

Fall 2011

Bills, Bribery and Brutality: How Rampant Corruption in the Electoral System Has Helped Prevent Democracy in Uganda

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Bills, Bribery and Brutality:

How rampant corruption in the electoral system has helped prevent democracy in
Uganda

Sam Tabachnik

School for International Training

Uganda and Rwanda: Post-Conflict Transformation

Fall 2011

Dr. William Komakech and Winnie Abalo

Honorable Martin OjaraMapenduzi

To the men and women of Uganda fighting every day for transparency, accountability, honesty and democracy in their great country. One day this dream will be realized thanks to you.

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Table of Contents

Abstract.....	5-6
Objectives	6-7
Justification.....	7
Introduction	7
Background.....	8-11
Methodology.....	11-13
Findings.....	13-42
<i>2011 Elections.....</i>	<i>13-14</i>
<i>How the Vote is Rigged: The Anatomy of Electoral Fraud...13-20</i>	<i>13-20</i>
<i>Police and Judiciary.....</i>	<i>20-26</i>
<i>The Fight of the Opposition.....</i>	<i>26-29</i>
<i>Electoral Commission.....</i>	<i>29-31</i>
<i>Lack of Voter Education.....</i>	<i>31-32</i>
<i>Politics for the Self.....</i>	<i>32-35</i>
<i>The Role of Poverty.....</i>	<i>35-37</i>
<i>Effects on Democracy.....</i>	<i>37-38</i>
<i>"Revolutionaries Do Not Retire"</i>	<i>38-41</i>
Recommendations.....	42-44
Conclusions	44-46
Bibliography	47-48
Participant Information	49
Interviews	Error! Bookmark not defined.50-59

Abstract

This study looks at the electoral system in Uganda and the corruption and inefficiencies that go with it. In addition, this study delves into the most common electoral crimes and the way they are committed. Going even deeper, the study examines the reasons for bribery pervasiveness, the role of money in politics and the views locals have of their government and its leaders. Crucial institutions such as police, military, judiciary, Electoral Commission and civil society groups were also discussed in how they relate to elections and politics in Uganda.

The research design was qualitative, historical and descriptive. Information was gathered by in-person interviews, library research for access to local newspapers, and Internet searches. Subjects ranged in age from high school to retired with most falling somewhere in between as active members in their field of work. Participants included elected officials from different parties, civil society organizations, members of the police and judiciary, Electoral Commission, students and village residents.

This study shines a direct light on the role that pervasive and extreme poverty plays in the Ugandan electoral system. Because of the desperate need of people—especially in the village—to acquire money, they were willing to accept bribes in order to feed their families, pay school fees or buy clothing. Political parties—including both the opposition and the ruling party—understand this immense need so they go door-to-door to buy votes before elections—a kilo of sugar in exchange for a tick on the ballot. Candidates did not stop at just bribing however.

Violence and intimidation by youth militias or military officers prevented many from casting their rightful ballots, and blocked winning opposition candidates from earning a seat in parliament. Both the NRM and the opposition commit electoral fraud but it is the ruling party, led by President Yoweri Museveni, that dominates the corrupt practices. More money, control of the military and all state institutions gives the NRM a powerful force that blows away the opposition, election after election. The future remains unclear but the people of Uganda are ready for change. Many, however, have little hope it can be attained anytime soon.

Objectives

My intentions for this study are to examine in detail the electoral process in Uganda. I will research the history of voting in the country, the role of the electoral commission and the view of elections in the eyes of the common man. Further, I intend to scrutinize the corruption in terms of government and opposition involvement with voter intimidation, voter bribery and vote rigging. Finally, I will examine how other Ugandan institutions including police and judiciary, the Electoral Commission and civil society relate to this issue.

Some questions that I will look to answer:

1. How are voting irregularities dealt with? Are there repercussions for fraud or do the Electoral Commission and judiciary look the other way?
2. Do the opposition parties participate in this fraud as well or is it strictly the ruling party? If so, do they do it out of necessity or corruptness?

3. Finally, how does this rampant corruption affect democracy and what are future implications for Uganda of continued electoral abuse?

Justification

With this research, I hope to raise awareness of the electoral fraud that goes on in Uganda and how this corruption has a direct effect on the democracy (or lack thereof) of the nation. Free speech and assembly is being stifled by soldiers with tear gas and live bullets; bribery has infiltrated all institutions in society; and self aggrandizement is the top priority for most elected officials. The more literature written on government fallacies, the more attention it will get and harder for the leaders to ignore. Electoral corruption can only be dealt with if the people take a stand.

Introduction

Since taking power by force in 1986, President Yoweri Museveni has ruled Uganda with little opposition. Political parties were banned until 2005 and to this day the opposition are fighting an uphill battle for relevancy. To remain in power, President Museveni has shaped an electoral system that favors the ruling party, and ruling party alone. Voters are bribed, opposition members jailed, and ordinary citizens intimidated by government-backed mobs. Through a biased electoral commission and a judiciary unable to assert its check-and-balance authority, the NRM ruling party holds full control of the country's political scene.

Background

In December 1980 Uganda held controversial elections that reelected president Milton Obote. While a bitter dispute ensued with allegations of fraud and vote rigging, presidential aspirant Yoweri Museveni declared an armed rebellion and waged guerilla war against Obote's government. Finally in 1986, Museveni's National Resistance Movement party (NRM) took power. As one of his first acts as president, Museveni instituted a paradoxical "no-party democracy" which banned parties from fielding candidates directly in elections. According to long-time UPC member and former Secretary of Education under Obote, Jack Oblaim, party politics were supremely suppressed. "The Museveni government didn't want anyone to talk about politics," Oblaim said. "My party—which I loved so much—almost died because we were not able to mobilize in the grassroots. We were not allowed to hold elections so we were running on adult committees. There is no power in that." For 19 years, Museveni's government ruled virtually unopposed, the opposition unable to vote for party leaders or make any sort of impact in the political arena.

Finally in 2005, Ugandans voted in a constitutional amendment to restore a multi-party political system. With the first multi-party vote under Museveni on tap for February 2006, leading opposition candidate Kizza Besigye was arrested in November 2005 on charges of treason, concealment of treason and rape. The government pressed for his trial as a terrorist which included the option of the death penalty. Through the critical final months before the elections, Besigye was tied up in myriad court appearances, legal counseling and detention centers. This sparked debate nation-wide, so much so that on November 23, the eve of Besigye's trial, the government banned all radio stations from debating the opposition

leader's trial.¹ These media outlets were threatened with closure if they broadcast debates or talk-shows about the trial. The issue was so controversial that two judges quit in the response to the trial. On February 1st, the courts finally ruled that the army trial was illegal and could not try Besigye on these charges. Guilty or not, the damage to his campaign had already been levied. Most opposition members believed the charges were fabricated to stop Besigye from challenging Museveni, and rioters took to the streets of Kampala and towns across the country to demonstrate against the alleged injustice.

The 2006 elections and campaigns, by all accounts, were marred by significant violence and vote-rigging. According to Walter Nyeko, a police officer in the Gulu Department of Electoral and Political Crimes, the campaigns included a large amount of clashing and interparty fighting. Youth brigades, Nyeko said, would crash campaign sites and disrupt or fight with the other party brigades. The police presence was minimal and could not adequately contain or prevent these incidents.² The front page of the Daily Monitor on February 24th, the day after the elections, printed a massive picture depicting Museveni's legal assistant Fox Odoi, brandishing a gun while standing over a group of terrified naked men, with the caption, "rounded up, undressed and tortured."³ Patrick Amihere, a district officer at the

¹ "Government Bans Radio Stations from Debating Opposition Leader's Trial." *Reporters Without Borders*. 25 Nov. 2005. Web. 10 Dec. 2011. <<http://en.rsf.org/uganda-government-bans-radio-stations-25-11-2005,15689.html>>.

² Interview with Walter Nyeko

³ "Too Close to Call." *The Daily Monitor* [Kampala] 24 Feb. 2006. Print.

United Nations Office of the High Commissioner for Human Rights (UNHCHR) declared that there was “no credibility or transparency” and that the country had an “atmosphere not favorable for elections.”⁴

Museveni won the elections handily and the Supreme Court of Uganda rejected Besigye’s appeal to dismiss the vote but admitted that there had been electoral irregularities.

With this history as background, it is no surprise that Uganda’s electoral system is still rife with corruption. According to the 2010 Corruption Perception Index by Transparency International, a global coalition against corruption, Uganda scored an underwhelming 2.5 out of 10. Out of 178 countries rated, Uganda sat in 127th place behind such countries as Madagascar, Eritrea and Tanzania.⁵ While the constitution says all the right things, and the government opens all the right institutions, practices in reality are much different. The Electoral Commission, supposedly an independent and impartial election-monitoring agency, suffers from major political interference. The President can appoint and remove Commission members and while Parliament has to approve his choices, they act more as a rubber stamp than a check and balance. The NRM states that elections are transparent and yet admits to bribing voters. Innocent protestors are killed for demonstrating and yet the police are deemed “professional” and “using minimal force.” The contradictions are endless. For all these reasons, Freedom House Inc,

⁴ Interview with Patrick Amihere

⁵ "Corruption Perception Index 2010." *Transparency International*. 2010. Web. 11 Dec. 2011.

<http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results

which serves as a leading advocate for policies to advance the democratic idea, rated Uganda a five out of seven for political rights and a four out of seven for civil liberties. Freedom House deemed the country “partly free.”⁶

The people of Uganda are not unaware of this electoral corruption. In a study done by the Global Corruption Organization, which provides independent information on governance and corruption, 60% of those surveyed said the Electoral Commission had not managed past elections well. Fifty-Six percent doubt Electoral Commission independence and cite political interference in appointments.⁷ They know that the police may not defend their interests and that government agents come to intimidate them. More importantly, they know that these myriad corruptions are preventing them from tasting the sweet fruits of democracy.

Methodology:

Participants:

Participants in this study came from a wide variety of people from around Gulu town. Those interviewed included members of the Gulu district local government, police, High Court, elected officials from UPC, DP, NRM and FDC political parties, high school students, village residents from Ngai village, candidates

⁶ *Country Report Uganda*. Freedom House, Inc. 2010. Web. 11 Dec. 2011. <<http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7940>>.

⁷ "Uganda: Integrity Indicators Scorecard." *The Global Integrity Report | Global Integrity*. 2009. Web. 10 Dec. 2011. <<http://report.globalintegrity.org/Uganda/2009/scorecard>>.

who lost elections and civil society organizations like Caritas, Acord and NGO Forum. Participants ranged in age from high school to retired with most in between.

Methods:

My research design was qualitative, historical and descriptive. To gather my information I used in-person interviews, library research for access to local newspapers and Internet searches. My interview format began by asking for personal background information, continued to topics related to that person's field of work, and I concluded with expectations for 2016 elections, thoughts about President Museveni's future and hopes for the future of Ugandan politics.

Limitations:

As successful and informative as I found this research to be, there were some limitations. The four weeks that we had to do research made it difficult to travel to other places to get findings. I spent nearly all my time in Gulu town because I would have lost valuable research time traveling to other places in the country. Because of this, I really was only able to gather information about the Gulu area and not the entire country. The short time frame also made it impossible to meet with every person I needed to meet with. There are many people I wish I had gotten to talk to and pick their brain but was unable to do so because of the time constraint. Another limitation was my lack of Acholi language skills. Most of the people I interviewed spoke English but when I went to the village I was only able to talk with the English speakers. This may have skewed my vision of villagers because I only talked to the most educated among them.

Findings:

I divided my findings into sections based on particular angles. Each of these perspectives shines a unique light on the elections and elected officials and, put together, this conglomerate of findings tells the gripping tale of Uganda's political scene.

2011 Elections

By most accounts, the 2011 February presidential and parliamentary elections marked significant improvement from previous elections. According to Patrick Amihere at the United Nations Office of the High Commissioner of Human Rights (UNHCHR), his office concluded that the "government tried within their means," and the "gaps were not significant enough to change result of elections." Despite this conclusion, however, Amihere admitted that there were "lots of challenges" in this election. There was "huge" military presence which posed a "serious problem" because of the intimidation it caused to voters, Amihere said. In addition, there were a couple of polling stations located directly in front of barracks and that the people of northern Uganda, recovering from decades of war in their region, are still very reticent when it comes to arms and the military. The UN also observed that voter education was inadequate, polling stations opened late and that voters outside the country had trouble voting absentee. In addition, Amihere noted that there was "not a level playing field" when it came to the ruling party and the opposition. He added that the NRM used state resources to finance campaigns and

that the media was biased towards the ruling party. Despite this laundry list of corruption observations, the UN overall accepted the election results.⁸

Citizens' Election Watch, the largest upcountry civil society organization operation in the country, also noted frequent electoral fraud in their post-election report. Political party primaries went "largely peacefully" with "isolated cases of violence", however, election of NRM candidates for various posts was characterized by "excessive vote buying." On the other hand, candidates said that voters were "demanding money and other goodies to listen to them."⁹ Even with the improvements, election observers still noticed myriad electoral manipulations.

How the Vote is Rigged: The Anatomy of Electoral Fraud

In order for a single government, and single president, to remain in power for 25 years (and counting), there needs to be a system in place to ensure that even when there are elections, that your party comes out on top. The Museveni government has adopted numerous methods of election rigging from grassroots bribery in small villages to campaign financing at the parliamentary level. The opposition, in turn, has adopted some of these illegal activities in an effort to keep up, but ultimately cannot compete with the vast resources of the central government. Here are some of the standard methods of electoral manipulation found in Uganda:

⁸ Interview with Patrick Amihere

⁹ "August 2011 Report." *Citizens' Election Watch* (2011): IV-5. Print.

Voter Bribery:

Bribery is easily the most common and widely used method by both the opposition and the NRM. Even though it is illegal, as stated in the Ugandan constitution, bribery has become an accepted and integral piece of campaigning. While bribery is practiced by both the ruling party and the opposition, the NRM is in a better position to give away funds. “The ruling party simply has more resources,” Geoffrey Odong of the Gulu NGO Forum said. According to Father Felix Opio, former director of CARITAS Gulu, the formula for electoral success is simple mathematics. “The more money you have, the more money you can give to people, the higher your chances of winning,” Opio said. “This is acknowledged by everybody. It’s a game of money.” The way it usually works is a candidate gathers people in a village for a speech and afterwards provides what everyone in Uganda calls “refreshment”: a table filled plentifully with alcohol, food and a candidate’s message to vote for him or her. Other times candidates will have their agents distribute money for “transportation” so people can get back to their homes. Another popular move is to have agents direct people behind a mango tree around the corner—somewhere out of sight—where they hand them a crisp 5000 shilling bill or maybe a little salt, sugar and soap. All they ask for in return is a simple tick on the ballot onelection day.

For people being offered the bribe, it is often difficult to refuse. “I couldn’t resist it; I took the money,” said Oyem district resident Andrew Ogom quietly. “They gave me 5000, and I couldn’t even vote. They give children, too. As long as a human being is there they will give you money.” This, however, was an unusual admission.

Almost everyone else I interviewed for this research denied accepting bribes, but were fully open in discussing the pervasiveness of bribery with regards to family members, friends and others in the community. “They tried to give me money but I voted the person I wanted to vote,” said student Susan Anena. Jack Obalim, the former UPC leader, said this money is useless to him. “Me, I cannot be bought,” Obalim said defiantly. “I don’t need Museveni’s money. Let him keep it in the statehouse there!”

In the NRM ruling party, there is significant contradiction and hypocrisy in its view of voter bribery. In the run-up to both the 2006 and 2011 elections, President Museveni implored in campaign speeches and in columns in the newspaper to have “free and fair elections” and that bribery, as explicitly stated in Uganda’s constitution, is illegal. Yet the speaker of Gulu district local government, Honorable Peter Douglas Okello, himself an NRM party member, revealed to me that his party does indeed bribe voters. “I want to admit it’s there,” Okello said. “But it’s not only done by NRM alone.” Okello mentions that this is not a good thing and that people should, in theory, “embrace the principal of voting for a person with the best program,” but this is simply not the case in Uganda and he knows it. His argument is that the other parties do it too. This sounds exactly like the classic childhood story of a little boy being told by his mother that he is not allowed to do something. “But all the other kids are doing it, mom!” The mother then responds, “Just because everyone else is doing it doesn’t make it OK. If everyone else jumped of a bridge, would you?”

The NRM and opposition parties are both jumping of that bridge into the cruel waters of corruption, drowning under the heavy weight of electoral fraud. Saying that the other parties do it too is not an excuse for corruption. If there was real moral fortitude like Museveni declares in his speeches and Okello uses in his office rhetoric then change would be made. Change is not made because change is not wanted to be made. At the end of the interview, Okello stated the party line, one that is politically correct even though contradicts his previous statements. "But if I'm supposed to give my view, as NRM, we strongly condemn in the strongest term, bribery." How can a party strongly condemn bribery in one sentence and admit to doing it in another? These fruitless facades of bribery crackdown start at the top. "Even my chairman, who is the president," Peter continued, "issued statements that he condemns bribery and wants the people of Uganda to vote without bribery." These words are meaningless and empty, but a ruling party cannot admit to its people that they are cheating them on a daily basis.

And the issue is, when the NRM cheats, it has a much higher capacity to do so than the opposition. Even corruption in Uganda is not equal. Okello, however would not admit that the ruling party bribes more, just that they bribe equally. "The other parties say the NRM does it more," he said. "Because NRM is the ruling party, they may have resources that support their candidates. And when they're supporting their candidates, the opposition says the NRM is bribing more. No." According to most other sources though, the two bitter opponents are not even in the same league of corruption. "It is not a level playing field," said Patrick Amihere with the UN

Human Rights group. “The NRM uses state resources to finance its campaign.”¹⁰ Some believe that the opposition is dragged into the mess by the ruling party. “The opposition does it because the ruling party also is involved,” said student Andrew Ogom. “And it is worse with them. Much worse.”¹¹ Geoffrey Odong with NGO Forum said that it is simply about access to more assets. “It [bribery] happened more with the ruling party because they have more resources.”¹² As Father Felix of Caritas said, “The more money you have, the more money you can give to people, the higher your chances of winning.” The NRM, with control of the treasury and all other state organs, has an enormous pool of money to stick its greedy hands into. The opposition by no means is clean, but it cannot compete with the vast power of the government’s ruling party.

Voter Intimidation and Violence

One of the most alarming and dangerous issues of electoral corruption in Uganda is the fact of candidates arming, or at least supporting, youth brigades to intimidate or beat-up other party agents. In January 2011, police accused Aswa County MP Reagan Okumu and his colleagues of recruiting and bribing youths, who they allegedly armed with sticks, to beat up NRM supporters and security agents. These charges came after Okumu, an FDC party member, along with a group of other opposition MPs from the Acholi sub-region, accused the government-sponsored police of recruiting 100 youths from each of their villages to form youth brigades to

¹⁰ Patrick Amihere Interview

¹¹ Andrew Ogom Interview

¹² Geoffrey Odong Interview

facilitate cheating in the 2011 polls in northern Uganda. The police, however, denied forming militias in the region and instead brought the same charges against Okumu.¹³ When asked about voter intimidation, Nyeko mentioned Honorable Okumu and the “Red Brigade”, as his militia is being called, and said that police learned of these beatings but by the time they showed up, the mob had dispersed. This is also an example, he said, that shows both the ruling party *and the opposition* have their hands dirtied by political crimes.

This type of party-against-party violence has become more of the rule than the exception. The February 2nd, 2006 edition of the *New Vision* had an article titled, “Fighting Between NRM, FDC Supporters Injures 21.” NRM supporters allegedly stole an effigy of opposition candidate Kizza Besigye and, in retaliation, FDC agents ransacked an NRM office with clubs, machetes and stones. Just the next day, on February 3rd, the *Vision* reported another youth attack, this time of an LC5 chairman in Iganga, where youth at his rally deflated the tires on his vehicle and threw itchy powder all over the candidate and his supporters. Right above this article showed another one of intimidation. “Candidate running against Janet Museveni arrested, fined.” The opposition candidate who was running against the First Lady, Patrick Karekyezi, declared that the “charges brought against me were to intimidate me to quit the campaigns.”¹⁴ These are some of the brutal tactics that the ruling party uses

¹³ Bagala, Andrew. "Police Want MP Okumu Charged with Bribery." *The Daily Monitor* [Kampala] 6 Jan. 2011. *The Daily Monitor*. 6 Jan. 2011. Web. 11 Dec. 2011. <<http://www.monitor.co.ug/News/National/-/688334/1084636/-/cjcoubz/-/index.html>>.

¹⁴ Kyomuhendo, Muhanga, and Mugisha Rwambuka. "Uganda: First Lady's Rival Sentenced." *The Daily Monitor* [Kampala] 3 Feb. 2006. Web. 11 Dec. 2011.

to get their candidates into office. They arrest a candidate if he is about to beat one of their own (see Besigye, Kizza) or simply have youth go and wreak havoc at an opposition rally. It is impossible to hold an effective political rally when goons and thugs are wreaking your vehicle and throwing destructive substances at you and your agents. The opposition, with little choice, has to fight back. This leads to violence that provides a hostile, and corrupt electoral atmosphere.

Police and Judiciary

After the chaos and violence that characterized the 2006 elections, major improvements were made in term of policing for the 2011 election. The government created a special unit in 2009 called the Department of Electoral and Political Crimes which deals specifically with election time, educating voters on what is an electoral crime and investigating potential violations. According to Mr.Nyeko, an officer from this department in Gulu, violent crimes were way down in this past election compared with 2006.

There is also some work being done to eliminate bribery and corruption in the electoral process but it has worked more on paper than it has in reality. In 2009 the government passed the Anti-Corruption Bill created the Anti-Corruption Court and the Inspectorate of Government (IG). The IG was created in order to “promote good governance with an ethical and corruption free society.”¹⁵ With the motto, “Zero Tolerance to Corruption” the IGwebsite presses all citizens to call or email the

¹⁵ *The Inspectorate of Government | Zero Tolerance to Corruption*. Government of Uganda, 2011. Web. 11 Dec. 2011. <<http://www.igg.go.ug/>>.

IG about any corruption allegations they might have. While these additions are a step in the right direction, according to Freedom House, “the resources to enforce [these bodies’] decisions are generally lacking.”¹⁶ These commissions can research and make statements about levels of corruption but they have difficulty implementing their intended changes.

The NRM ruling party would like to look at ways to fix this issue, according to Honorable Okello, but just cannot seem to find the time. “I want to be honest,” he started. “We have not had time to review what transpired during [these past] elections. We have made resolutions to review what transpired and look into accusations like bribery and make recommendations. We have not had time to do it.” Peter went on to list the myriad reasons that his party has not looked into this paramount issue, “problems in the government that require more attention”: Walk to Work problems, problems with the teacher strikes, problems of Mbira forest, among others. It looks as if fighting corruption is not exactly on the top of the agenda for the NRM. There will always be important events happening in the country, that is simply a fact of politics. The question is whether the government is actually interested in dealing with this, or will continue to push it to the back burner.

Bribery, it appears, is the most widespread and pervasive electoral crime but it is also the most difficult for the police to charge. As it is mostly done door-to-door at

¹⁶ *Country Report Uganda. Freedom House, Inc.* 2010. Web. 11 Dec. 2011. <<http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7940>>.

nighttime, catching the perpetrators becomes nearly impossible. "With bribery it is very difficult to get evidence," Neyko said, even though the police know it is going on. "No one is ever charged with bribery."

With the extent of electoral irregularities and violations, the police and judiciary have their hands full. According to the registrar at the High Court of Gulu, Didas Muhumuza, there is a dispute by the losing party "after every election." This includes both opposition parties and the ruling party with both parties at fault for irregularities. The allegations, Muhumuza said, always include some list comprising of ballot stuffing, bribery, intimidation and malpractices. "There are usually so many witnesses that we have to use affidavits," he said. These cases usually take around a month and the judge has the option of ordering a vote recount or fresh elections. Just this past February, the High Court had nine petitions and three results were changed, ordering fresh elections for LC5 chairmen and two parliamentary seats. Even when the results are overturned, the only punishment for the offenders is a fine, usually 30-100 million shillings. There is no jail time unless the crime is violent.

Corruption and bribery, however, can be found in the justice system as well as the electoral system. "It is hard to influence a judge of a High Court," Muhumuza said, "but it is easier to manipulate the lower magistrate." Often it is not the judge himself but clerks in the office or secretaries. "Secretaries will ask how much you will give to put the case on top [of the pile]," Muhumuza said. "And with a clerk people bribe to have an important document taken away. Whole files have even gone missing." At the High Court, corruption is very low (less than 10% Muhumuza

estimated) but at the lower levels there are very many allegations. There is frequent transfer of staff for “the longer a person stays in one place, the more corrupt they are,” Muhumuza said. Some are reprimanded or suspended but this is not very common because it is simply too hard to get evidence against them. The courts, in an effort to combat the bribery, have plastered signs all over the courthouse: “Most court services are free,” the signs read. “DO NOT CORRUPT US. Offender will be PROSECUTED.” There seems to be a belief among the general public that bribes are needed in order to get things done. Muhumuza believes that these signs work; however, bribery still continues.

The people of Uganda seem to have an uneasy relationship with both the courts and the police. There is not a full level of trust that these important institutions can even battle the corruption within their own buildings. “Sometimes people who have been alleged to have been involved in several criminal cases try and bribe their way so they’re out,” says John Okongwo, Secretary of Education for Gulu district. “They are tempted to accept some meager money because of their condition; among the civil servants they are not paid well in Uganda.”

The walk to work protests, with three deaths, multiple arrests and extensive military/police brutality, strangely brought extraordinarily few cases to court. No cases have come against the state, Muhumuza said, not even from the families of the victims. “It’s strange because a person’s life should not be lost like that,” he said. Many people were there that day to witness the protests but nobody is willing to testify. Witnesses tend to shy away because of the high possibility of reprisal by the

state. "Even if you're peaceful, you're monitored," said a Ngai village resident who wished to only be described as Junior. "They will find out where you live."

Many people are so terrified of the consequences that they refuse to protest in the first place. "I would be scared for my life to demonstrate," exclaimed Susan Anena, a high school student in Gulu. "Of course they may kill me!" Andrew Ogom, a recent graduate of Gulu University, said the military is wary of the situation getting out of control and thus has a quick trigger. "Every demonstration they [military/police] think will turn violent and they end up beating people. The moment you panic with these people in the streets they just shoot you," Andrew continued. "Shoot and kill. I'm afraid I don't want to die yet." Even Mr. Nyeko, a police officer himself, echoed these thoughts. "Some army men are not well trained," he said. "You provoke and he shoots at you."

Indeed, the courts have a difficult time enforcing its rulings to the state. Many people sue the state before the Human Rights Commission but, according to Muhumuza, nobody ever goes to prison. In fact, even when fines are levied, the government often does not pay them. "The state ignores them," Muhumuza said, chuckling a bit. "No government can be forced to pay." The court can make declarations about the state using the military inappropriately but nothing else usually comes from it. "It is illegal but there is no way to stop them," he said, as if resigned to an unchanging fact. "The state can't be restrained." The courts do not have the ability to seriously enforce its decisions, especially against the government which has the police and the army working on its behalf. The commander-in-chief is

the president, not the chief justice. The best the court can do is offer its decisions as authoritatively and clearly as possible and hope the state makes changes. Most of the time, it seems, this is not the case. Declarations are just that: declarations.

International Presence

With Uganda's history of rigged elections, international observers have come to Uganda with the intention of preventing electoral crimes but there are simply not enough of them to prevent the corruption. "Most of this [bribery] happens in the villages and the observers are only in the towns," said Geoffrey Odong of the Gulu NGO Forum. In a rural country like Uganda, villages make up a significant portion of the population and thus the observers are missing out on a key segment of voters. After the 2006 elections the European Union, which had a number of observers in Uganda, declared that the elections were "generally well administered, transparent, competitive and relatively peaceful."¹⁷ Apparently they missed the voter bribery, ballot stuffing and massive military presence that occurred in villages all around them. The EU, as well as myriad other organizations, produced their reports without ever seeing the full picture of Uganda's voting scene.

The Fight of the Opposition

Running as an opposition candidate is an unenviable task in Uganda, as it entails taking on the might of the corrupt ruling party and the resources that come with it. I spoke with an opposition candidate who ran for parliament in February of

¹⁷ Mukai, Chloe, and J. Maseruka. "EU Endorses Poll." *The New Vision* [Kampala] 25 Feb. 2006. Print.

this past year who agreed to talk to me on the condition of anonymity for fear of reprisal by the state. For purposes of this report, he will be referred to as Paul. Paul decided to run on the opposition ticket because that was the only place where he could voice his concern about the current government and make necessary changes in his country. "I joined the opposition ticket because I felt this government is waning, the aims of them taking power in 1986 were not strictly followed," Paul said. "At this moment they're diverting away. One of their aims was to reinstate democratic governance in this country and they have been in power for the last 25 years and they will be in power for the next five years, making it 30." Paul did not expect the process to be easy, ("I knew I would hit bumps") but he was not prepared for the extent that the government would go to prevent him from winning. "During the campaign we were on top, everyone knew we were the winners. It was so clear," he said passionately. "But then the government unleashed their weight and the balance was tipped to their advantage."¹⁸

One of the ways the NRM did this, Paul said, was the influx of vast amounts of cash, used in the form of direct voter bribery. "They would invite people to undisclosed locations, actually to the White House," he said. "People were invited there to be given envelopes." The government would specifically target people who they thought would be stumbling blocks in their rabid quest for power. In the village, meanwhile, they moved house-to-house doling out money. "They are very direct. They say: 'we have come here, this is yours, vote the bass on the ballot paper [symbol for the NRM],' " he said spitefully. The contempt in his voice was palpable.

¹⁸ Paul Interview

“You’re already softened, you feel some obligation to give back. So many pictures and so many names, so what’s the easiest thing to do? Older people don’t know how to read and they don’t know who is who so they use the symbols.”¹⁹

At the polling stations themselves, Paul and his agents encountered severe voter intimidation and violence. He sent his agents to the different polling stations, standing watch to make sure no malpractices occurred. Instead, his agents were “beaten, chased away from the station or told to keep quiet if they wanted their life,” Paul said angrily. “Or, they were compromised and given money and told to keep quiet.” The NRM candidate, he said, had been given an armed soldier for protection and a militia of about thirty men wielding sticks and knives for intimidation. “My people were hospitalized,” he detailed. “They were bleeding when they came to report to me. Others were beaten to a coma.” There was one police officer at each polling station but he apparently was only armed with a baton, and even if he were armed, he would not get in the way of the NRM for fear of losing his job. Paul claims that the police are in the back pocket of the ruling party, and some of them are not even real police. “The police have been infiltrated by army men, changing uniforms to look like police,” he contends. “It’s not Uganda’s army, it’s Museveni’s army. Museveni’s Militia.”

As soon as Paul’s agents were beaten and chased away, multiple voting by the ruling party agents began. There were many instances of voters registered many times, he said, and then he pulled out his election booklet and showed me the

¹⁹ Ibid

evidence. There were pictures of the same person using different lighting, different angles but with the same name and age. Sometimes they changed the hometown, sometimes they changed the birth date. It looked as if the government was not concerned about it and did not even try and hide the fraud. Page after page contained multiple voters. What they do is “register you at one polling station and then another,” Paul said. “You can’t go around the country looking for the same person.” This would be simply impossible for Uganda’s logistical system.

Paul’s harrowing tale of taking on the government depicts the hell that the opposition party faces to win an election in Uganda. Running as an opposition is exasperating, infuriating and even dangerous at times. As a candidate you not only have to worry about getting the support of your people but also defending your agents from abuse, defending the ballot boxes from illegal stuffing and defending yourself and your rights in court. It is taxing, financially, emotionally and physically. You have to fight all institutions for equality and fairness: the judiciary, the police, the Electoral Commission all are swayed towards the ruling party. Often times, it is a losing battle.

Electoral Commission

One of the most controversial topics in Uganda’s electoral system is the Electoral Commission (EC) which, many believe, is not able to properly assert its independent authority. The EC’s official mandate is to “organize, regulate free and fair elections and referendums” and they are, in theory, supposed to be non-partisan, non-affiliated persons. All commission members get training by the

national Electoral Commission in Kampala before each election in which they are briefed on the particulars of this election and the process is framed and explained in detail. In addition, the EC meets with officials and political party member to make sure everything is clear. After the elections, votes are tallied at the polling stations and then transported back to the EC regional headquarters.

On paper, the Electoral Commission is a non-partisan, free body which is able to conduct elections objectively and without influence. The Ugandan public, however, including those in the village, in elected positions and otherwise, feel that the Commission does not act in due conscience. In fact, the president has the power to appoint and drop members from the commission and although there is parliamentary confirmation necessary, they often act as a rubber stamp in this regard. Thus, the president is able to appoint his people to the commission, knowing that they will do his bidding. "The electoral commission must dance to the tune of the president," said John Okwango of the FDC. "There is no freedom! We do not trust it [EC] fully."²⁰ High school student Charity Ayatechoed these thoughts. "The EC are being bribed, given money by Museveni."²¹ There seems to be little confidence among the public that the ruling party is keeping its hands out of the commission's business. According to Father Felix Opio of Caritas, the EC just does not have the firepower to stop all the electoral fraud. "The Electoral Commission was not comfortable with amount of money used in the election process," Father Felix said,

²⁰ John Okwango Interview

²¹ Charity Ayet Interview

“but they were powerless.” The problem, he said, is that the EC lacks a police force, a way in which it can “monitor, regulate and intervene.”²²

The Electoral Commission registrar of Gulu David Labeja, however, vigorously defended the commission’s autonomy. “I don’t think so,” he said when asked about corruption in the EC. “I don’t have any evidence to that effect.” The subject was then asked if he has ever accepted a bribe. “I’m a principled person,” Labeja said with slight indignation. “I do my work professionally. I don’t need their money. It’s little money but I am satisfied with it.” He did admit that allegations constantly come in from the opposition party, saying that the EC always favors the ruling party. “These allegations are not true,” he said adamantly. In terms of voter intimidation, Labeja is convinced that the talk is being overblown. “We hear about this also but what form does the intimidation take? he said. “It is not something that one can easily prove. When people see presence of the police, presence of the military, people term that intimidation.”²³

Overall, Labeja was reluctant to admit many flaws or issues in the Ugandan electoral system. He was quick to defend his office, the police, and the ruling party. He seemed to believe, or wanted to admit, there were very few problems with elections in his country. When asked what he would fix if he could fix one thing about the process, he said that the EC should receive 36 hours instead of 24 hours to count the votes. With all the countless problems of the electoral system, what Labeja

²² Father Felix Opio Interview

²³ David Labjea Interview

wanted most was 12 more hours of counting. It seems many Ugandans would disagree with his priorities.

Lack of Voter Education

One of the major problems with the electoral system in Uganda is the lack of education—especially voter education—with much of the rural population. Because some are unable to read or write, or lack political knowledge, it makes it that much easier for a political candidate to “persuade” them into voting for his or her particular party. “Old people don’t research the candidates,” said Susan Anena. “They come for the campaign because the candidates bring alcohol. They go to get drunk. They see the jerry can and end up voting for that person.” This, in turn, makes filling out a ballot into a guessing game. “Majority of these people [rural voters] didn’t know the process,” said Geoffrey Odong. “They don’t know how to fill out the ballots. Five or six out of ten would be invalid while some people voted for two candidates. Many just voted randomly.” Civil society organizations like the NGO Forum and Caritas have instituted civic and voter education programs, covering the Electoral Commission, registration and political campaigns. They are working on teaching people to vote on issues and not material goods. “Which kind of leader is this person? What’s their agenda? What’s their leading style?” Odong said, listing the questions his organization has tried to instill in the people. “This is what we want the people to be asking.”²⁴

²⁴ Interview with Geoffrey Odong

Caritas uses the radio as its main means of communication because it is “cost effective and reaches the most people,” said former director Father Felix Opio. Their programs inform the voters “not sell away your rights” and to vote someone who “is able to protect your rights.”²⁵ They have these tidbits of information run as adverts every hour or half hour. The effectiveness of these programs, Father Felix said, has been questionable. “I think the adverts have contributed something but perhaps not as much as we would have expected,” he said. “Many people say these elections will not bring any change at all. They had lost faith in the electoral process because of experiences they had in the past. The results are disappointing over and over and over.”

Politics for the Self

In Ugandan politics, the stakes are raised extremely high to win an election because of the astronomic salaries that one can earn by claiming a seat in parliament. To demonstrate just how much an MP in Uganda makes, and why the position is so coveted, it is helpful to compare their salaries to that of a teacher. According to a study done by OpioOlolo in the New Vision, a rookie Member of Parliament makes about 13 million shillings every month while the average primary school teacher earns roughly 275,000 shillings a month. Yet regardless of qualifications and experience, Ugandan teachers lag severely behind those of other countries. In Kenya, the lowest-grade teacher makes Ksh. 13,000 (Shs. 372,114) while the highest paid make roughly Ksh. 37,000 (Shs. 1,059,159) per month.

²⁵ Interview with Father Felix Opio

Meanwhile in Canada, a newly recruited primary school teacher starting at the lowest A1 salary level for the Toronto District School Board (TDSB), Canada's largest employer of teachers, earns an average of \$3736.50 (Shs. 10,165,828) per month.²⁶

Here is where Uganda's level of inequity and disproportionate pay scale really comes to light: a newly elected Canada Member of Parliament earns a monthly salary of \$13,144 (Shs. 31,831,509). The Canadian MP, in essence, earns three times more money than a first time schoolteacher at the Toronto District School Board. To put it another way, a Canadian MP earns in a single month what a new lowest paid Toronto teacher earns in three months. In Uganda, however, the difference is startlingly higher. In a single month of the year, the Uganda MP earns all the money that *two* highest paid Uganda teachers earn *in a year*. Looked at another way, in just one month, the Uganda MP earns 2600 percent more money than the highest paid qualified graduate teacher.²⁷

Ultimately, politics in Uganda is ruled by money and the rabid quest by all involved to get more of it. This culture of corruption has been created because of these strong incentives that are provided for those in power. "The pay for parliamentarians is exorbitantly high," said Michael Tebere, technical advisor to the Gulu district chairman. "That translates into a pension not for yourself alone but for your family, too," Tebere said. "It's an investment of a lifetime." Suddenly a new car is affordable, a new house is within your means, and you are now able to send your

²⁶ Ololo, Opiyo. "Math and Ministers." *The New Vision* [Kampala] 5 Aug. 2011. Print.

²⁷ Ibid

kids to competitive private schools in Kampala. These politicians always make it the number-one priority to make sure they themselves are taken of. "One of the first things passed in every new parliament is going to their own remuneration and pay, which always goes up," Tebere said. It is because of this money that it is common for opposition members to "cross the floor" or switch to the ruling party. Making a living as an opposition in Uganda is terribly difficult. "When you are in opposition you have absolutely nothing," Tebere said.

This is especially true if you are an opposition member who has just lost an election. Because the salary of a parliament member is so rich, the stakes of winning a seat have become extraordinarily high. "The extents politicians will go to win an election," Tebere said, shaking his head. "They would sell their houses and property just to raise the finance to go and buy the vote to get into parliament." The ante has been raised so high that "politicians who fail in that quest may actually get seriously depressed," Tebere said. The financial loss is so massive that there is a tendency for losing politicians to switch parties. The ruling party exerts all kinds of pressures as well, asking the candidate how he or she will pay for their kids schooling or how will they retain this standard of living that they are used to. "However much principled you may be, you're looking at your kids, your wife, and you say, I have to do this," Tebere said. "So you go sell your soul and your principles just because you want your kid to have that good education." Politics has now become a way to provide for your kids, your wife and if you lose that job, that income, life becomes extremely difficult. Family life and even education ride on these elections so your principles have to take a back seat. In a fully functioning political system, these choices do not

have to be made. Principles can be the deciding factor in which party you join or how you run your campaign. These enormous incentives are pushing politicians to corruption.²⁸

To others, politics are not aimed at helping ones family, but rather just helping oneself. "People go into politics for self-aggrandizement," said Jack Obalim bitterly. "For yourself, for your wife, to show other people that you're rich and so on. That is not politics." Uganda is not a poor country, Obalim said, but when teachers want more money, there are no funds. And yet the very politician who claims there is no money has billions of shillings in his own bank account. To Mr. Tebere, the issue comes down to one simple question: "They make the law, so what are they going to do? They have the ability to keep increasing their pay so what's stop them from doing it? "It renders what we call independence useless," Obalim said sadly. "Politics in Africa has been hijacked by personal ambitions."

Role of Poverty

The irresistible pull of money affects not only politicians but most of the Ugandan public as well. The role of poverty as a ubiquitous presence in the lives of millions of people has a direct effect on politics and politics' best friend: bribery. It is easy for a man in power with a consistent salary, like Gulu's Electoral Commission registrar, David Labeja, to call for "the need for vigilance on the part of the community. They will not go ahead and accuse [people of bribery] because they are benefitting from it." David is not making less than \$1 a day and for many, bribery is a

²⁸ Michael Tebere Interview

way to put food on the table. “In Uganda people like money more than anything,” said high school student Charity Ayet. “People are so desperate for money they’ll do anything for it.” For these poor people in the villages, it is very difficult to say no to someone who is offering money in exchange for only a vote. “You can’t run away from it,” says Andrew Ogom. “You see someone coming with a lot of money and it’s a lot of money for someone who does not get that kind of money.” Even 5000 shillings is a big deal for someone who might need a month to see that amount of cash. “That’s free money for just going to the campaign place. You cannot deny. But it is not right.” Even those with a moral conscience like Andrew have a tough time resisting the pull of free money. They may feel bad about themselves afterward, but in the end, food needs to be bought, household supplies need ordering, and some things trump ethical fortitude. “When you know they are bribing you and you receive the money like I did, I would also say I was guilty for taking it,” Andrew said, eyes fixed on the floor. “But the conditions in Uganda that you cannot run away from.”²⁹

The law in Uganda states that both the person who gives the bribe *and* the person who receives the bribe are guilty. Many, though, are sympathetic to the acceptor and less so for the briber. “I don’t blame people for accepting bribes,” said high school student Innocent Okello. “It’s not their fault; it’s because of poverty.”³⁰ The wise ones, Andrew said, are the ones who pocket the bribes and still vote for their own candidate. “But those people are very few,” he said. In the end, it is poverty and not lack of morals that leads to bribe acceptance. “Because now you

²⁹ Andrew Ogom Interview

³⁰ Innocent Okello Interview

ask yourself what will I do after I refuse to take this money?" Some, however, maintain that even with rampant poverty, accepting bribes is still not right. "Even if you're poor that's no excuse," said Junior emphatically. "You have land, you can still live. No excuse to take a bribe."³¹

Effects on Democracy

With my final question of every interview, I asked the respondents if Uganda is a democracy and the overwhelming answer was decidedly no. For everyone, the reason was different. "Democracy?" Patrick Amihere of the UNHCR pondered. "I would hesitate to answer that." After a moment or two he replied, "The power is not in the people so I would say it is not a democracy." Not surprisingly, NRM party member Douglas Peter Okello had a particularly positive outlook on the role of democracy in Uganda. Of the ten points in the NRM manifesto, one of them included the democratization of the country, a goal that Okello said the party has been able to prosperously achieve. "I want to say that Uganda is very democratic and a fully-fledged functional democratic country," Okello said confidently. Not only that; Uganda should be looked at by all as a model of democracy. "Uganda is a nation that countries in Africa, and not only in Africa but the world, can imitate and learn a few things." It seems, however, that Okello is in the small minority of Ugandans. As a member of the NRM, life is much easier. You are on the side of the bully, and the bully has an army, a treasury and an Electoral Commission on his side. There are few unlawful arrests or shady charges like ones leveled on Kizza Besigye. Is there

³¹ Junior Interview

any chance that could have happened to an NRM member? In the ruling party you have power and a government to back you in all your endeavors. As an opposition you are clawing your way uphill, fighting battles constantly in your quest for the top. Nothing is easy. Nothing is simple.

“Revolutionaries Do Not Retire”

In May of 2001, the late dictator Colonel Muammar Gaddafi of Libya, in a visit to Uganda, gave some personal advice to President Museveni as Uganda’s leader contemplated stepping down in 2006: “Revolutionaries do not retire,” Gaddafi said. “Revolutionary leaders should not have expiry dates, like tinned drinks. My brother Museveni was born a revolutionary. He should continue for as long as he has the ability to do so.”³²Museveni heeded the advice of his Libyan pal but now his time is nearing an end.

The future of Ugandan politics is clear: 2016 represents the single biggest election of this nation’s history. Many questions abound: Will President Museveni seek another term? If not, will he hand the reigns over to his son or another NRM party member? Will he respect the results of an NRM defeat in the polls? Will the opposition finally get a shot at the leading the country? So much is uncertain but this much everyone knows: Uganda has never had a peaceful succession of power. Obote in the 1960’s followed by Amin in the 70’s, a few more

³² Kiai, Mugambi. "Recalcitrant Revolutionaries." Editorial. *The Nairobi Star* [Nairobi] 29 Oct. 2011. 29 Oct. 2011. Web. 10 Dec. 2011. <<http://allafrica.com/stories/201110311606.html>>.

others got a shot and then Obote returned again. Then in 1986 Museveni came to power and that is where we stand. All the transitions came by use of military force; coups have become almost expected.

For some, hope remains that another party may lead the country in five years. For others, it is abundantly clear that Museveni will give up his seat only when he is good and ready. There is also major fear, from both the government and its citizens, that Ugandans could rise up, a la Libya against Gaddafi, and take back control themselves. "I think if it [peaceful succession] doesn't happen soon, as I think it will not happen, then there might be an explosion," Paul, the defeated parliament hopeful, said. "I'm forecasting an explosion from the opposition."³³ One point that most could agree on was that an Arab Spring-type uprising would be a last resort, only when all other alternatives fail. "It could happen," said Michael Tebere of the Gulu district local government. "When people go to war it is because all the other options are closed off. People still have a lot to lose so I do not see armed conflict breaking out."³⁴

Andrew Ogom thinks the president secretly wants to go out from power the way he came in. "Absolutely I think he wants to go out by the military," Ogom said. "That is what revolutionaries in Africa want: to boost their military so if there is any problem they are ready to overcome." Museveni may be itching to use the new fighter jets he recently purchased. Student Innocent Okello agreed, saying that if he is to leave power, he will leave the way he came in. "A coup is possible," declared

³³ Anonymous candidate interview

³⁴ Interview with Michael Tebere

student Innocent Okello. "The tension is there." Tebere, however, began to rethink his outlook. The economy is bad and resentment of the NRM is very high, he said. Now there is the pending oil deals which, rumor has it, may have been terrible, raw deals for Uganda. "People's disbelief may turn into revulsion and anger," Michael said ominously. "And when that happens, you know you should head for the airport and catch the first plane out."

As expected, NRM member Douglas Peter believes the president continuing may be best for the country. "I think that Uganda now is more stable under President Museveni and Uganda can go into chaos if we decide as NRM to do things in a way that's not correct," Peter said. "In terms of years, I do not believe that if a president stays for a shorter time, he will do more for the country than the president staying for long." Peter said that it is in the NRM's long-term interest to keep Museveni in power. "There are issues in the NRM manifesto that are supposed implemented over a long period of time. And within a long period of time means to have same leadership to follow up in the implementation." Fair elections are put on hold, while corruption and vote rigging are instituted just so the NRM can fulfill its long-term goals. Apparently the rest of Uganda's political parties do not figure into the future of the country. It is contradictory and paradoxical to call Uganda a democracy when it does not allow for the election of other candidates. It is not in the best interest of the NRM to allow other parties to win. Long-term plans are stellar, but in order for democracy to rule, peaceful succession is necessary.

The history of elections in Uganda as well as the sheer longevity of President Museveni's rule has many people discouraged about the future of their country. "As Ugandans, we believe that there is no way you can chase him from power," said student Susan Ayet. Okello echoed this statement. "Museveni will win again. He will stay until he does not want," he said. "Museveni Pakalast. Museveni forever."³⁵ Jack Obalim, UPC member, also had a pessimistic view of the future. "You must be corrupt in order to survive," Obalim said of the current political atmosphere. "You must be a liar in order to pass. I have very little hope for the future." Obalim described the current government as "foreign" and is waiting for Uganda to return to the hands of its people. The men and women in charge are imposters. "We don't have a government," he said. "We have a bunch of individuals trying to pretend they're leaders."³⁶

According to Patrick Amihere, the chances for the opposition to take power are pretty slim. Right now Museveni has total control over the army and the NRM, he said. In order for change to occur, "there would have to be a rift within the military or defections within the president's party," Amihere said.³⁷ Additionally, Museveni enjoys the support of the United States as well as other nations with forces fighting terrorism in Somalia. "The last thing the US wants is more instability in East Africa." For the power to change in Uganda, Amihere said, there would to be international pressure put on them like was put on Libya and now Syria. Without this international support, the opposition has little chance.

³⁵ Interview with Susan Ayet

³⁶ Interview with Jack Obalim

³⁷ Interview with Patrick Amihere

Recommendations

I have a few recommendations that could help make a dent in the seemingly indestructible body of electoral corruption in Uganda.

1. Decentralizing the voter registration process so it occurs on a village-by-village basis.

This idea, originally formulated by Michael Tebere, would make voter registration easier for the voters, more accurate for the Electoral Commission, and result in a great decrease in electoral corruption. In every village there is an LC1 chairman, a local representative who was voted into position by his fellow people, who has a firm knowledge of his community. Communities like these have approximately 1,500 people or less and this LC1 representative knows virtually all these people by name or by face. What this person could do is organize a team to conduct door-by-door censuses before each election, tallying who is now eligible to vote, who is dead, who moved in and who moved out. This would be much more accurate than the current system because registries in the last election showed that there were myriad multiple voters, people who changed their pictures or their birthdates just so they could vote again. If the voter registry were made up by these local councilman on a village basis, they would know who is not supposed to be here, who is voting twice and which dead voters are amazingly casting ballots from beyond the grave. This would eliminate these “ghost voters”, people who are not alive or have moved out of the community who somehow still vote in their candidates. In addition, an added

perk would that be these councils could be converted into polling stations where only your village would be voting. In the current system, voters have to travel far distances and vote with eight or ten other villages. This decreases familiarity with the voters—registers simply do not recognize all the people coming to vote—and increases the likelihood and ease of electoral corruption.

2. Pass legislation to decrease the salaries of parliamentarians

Out of these two policy recommendations, this may be the least likely to happen. After all, in the current system pay for MPs is voted on by, well, the MPs themselves. Why would they ever give themselves a pay cut? Whether through international pressure or a mandate from the High Court of Uganda, pay cuts for this segment of government is a must. First, this would free up millions of shillings a month that could be devoted to teacher salaries, scholarships for school fees or school materials. As shown in this research, teachers make a miniscule fraction of what an MP makes, creating the perverse incentives for people to go into politics for selfish means. If a man or woman with a PhD is debating between taking a lecturing position at a university or running for parliament, the choice is clear. The pay discrepancy is so large that the most qualified teachers in the countries—those with the best education, brightest minds and innovative ideas—are all being shepherded away from schools. If salaries could be decreased for politicians, this would lead to only the most dedicated and devoted people—instead of those hungriest for money—running for seats. In addition, it would keep some of Uganda's best minds in teaching positions, thereby greatly helping education at the university level.

Conclusions

In performing this study, I was hopefully able to at least skim the surface of the political scene in Uganda. First, I came to understand that poverty plays an immense role in the electoral process. The fact that so many people are so desperate for money makes voter bribery incredibly simple and incredibly effective for political parties. These people view the cash as free money which can help them buy a shirt, a bag of rice or a blanket for their child. They need this money so badly that they compromise their principles and rights as voters to take it.

For the candidates and political parties it is so difficult to get caught bribing and the rewards are very high. Why not do it? With talking to the police and judiciary, it seems the two are unable to regulate and prevent this door-to-door illegal campaign financing. Everyone knows it is going on but they just cannot stop it. It is also clear that the high courts cannot exert their constitutional check-and-balance authority when it comes to the government. They charge fines to the state and the state ignores them, as if pestered by a small bug. The courts declare that military force was excessive, but the government will never implicate one of its own. No soldier gets arrested, no investigation into the violence occurs. In addition, the courts cannot effectively fight electoral corruption when they have corruption in their own courts as well. Clerks are getting bribed, secretaries extorting money, files going missing, documents getting shredded. The lower courts are unable to perform their function as law-protectors if they are breaking the same laws as the perpetrators.

Another fact that shone clear as day throughout this study is the concept of politics for selfish means. The salary for a parliamentarian is so high that winning an election becomes a matter of rich or poor, life or death. So much rides on the outcome of these elections. Politicians in power, meanwhile, are interested mostly in self-aggrandizement. Enriching yourself and your family through whatever means necessary. Politics become not a destination for those trying to make a difference, but instead those trying to make a good salary. The reasons for governing have become obscured by the hazy fog of self-enrichment.

Finally, I came to realize that the people of Uganda are fed up with their government and are desperate for change. A man of 25 years or younger has only known the government of President Museveni. He has never had another leader in his entire life. Everyone is tired: tired of the same leader, tired of the same corrupt policies, tired of the NRM platform and value and style. The people want change but are not sure if that change will ever come. "Museveni will go when he is ready" was a popular answer to the question of Uganda's future. Some hope that the opposition can win, but are unwilling to admit this is a likely possibility. Revolutionaries never retire is a common belief. There is also a foreboding sense of dread that the country could turn violent in the near future if things stay the same. They say violence is a last resort, but time could be nearing. They do not want violence but they do want change. Uganda has never had a peaceful succession of power. That worries everybody. Daily Monitor columnist Charles Onyango-Obbo, in a February 2006 opinion piece, eloquently summed up the fraudulent Ugandan political system. "The secret to why our politics, and Africa's, is such a failure: when people who went to

the bush to fight an autocratic regime that stole elections, also become despots who rig elections," Onyango-Obbo writes. "So should we give up on politics? No. The answer might be to keep having elections and elections until one day the country gets lucky and votes a few good men and women who remain honest after they come to power."³⁸

³⁸ Onyango-Obbo, Charles. "Politics in Africa." *The Daily Monitor* [Kampala] 1 Feb. 2005. Print.

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Participant Information

Abukha, Zeru. Male Candidate for parliament. UPC member.

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Anyanzo, David Butti. Male. Election Officer/ Returning Officer at the Electoral Commission of Gulu

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Junior. Female. Resident of Ngai village in Oyem district. Mother with young children

Komakech, John Bosco. Male. Director of Caritas Gulu

Nyeko, Walter. Male. Police officer with the Department for Electoral and Political Crimes

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Opio, Felix. Male. Former director of Caritas Gulu.

Otto, David Labeja. Male, News Editor for Radio Rupiny Vision Group.

Tebere, Michael. Male. Technical Advisor to Gulu LC5 District Chariman

**Interview with Honorable Douglas Peter (NRM) 17/11/11
Speaker of Gulu District Council**

1. 1995 Electoral Commission created
 - a. appointed by the President and “approved” by parliament
2. People voted to open up multiparty system
 - a. why would they not vote for this?
3. problem with primaries
 - a. caused big internal fights
 - b. creates divisions within the political party
 - c. creates internal propaganda
4. 2009-2010 Museveni maintained appointments for EC
 - a. this raised big questions from opposition
 - b. almost boycotted elections

Lectured me for over 30 minutes on the electoral process (barely mentioning the flaws)

5. Admin. Secretary for NRM for Gulu district and Northern Uganda. Also Returning Officer for Primaries
 - a. Appointed by Museveni
 - b. Loyal to NRM, obedient to NRM, who has ideologies that NRM cherishes
6. How chose NRM
 - a. look at the programs they have for the countries
 - b. look at manifesto
 - c. started in opposition party
 - i. what is gov’t doing? This is wrong, need to improve in a,b,c,d
 - ii. my people had low, income, rampant poverty, disease at peak during the war time
 - iii. My goal: How can gov’t constructively bring peace to northern Uganda?
 - iv. I thought gov’t was reluctant to ensure that people in Northern Uganda have peace

But when gov’t got committed into peace talks with the LRA, and the peace talk was progressing well. When my people, because of the security, left IDP camps and went back to their villages, homes and land. When at that time services like schools, hospitals, universal primary education came into play. For my people to have these things I need to be NRM. Was member of DP. Told Mao I want to cross. He said the choice is yours. Joined NRM youth wing. Elected at district chairman of youth league. To me I think NRM offers best chance for the people.

Norbert Mao and Walk to Work:

1. I have been a close ally to Norbert Mao, as a person. Mao hails from this district, he has been a very instrumental person in mentoring young political leaders in the district, including me. His politics has been above emotional politics. Has been above criticism. Has been above discrimination. Purely based on issues and

policies. Based on that, on one angle as a person from this place I felt bad. I felt bad. But that is a personal level. It was sad for me. They should have used the best options in presenting their issues.

2. But at another level which is of policy, I say fine. Chairman Mao, had the best alternative of wording his grievances, of presenting issues that gov't should address. The best alternative is to use parliament, to use civil society organizations. There were avenues that could be used, not only by Mao, but even by the opposition. Because the opposition is the gov't in waiting. Opposition is a political mirror. People do not use the mirror because they're either ugly. People want to use the mirror b/c they want to improve on something. Now a gov't in waiting, you should therefore see alternatives that are either contained in your manifesto and you advise gov't accordingly resulting into issues that may endanger the lives of other persons. Because there are people that may take advantage of what you do as a leader to benefit them.
3. There is nothing wrong with walking to work. If you decide to go walk now in town, but must you advertise your walking? Must you advertise that walking form this street to this place. You don't need to advertise your walking. The constitution of Uganda accept that there is that freedom but your freedom must not infringe into the freedom and the rights of others. So I am one person who says there is nothing wrong with walking to work, nothing wrong with walking to pray. When they advertise, because of the problems in Uganda which is unemployment, it diverts the intention. If you're going to walk to work, walk alone. Many other persons have been walking and they were not arrested because they were walking without advertising. Those are not crowd pullers so they were not arrested.
4. Are they not protesting b/c of high prices?
 - a. When you talk of prices, these are global issues now. They are affecting not only the people of Uganda but the world all over. Look at inflation in the world it's not only in Uganda. But do these countries use these avenues to solve their problems? They're not because there are better alternatives of solving those problems. There are experts that can tackle those problems. The government of Uganda cannot waive of taxes on fuel so they can lower the price. How would other sectors be sustained? Roads, electricity, health centers. The money that government gets is through taxation. Now, the opposition wants gov't to either wave off taxation on those other goods so that the prices are reduced. This is not possible b/c it is a source of revenue for the gov't to raise money. To provide services to the people.
5. Police using force OK?
 - a. I want to thank the police of Uganda. Because the police of Uganda are very professional. And they acted within their mandates of protection and keeping law and order. But they are situations where even the people who are walking they start hitting even the police with stones. And under normal circumstances as a person you can become emotional. **The police used minimum force** which if you read the police act, it is provided for. The police shall be mandated to use minimum force. Minimum.



- b. But people died in Gulu and Kampala...
 - i. People who died in Gulu were stray bullets. They were not aimed at. They were stray bullets. Walk to work started getting worse at 6. It was getting worse in the night. You what that means in terms of security. In terms of security control in the night it is very dangerous. The police trying to intervene in the situation. Situation was getting out of hand. They were not aimed at. Stray bullets. UPDF offered statement of apology. Also they supported the other side. They paid for the funeral expenses. Even in Kampala, it was not intentional. It was stray bullets in controlling the violence. You see what took place in Tunisia? What took place in Egypt? Look at Libya. Syria. Also problem in USA. There may be situations which become so violent and the process of containing that violence..they are stray bullets. They used tear gas as a method of dispersing people. To me I want to thank...because they used minimum force to contain the situation. There were people looting, beating people in yellow shirts (NRM). Responsibility of gov't to protect lives and property of the citizens. If gov't allows situation to go as it was ten gov't would have also failed to do what the constitution has mandated them to do.

6. Nervous about Arab Spring?

- a. There are many tribes in Uganda. Now these tribes in Uganda, even when the walk to work is going on, some other tribes in Uganda denounce and tell their subjects not to participate in the walk to work. Ugandan has got divergent religious beliefs. Some religious institutions issued statements condemning the walk to work. Many cultural institutions denounced it as well and disdained their subjects from participation. To me, what central gov't maybe concerned with is the intention of walk to work. If this intention is what about what is raised then there is no problem. But I have been hearing: if the intention is to overthrow government then Uganda government think that the transition process should not be by military means cause ppl will lose their lives, the economy will be destroyed. Because we have done a lot as NRM as gov't now. Look at the tourism sectors, health centers in place. Look at industry. Look at what we import and export. These are all manifestations that if there is going to be any transition of gov't it should be by the ballot papers. The central gov't is not scared. What as taken place in Egpyt, Tunisia or where, cannot take place in Uganda because of the divergent beliefs that I have told you.

7. NRM came into power by military, no?

- a. Of course there were grievances. There were issues which made the NRA at that time, went to the bush and came back and overthrew gov't by the use of the guns. **There were reasons. One of them was the vote rigging, the rigging of elections.. Two, the violation of human rights. Three, the unprofessionalism of the army at that time. Four, no clear constitution that governs the country.** There were reasons as to why. Now, NRM came to power to work on those things. We must insure that the institutions of the country operates and functions well. So when NRM

gov't came into power as I talk right now, the army is very professional. You will be killed like you used to in Obote's time, in Amin's time. Nobody will rob you, nobody will take your wife and go and sleep with her and go and return to you and say thank you. We have the human rights commission put in place to look at all cases and violations of human rights. We have Human Rights Focus in Gulu. Those are institutions in place. Of course now even the police are very professional.

- b. Look the electoral process. It is very transparent. Even the opposition, who says we are not going to participate, they even participate and when they win elections they serve their people, freely. So NRM gov't has put in all the mechanisms and institutions in place that the next gov't do not come into power by military means, but come by ballot papers and the views, the wishes of the people.
8. Electoral Process:
- a. To the best of my knowledge, the electoral process in Uganda may not be 100% perfect, **but its transparent**. And that's why, even if there are complaints, you realize that the opposition is actively participating in the electoral process. The opposition even celebrates when their candidates have won. But when their candidate has lost, that's when vote rigging comes into play. But when they have won, the election has been OK. They start saying no, the problem has been a,b,c,d. Like the last election, if you look at the reports of the observers, those who came, the international observers and the observers in the civil society, they credited the Electoral Commission for conducting a free and fair election. To me, as NRM, I want to say there may be some problems in the electoral process but these problems may not change the results. Because NRM has established structures from the grass roots. Other parties may not have sustainable structures. When the people vote NRM, it has been rigged but when they vote for DP, UPC, FDC, the election has been fair. These are issues that we need to analyze critically.
 - b. Black mambas.
 - i. Even the government does not know where they come from. That is the government position. But like when you saw there was chaos in Kampala, there are concerned citizens that came on the street and started beating people with sticks. The government is still investigating, they do not know where they are from. The inspector general of police said we do not know where they are from. I do not want to comment on the issue of black mambas b/c even up to now gov't is still investigating.
 - a. Voter bribery: I want to admit it's there. **But it's not only done by NRM alone**. Nor is done by NRM candidates alone. It's done by all the political parties and all the candidates. The electoral law says that you are not allowed to give money during campaigns. But what takes place during campaigns candidates give money. After talking they will give money and say this is for your refreshment. During elections candidates are not allowed to put discos where people dance. But during campaigns discos

are staged everywhere. The law says you are not supposed to buy salt, sugar for others. And what takes place during campaigns? Candidates of all political parties are buying sugar salt everywhere. So in terms of voter bribery I want to admit it is there. This requires community sensitization. Community awareness campaigns. If the community still thinks that they are going to vote for you b/c you have money, this is a problem. Communities should be told, and embrace the principal of voting for a person with the best program. It should be a continuous program of civic education and awareness about their electoral rights. **The problem is, the other parties say the NRM does it more. As I said because NRM is the ruling party, they may have resources that support their candidates. And when they're supporting their candidates, the opposition says the NRM are bribing more. No. When there is campaign we support our candidates more than other political parties.**



- b. Doing anything to cut bribery? I want to be honest. We have not had time to review what transpired during election. We have made resolutions to review what transpired and look into accusations like bribery and make recommendations. We have not had time to do it. We had problems in gov't that requires more attention. We had the walk to work problems. Problems of teachers strike. We had problems of Mbira forest. We had problems in denial of bail to rioters. Among others. So since then gov't has concerned about addressing those issues so we have had not had time to review. **But if I'm supposed to give my view, as NRM, we strongly condemn in the strongest term, bribery.** Even my chairman, who is the president, issued statements that he condemns bribery and wants the people of Uganda to vote without bribery. So when we sit for our review of elections, we will be able to pass resolutions and condemn bribery. I want to promise in the next election we should have more peaceful, friendly electoral process.
- c. Electoral process is improving. Changes needed:
 - i. Need to be early start in prep for elections
 - ii. Political parties should do their primaries early enough.
 - iii. Amendment should be made against people changing parties so much.
 - iv. Biometric registration (photo registration)
 - v. National ID card be put in place.
 - vi. Voters Card
1. Voting during the conflict
 - a. Gazetted areas around IDP camps where people could vote easily. There came a time when the situation wasn't that bad, so they had people vote in their normal polling stations. We had problems. You may find many voters are in that camp and you have to transport them but they might not give you their vote. It was a total mess. Ppl displaced in another place. It was really a mess. Ppl voting for leaders in places they don't come from, other districts.

10. Support for Museveni indefinitely?

- a. As NRM we will have the national conference to decide. This decides whether the president should stand again or not. But also depends on if he shows his interest. Our constitution does not limit term of office for party leaders. We may have to amend constitution so that chairman of NRM may not be president.
- b. I think that Uganda now is more stable under President Museveni and Uganda can go into chaos if we decide as NRM to do things in a way that's not correct.
- c. Problem to have same leader for 25 years?
 - i. Under multi party political dispensation His Excellence the president has served one term and is still serving the second term. Under multi party political dispensation. In terms of years, I do not believe that if a president stays for a shorter time, he will do more for the country than the president staying for long. There are issues in the NRM manifesto that are supposed implemented over a long period of time. And within a long period of time means to have same leadership to follow up in the implementation. Industrialization of the country, the vision of the NRM, needs same leadership. Look at Gulunow, we do not have any single industry yet. NRM says we have not yet realized Uganda. We want electricity even the villages will be electrified. Pres. Museveni staying in power for long, 20 or so years, is a good case for the people of Uganda. He needs to consolidate what he has done for the ppl of Uganda. And when he retires, he retires peacefully with a strong foundation that will not be destroyed again.

11. Democracy?



- a. Of the ten points in the NRM manifesto, one of them was the democratization of Uganda. And I'm one person to believe that democratization process in Uganda is moving well. And is taking the right direction. I want to say that Uganda is very democratic and a **fully-fledged functional democratic** country and a country that other countries in Africa and not only in Africa but the world, can imitate and learn a few things.
- b. Uganda is not like Libya. You stay in power because you are elected by the mandate of the people. You must every five years renew your mandates with the electorates. You win by simple majority. **When you compare Uganda with other countries you realize Uganda is very democratic.** Very democratic indeed.

Interview with Michael Tebere2/10/11
Technical Advisor to Gulu District LC5 Chairman

1. Election in Uganda have been grossly mishandled over time
 - a. When you look back at the first elections held in 1958, elections held in preparation for granting Uganda independence
 - i. Very well handled
 - ii. Handled peacefully
 - b. Electoral process was methodically implemented by colonial power.
 - c. Party affiliations began taking religious and then tribal lines
 - i. Parties for Catholics, protestants, muslims
2. Lessons from these elections distilled by Obote
 - a. designed system (three plus one) to try and get rid of people voting based on tribal and religious lines. Candidates had to contest in 3 other constituencies, politicians who get elected have national appeal
 - b. before this could be implemented Amin takes before with coup in 1971
2. 1980 EC formed
 - a. electoral engineering is what Obote created. EC began rigging the elections. If an area like Gulu has lots of supporters for UPC, dilute the strength of the constituency. If opposition DP, concentrate size of constituency. That's how UPC win election in 1980. It was rigged
3. Those who lose elections started "crossing the floor" (changing parties)
 - a. What happened after 1980, losers crossed to ruling party
 - b. "fallen into things" "to eat" : i.e this is corruption—b/c the privileges, the pay is exorbitantly high. When you are in opposition you have absolutely nothing. One of the first things passed in every new parliament is going to be their own remuneration and pay, which always goes up.
 - i. Parliamentarian in Canada makes 3 times what a teacher makes. In Uganda it is 2000 times higher.
 - ii. That shows you why losing a vote is so tough for people. **The extents politicians will go to to win an election. They would sell their houses and property just to raise the finance to go and buy the vote to get into parliament.** Now parliamentarians are being paid close to 15 million shillings a month. That's a lot of money here. Every bank is queuing up to give them offers. Take loan for this car etc. Buy this house. They know they have five years so it is 5 years of 15 million a month. That translates into a pension not for yourself alone but for your family. Its an investment of a lifetime. So, the stakes have been raised so high b/c of the corruptness of the system that the politicians who fails in that quest may actually get seriously depressed. The financial loss is really massive. That is why there is this tendency for politicians who have lost, they are very easily bought off. They owe a lot of money, they need to recoup their funding somehow. There are a lot of existential pressures around them. These are exerted by the ruling party, the state. They say 'alright you don't have anything. How do you think you're going to

be? You better shut up and stop criticizing us and join us. If you don't do that, you're nowhere.' Your businesses won't be able to well because the biggest business in a small, developing country economy is gov't. All other businesses feed off gov't. Even big businesses. Big businesses are not going to advertise in your paper b/c the ruling party doesn't like that. So your paper is going to fold. So you have all of these kinds of pressures. That is why opposition politicians are very liable to join the ruling party. **You have existential fear by the politicians.** How will I retain this standard of living that I am used to? How will my children go to this competitive school. However much principled you may be, you're looking at your kids, your wife and you say, I have to do this. So you go sell your soul and your principles just b/c you want your kid to have that good education.



- iii. You know the universal primary education is useless. How much does it pay per pupil per term? Around 3000 shillings. What can that buy you? That can buy 3 bottled waters. It does not help your kid to study there. In private school they spend around 1 million per term on your child. Where are you going to get the money to pay for that? If your businesses cant work b/c you're in the opposition. They can only work well and make a decent profit if you're in the ruling party. So that is how politics interferes with business and so many other things and makes a politician who has lost an election be incredibly vulnerable person.
- c. Only those who are really principled will stay in the opposition.

4. It is actually very simple to make free and fair elections work

- a. b/c of local council system that we have. Starts in village level. LC1. Elect an executive of that community. Those chairpersons know pretty much everyone in that village by name or face. Maybe 1,500 people. This is all over the country.
 - i. This should be used to create local registry and know who is dead, who is 18, who migrated etc.
 - ii. Very accurate, can go door to door
- a. When it comes to the polls, they say lets create a new polling station. 10 villages have to come to one polling station. Since the local councils have the lists, you should the make the local council stations the voting stations. Nobody needs to travel far to vote b/c its right there. So no stranger can come into a village and disrupt the electoral process.
 - i. They don't do this b/c it would be too honest and too clean. There is no opportunity to fiddle with the results, no opportunity to stuff ballot boxes with papers. Nobody wants to run the system in the most efficient way possible. If it waseffieicent and free and fair then their people would lose.

5. People go into politics for financial reasons.

- a. Look at it this way: if you find out the number of professors who go into politics compared with the number of professors in universities, I think you might find it is equal or more professors in politics. Because there is more money to be made in the political side than there is to be made teaching.
 - b. It is self aggrandizement. They make the law. So what are they going to do?
5. Opposition members
- a. Yes, they want to change Uganda but they actually really do not know how to change Uganda. Reason being, if you get habituated to something so much, you fail to see what is really wrong with it. So very many opposition candidates here are opposition just b/c they think opposition should exist. But if you ask them to come up with an alternative to the program of the gov't of the day, they cannot. The easiest case, is ask them how do you fight corruption? They will say "The present regime is very corrupt! Look at the statistics! And condemn it ferociously. If you ask them how are you going to fight corruption? They will say we will not be corrupt! They do not have a clue of kind of constitutional checks and balances they can put in place so that corruption is weeded out. Very few politicians spend their time researching these things. Ask how many politicians actually have offices. They are never in their offices.
7. Hope for change?
- a. **Very little hope for dramatic change.** Usually what happens is once a gov't loses an election the opposition comes in shocked and surprised and try and live up to they hype of what they were saying on the election trail. This happens for maybe 2 or 3 years and then the slide begins. They slowly become so corrupt that after 5 years, there is no difference between the regime they were criticizing in the past. Just like this one. The NRM gov't came to power and said we are going to have a fundamental change! Not a mere change of guards. Today it not only looks like a mere change of guards but it is doing everything to prove that it is not a fundamental change.
8. Uprising possibility?
- a. It could happen. When people go to war, it is because all the other options are closed off. It's a last resort kind of thing. When you nothing left to lose you pick up arms and fight. People still have a lot to lose. I do not see armed conflict breaking out.
 - b. The shock of what the LRA could and still do lingers. That sort of puts people off a little bit. A regime like this would fear most vulnerable when the forces in pursuit of Kony and the LRA succeed and begin marching back triumphant. That is when they will feel most vulnerable. Because the excitement and euphoria that is coming with that success could whip up too much excitement and people may say 'let's clean house!'
 - c. If the LRA are not totally destroyed, b/c then you have some fear, and the people can only rely on you. You are the only ones that can protect them.
9. 2016?

- a. Going to be a very interesting thing. Election will be rigged heavily. New strategy will emerge. It's going to be a real crisis point for Uganda. Current president not in great health. Jockeying for power is in full swing. Resentment with NRM is very high. Economic crisis and the courage with which people are saying, we cannot take this any more. Worse bit is the oil. All the rumors are these are the worst possible deals. Given a very raw deal. **People's disbelief may turn into revulsion and anger. And when that happens, you know you should head for the airport and catch the first plane out.**