Ntoroko districts), while nationally there is no representation dedicated to ethnic minority groups. Exclusion can also occur at the local level, thus some Banyabindi feel that *“we lack equal representation at all levels, right from LC 1 level”*. As a consequence, laws are flouted, there is insufficient security, and decisions affecting ethnic minorities are taken without their consultation. As a representative from the Basongora community put it, *“The UN and the African Union already have fora for handling minority rights. These are inclusive systems which we do not have here at state or municipal level”*.

The recognition of administrative boundaries that provide ethnic minorities with a measure of recognition and political representation was however appreciated where this had taken place. The Ik, for instance, mentioned that *“when, in July 2010, we were granted our own sub-county, Kamion, [this] has contributed to a better recognition of our cultural identity”*.

Even at local administrative level, however, adequate representation is often lacking. In Ikländ, for instance, the sub-county chief of Kamion and most of the sub-county officials are not Ik. Similarly, the Benet occupy ‘Benet sub-county’, and while there is one Benet sub-county chairperson, there is no sub-county where the Benet are the majority. Cultural institutions (even of ethnic minority groups) and the creation of new districts can be divisive and oppressive and therefore need to be cognisant of the principles of peaceful co-existence.

Reserved seats for ethnic minorities in Parliament are proposed by representatives



of ethnic minorities to counter this under-representation. Beyond this, a proportional electoral system would ensure the presence of ethnic minorities in decision-making, as would a bi-cameral system (with a senate representing different ethnic groups). Information on these options needs to be availed and widely discussed. One must also ensure better representation at district and other local levels by providing opportunities to hear minority voices and employing their educated representatives, such as sub-county chiefs and technical personnel. Where issues directly concern minority groups, Government needs to consult before making any decision.

The third schedule of the Constitution also needs updating, so that all minorities are represented and one avoids a situation where applying for an identity card or a passport places one in the category, “others,” or being subsumed under another group. Finally, a need is identified by ethnic minority representatives to have a forum to defend their interests collectively, as one explains: *“If I approach policy makers today and*

*say ‘I am a Musongora, I want this to happen in Kasese’, and I don’t care about what is happening to the Ik in Karamoja, then it appears that I only care about my rights. But as a forum, we should be better able to cause change collectively.”*

### *e. Access to land as a cultural resource*

Where an ethnic minority has been displaced from its ancestral land (either because of conflict or to create a National Park or Forest Reserve), access to land as a source of cultural identity is a critical issue. Land is associated with sites and other resources, including sacred places of worship, historical sites, sacred rivers and streams for ritual cleansing, and sources of medicinal herbs and honey. The case of the Batwa and their eviction from Bwindi forest to create a National Park has been amply documented. For the Benet community, caves in the Mount Elgon National Park are essential for burial, excavation and relocation of elders’ remains to the moorlands (the Benet ancestral grounds); medicinal herbs and traditional food; salt licks for livestock; and white chalk for smearing boys and girls during circumcision. The importance of land goes further, however: *“For us, the mountain is essential to our cultural identity (...) we have depended on Mount Elgon for our physical, cultural and spiritual well-being since time immemorial. We have a special, deep-rooted relationship to this land; for us the forest is a life-line which keeps alive our past, strengthens our present and safeguards our future”*. The three ethnic minorities in Bundibugyo also observed that *“Most of our cultural sites are unifying factors for the sub-clans, because they are important for worship, appealing for rainfall, peace, circumcision rites, and to remedy marital problems”*. Several factors account for limited access to land. Prominent are restrictions by the Uganda Wildlife Authority – UWA (sometimes met with violence, sometimes because permits are not easy to obtain, depending on circumstances, distance,

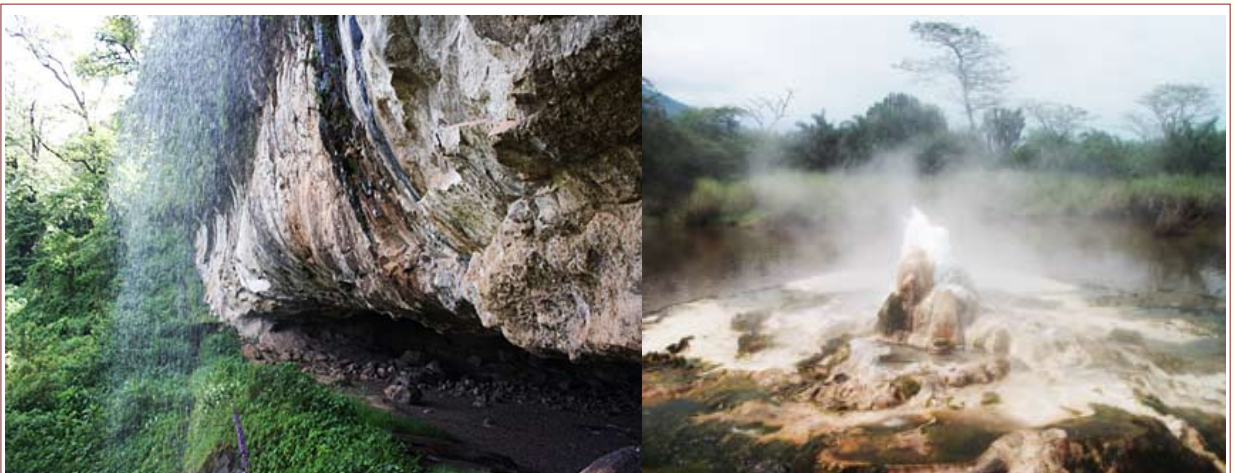
etc.) Secondly, some cultural sites are on private property and once sold the new owners rarely respect their cultural value. Other reasons include destruction by religious institutions (especially shrines) and population pressure (often as result of displacement). In addition, cultural sites were originally protected by the elders but youth may know less and less about the value of these sites and therefore the need to protect them.

There is however an increasing and welcome acceptance by UWA and the National Forestry Authority (NFA) that access by ethnic minority groups for cultural sites, medicinal plants, raw materials for craft-making situated within protected areas (forests and national parks) should be allowed.

If this is at times permitted, UWA and NFA official regulations and related Government policies should however be in place not only to *guarantee* access and fully protect such culturally significant sites, but also to provide authority to the concerned communities to sustainably co-manage these resources, including tourism development. This could be funded through the revenue sharing scheme, ensuring that this resource

is equitably administered and that finance reaches the relevant sub-counties. Where needed, UWA and NFA could build the local communities' knowledge on the importance of the preservation of the eco-system. Where raw materials for cultural items are under threat of extinction, nurseries could be established. In protected forests, NFA should allow the continuation of cultural and agricultural activities, as the community has always done; local personnel could be deployed to protect them from encroachers who farm in the interior and destroy the large trees; and from charcoal burners. NFA could also provide seeds or seedlings to regenerate bio-diversity and medicinal plants.

The issue of access to land is seen as vital by ethnic minorities and calls for the implementation of the National Land Policy and for sensitisation and dissemination of this policy. All local governments should establish land use plans to avoid exploitation by investors and politicians and there should be clear boundaries of districts and sub-counties, in consultation with the local people. Compensation and resettlement for those affected by eviction should be expedited.



*National Parks often contain sacred cultural sites – Muguso Cave, Mount Elgon and the Hot Springs in Semliki, Bundibugyo*

## 6. Why is it important to respect the cultural rights of ethnic minorities?

First and foremost, it is the expressed wish of ethnic minorities to see their culture in continued existence and preserved for future generations, both through their own efforts and those of other actors and communities. As one Ik representative said, *“Our children and youth must learn, know and appreciate our culture. We also wish to see respect and recognition of our community by others, as a community with full rights and in equality with others, as is the case for other cultures in our country”*. In Budibugyo, CCFU was told *“We should not have any fear of being identified as Bamba, Babwisi or Bavanoma”*.

Secondly, Uganda has subscribed to several international legal instruments that oblige the State to observe the rights of minorities within its borders. These include the

Universal Declaration of Human Rights, 1948 and the United Nations Declaration on the Rights of Indigenous Peoples, 2007. These commitments are re-enforced by the Constitution and by national policies, including the National Culture Policy.

Thirdly, it is the interest of many Ugandans, present and future, to see the country’s rich diversity protected against the threat of slow assimilation of ethnic minorities, and the loss of their unique cultural resources and governance systems that are important contributors to social cohesion and harmony. Their collective heritage, their ancient wisdom, their cultural values and skills in preserving their environment present a legacy that must be preserved for future generations.

These interventions are the responsibility of all of us – national and local communities, NGOs, government, religious and cultural institutions, and international agencies concerned with heritage conservation.

### *About the authors of this policy brief*



The Cross-Cultural Foundation of Uganda, in collaboration with representatives from the following 21 ethnic minority groups:

Babukusu	Babwisi	Bavanoma	Basongora	Ik	Napore	Paluo
Bagwe	Batuku	Bamba	Benet	Kebu	Ngikutio	Nyangia
Bahehe	Batwa	Banyabindi	Ethur	Lendu	Nubi	Tepeth

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