

# THE MANAGEMENT OF THE 2011 ELECTIONS IN UGANDA

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## **Abstract**

The purpose of this paper is to analytically connect the management of elections and the democratization process in Uganda. In particular I focus on the role of elections in advancing the cause of democracy, the critical link between election processes, and democratic aspiration and practice. I use a historical perspective to locate the linkage between elections and democratic processes. The argument of the paper is that while elections are a necessary condition for democracy, they do not constitute democracy per se. The irony is that democracy cannot exist without elections, for while elections have taken place in most of the African countries including Uganda since the 1990s; there have been democratic deficits and reversals in a number of countries. In the particular case of Uganda, judging from the criminal regime of Idi Amin in the 1970s when elections and civil liberties were non-existent, progress has been made on democratization, with elections taking place on a regular basis since the 1990s. The question however is the quality of Ugandan elections, and the certainty that they can be relied upon to ensure stability, peace and development. Has there been a commitment to organize transparent, free and fair elections? What are the prospects for an election result free of contestation?

## **Introduction**

Election theory assumes that democratic states change governments through free and fair competitive elections and allow regime alterations. While there was anticipation that the re-introduction of multiparty politics in Uganda in 2005 would open doors for greater political participation and democratic electoral practices, the processes seem to have remained stark in the past and a democratic culture of changing the top leadership remains a far-fetched dream. Institutions for governing democratic processes remain and there is little acceptance and consensus on the rules of the game. The incumbent regime has sought to buttress itself by dominating manipulation of rules rather than allow free competition political to prevail across the board. Though two multiparty elections have taken place since 2005, they show little signs of changing the top leadership of the country. This is not helped by the government's tendencies to curtail the freedoms of opposition parties to organize assemblies and mobilize support needed to effectively challenge the ruling party. Like other dominant regimes in Africa, Uganda's constitution was changed for President Museveni to stay in office for as many terms as he wishes<sup>1</sup>. Such regimes weaken institutions of governance and manipulate

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<sup>1</sup> See AGR II p.20. Between 1990 and 2008, eight African countries amended their constitutions to extend the president's term of office. Most of these amendments were done against popular opinion.

them to the disadvantage of their political competitors. This happens because the ruling parties do not consider opposition groups as part of the democratization process. Civil society is harassed and their views are ignored. Such tendencies entrench authoritarian leaders whose primary focus is to serve their interests of keeping power as well as the interests of those around them. As such, the republic is not always for all, but a few who gain political and economic power, leaving the vast majority languishing in squalor and severe deprivation. Their opinion is not sought. Only their vote is sought during elections, sometimes purchased cheaply by those who control his or her tax.

### **Elections and Democracy in the broad African Perspective**

There is concern that in several African countries including Uganda, elections are held regularly but the quality of these elections remains suspect. IAs noted by the African Governance Report (2009:33): “Elections have yet to be free and fair in most African countries, even though the intensity of voter fraud is not uniform among the emerging democracies”.

This fraud manifests in terms of electoral processes and structures such as the electoral laws, demarcation of constituencies, registration of voters, process of voting, declaration of election results and adjudication of election disputes. Adejumobi<sup>2</sup> points out that if elections are to be inclusive and fair, everything must be done to ensure that the process is credible, transparent, and legitimate and the ruling party has little chance of manipulating the electoral process. Moreover, all parties must have a stake in the whole process.

An election is a process through which people exercise sovereign rights to choose their leaders, giving them democratic mandates to run public affairs on behalf of the electorate. Although elections are inextricably intertwined with democracy, *existence if democracy may not necessarily mean that democracy exists, yet democracy cannot exist without elections.*<sup>3</sup> Elections are a key ingredient of democratic governance. Elections are important to sustenance a democracy because they offer legitimacy to a government. An elected leader is more legitimate in the eyes of the subjects than the unelected one. Besides, elections promote accountability, regulation of power, representation and good governance. Repetition of elections is symbolically related to acceptance by the population that the best way of changing leaders is through elections. This helps to create a culture of constitutionalism. The leaders become mindful that they need to govern by consent under a set of rules and procedures, and

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<sup>2</sup> Adejumobi Said 2000, ‘Elections in Africa: A fading shadow of democracy’ International Political Science Review 2,1 pp 59-73.

<sup>3</sup> Khabele-Matlosa, G. Khadiagala & V. Shale, When Elephants Fight, p.2.

that breaking laws implies specific consequences, even for the leaders themselves. In Africa, however this is not yet a norm. Constitutions are easily amended and abused by the leaders. As Khadiagala<sup>4</sup> points out, Africa has suffered a discredited democratization process for two reasons: first, the processes have easily been manipulated. Secondly, because of power hunger-over, these processes have produced strong-men and authoritarian regimes. Instead of strengthening institutions, the regimes strengthen cliques of elite who are bent on accumulating political and economic power. The result is that the regimes will not let-go, because losing political power also means loss of economic power. Clearly, the authoritarian regimes' project is not to democratize society because doing so is dangerous to their entrenched plans of accumulating political power and wealth. This is why they will try to groom one kin or kith of one kind or the other. It is a sign that power is a personal project of particular families and groups. For example, in some countries the ruling party is dominated by some family members. This ensures their grip on power. Fear of popular participation is their main problem. The other problem is loss of trust, both of the people and the institutions. The other problem is taking away power from institutions of the state. This leads to *personalization of power*. In such countries, even the smallest decision is referred to the chief executive. The mode of appointment to all state positions is not merit but personal loyalty to the strong man. Under such circumstances elections are held to be won by the ruling party *willy-nilly*. In some countries, electoral rules have been suspended or the actual winner is not announced as was the case in Zimbabwe. Alternatively, the process is stopped and the sitting president is announced as was in Kenya. Or prospective competitors are jailed early, as was recently in Rwanda or in Uganda in 2006. The other way is to stop the electoral process and the incumbent is announced as was in Kenya in 2007. The question then is; do these countries need to waste taxpayers' money to hold elections? The immediate answer is yes, because even if elections were not held the money would be taken by the elites, and the common person would still not benefit. The main reason is that elections are fashionable to extent that an authoritarian needs them more than a democratic one because he is sure he would not lose them. A democrat fears he can lose them and his party can remove him from leadership.

### **Uganda: moving from a failed State to a Stable Democratic State?**

In the particular case of Uganda, the literature on post-conflict recovery and rebuilding of the state points out that by 1986 both the economy and society had collapsed (Collier 1999: 2). Collier (1999) notes that by 1986 when the current government of NRM came

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<sup>4</sup> Gilbert Khadiagala (2010 p.14) "Reflections on the Causes, Courses and Consequences of Election Violence in Africa" in Khabele – Matlosa, Khadiagala & Shale(ibid).

to power, 7% of the population were displaced, per capita income had declined by 40% since 1971, the stock of capital investment had greatly declined, contract enforcement had broken down, political and bureaucratic leadership had become opportunistic, and corruption was easily tolerated in public service and above all, the system of trust had totally collapsed.

As a reflection of loss of confidence in the state, the ordinary people had retreated from the public transactions to the private realm or the informal sectors). The result was that government coffers were not getting taxes. Since the government officials had become predatory, the little money government received was misappropriated or stolen. Uganda's gross domestic product (GDP) had declined by 13% (1971-1986). Moreover, skilled human capital run out of the country or were forced out. In the midst of the collapsing economy, those holding of power at the centre were feeling insecure and therefore, over-centralised power, destroyed centres of local activity and undermined avenues of local governance. In this process, avenues of local participation, accountability, transparency and political legitimacy were closed. Grassroots structures of managing social transactions and the local economy were undermined. Thus, there were limited means to countervail state power. In the process, governments resorted to coercion rather than persuasion.

The collapse of the economy and the society had implications for the ordinary Ugandan. Goods and services became extremely scarce that a system of allocation of items dubbed "essential", such as soap, sugar, salt, clothes, beer, soda etc had to be improvised. This had a social cost because the predatory public servants extended corruption and extortion in the process of allocating scarce commodities. And because the society had collapsed, freedom of speech and association had been denied, there were no viable means of checking on corrupt officials, who were becoming extremely rich as the majority of Ugandans were sliding into abject poverty.

### **Uganda as an example of state collapse**

In Uganda, as in some other African countries where violent change of power have taken place, insecurity of human life, armed robberies and scarcity of goods and

services have been the order of the day. Ugandans who have lived through 1970s and are lucky to be still alive, will tell stories of losing everything they worked for to renegade government soldiers, of rape of their wives and/or children, of robbery at road-blocks staged by government soldiers, and of extensive violation of their human rights, of their neighbours, relatives and other people they know. Horror reports of people “disappearing”, kidnapped or brutally murdered at the hands of state officials were commonplace during the regimes of Amin and Obote in the 1970s and 1980s .

Human rights violations were accompanied by economic hardships and mismanagement that brought the country to its knees. Industries closed down due to lack of spare parts, goods became scarce due to lack of foreign exchange to import them, and even those traders with the money could not stock their businesses lest they would be killed or their stock robbed. Indeed during the 1970s and the first half of the 1980s, life was short and brutal. Idi Amin’s nine year rule 1971-79 left a mark of terror on Uganda’s history. His was a state of blood<sup>20</sup>.

The return of Milton Obote as President to power through the disputed elections of 1980 was a short-lived victory. From 1981 to 1985, Obote’s government had to fight rebels of the National Resistance Army (NRA) and other insurgents. In the process, Obote’s soldiers lost a sense of discipline. Like Amin’s, Obote’s soldiers ravaged villages, raped women, killed, and robbed, with impunity . Obote’s government attempted to rebuild the economy with the assistance of the World Bank and the International Monetary Fund (IMF) and other donors, resulting in a slight improvement in the economy. It is important to note that by the time Obote returned to power, the economy had virtually collapsed to the extent that all exports were non-existent other than coffee which accounted for 98% of foreign earnings. Even then, due to smuggling and abandonment of coffee shambas by farmers, the coffee available for export was less than half the level it was before 1972. This state of affairs complicated the task of Obote’s government to deal with institutional and social decay that had prevailed in the country for a decade, hence, little seems to have been achieved in terms of local democratic processes.

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<sup>20</sup> Henry Kyemba, The State of Blood

These conditions hit several sections of the population in various ways. Civil servants' survival strategies included obtaining a second job in addition to the ones they had in government, venturing into the informal private sector, changing family diet for inferior foods, growing their own food in the backyard of their homes, rearing poultry and animals, while others left the public service altogether. Peasant farms responded by cutting down coffee trees due to low prices. The state of public service institutions was lamentable. Scholastic materials for schools and drugs for hospital and dispensaries were lacking. Water supply in both rural and urban areas became scarce. In a situation where elections were either non-existent or manipulated, people's voices had little or no chance of influencing the governance trends of the country.

### **Uganda's Poor Record of Elections**

Uganda's 1980 elections are a classic case of what can happen when elections go wrong. These were intensely manipulated in favour of Uganda Peoples Congress (UPC), to the disadvantages of (Democratic Party) DP. As a result, DP supporters mainly in Buganda supported the rebellion against the UPC government. Though the general convention is that taking arms against an elected government is not accepted, the rebel forces of the National Resistance Army/Movement (NRA/NRM) had a popular base within Buganda region's cheated and disgruntled population. State apparatus was used to suppress the rebellion without much success. *Panda gali* operations were mounted by government forces to deter young men and women from joining rebel ranks, but their numbers continued to swell<sup>5</sup>. The implication of such rebellions is that rigging elections jeopardize, not only the efforts for uniting divided people after elections, but also undermines the legitimacy of the regime after elections. Obviously, socio-economic stability too, is undermined. Some unruly forces with dubious motives and intentions find room to organize some forms of violence, including thieves and pseudo-militias, take advantage of a chaotic situation. The most serious consequences are state dysfunction, and to the extreme end, state failure.

In recent years, elections have produced devastating conflicts. The December 2007 Kenya crisis is a bad example of post-election violence, where more than one thousand

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<sup>5</sup> See Pecos Kutesa's personal account in his book. Also Museveni's book *Sowing the Mustard Seed*.

people died, and several thousands were injured or displaced. The road leading to that election was fraught with dangers emanating from the fact that they were held against the background of a contested constitutional framework. Therefore, from the start, the rules, procedures and electoral laws had little legitimacy in the eyes of the ordinary voters<sup>6</sup>. To that extent, it was generally accepted that the elections would be won by means other than the prescribed rules and procedures.<sup>7</sup> So, it would be simplistic to perceive the Kenya crisis as an ethnic crisis. It was a constitutional and electoral crisis, shrouded in the lack of transparency, and political greed. A similar situation has been witnessed in Ivory Coast, where a sitting President refused to vacate office after being defeated twice in elections by an opposition candidate. Hundreds of innocent people lost their lives, just because someone had no respect for the outcome of an election. The question that hangs around African elections is: why do governments organize elections when they are not psychologically ready to succumb to a loss when it comes their way?

The other emerging aspect of African elections is 'power sharing'- where the winner becomes number 2 or Prime Minister to the loser, eg Zimbabwe and Kenya. This uneasy political settlement has shown to be the most uncertain of politics, mainly because it is founded on a false premise. It negates the moral virtues of politics and society. Its extreme result is that it produces a corrupt society. It becomes difficult to enforce other rules in society, to inspire dignity on other social actions and streamline political socialization, for example, "what can you tell the children in a civics class about democratic virtues?" Well, one could say it is part of democratic processes of consensus building, but it is a beginning from the wrong end. When Machiavelli said that in politics, the end justifies the means, he was not teaching democracy, he was tutoring tyrants. In "the third wave" of democratization, the hope was for a continuous democratic order has been messed up by this bizarre arrangement. Yet, this arrangement is no panacea to the potential explosion of social strife and sporadic violence.

The implementation of the *African Charter on Democracy, Elections and Governance* obliges the African states to adhere to the universal values of democracy and respect for human rights, uphold the rule of law, ensure regular, free and fair elections, prohibit and reject unconstitutional change of government, promote and protect the independence of the judiciary, promote and consolidate good governance, promote sustainable development and human security, fight against corruption, foster citizen participation in public affairs, ensure gender balance in governance, enhance regional cooperation in Africa, and promote best practices in the management of elections for

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<sup>6</sup> See Mwesiga Baregu, pp. 32-33

<sup>7</sup> See Mwesiga-Baregu (2010) "The Legitimacy Crisis and the Resurgence of Military Coups in Africa" in Khabele – Maltosa et al, opcit p.32.

purposes of political stability and good governance.<sup>8</sup> Although several African states have committed themselves to the provisions of this charter by holding regular elections most of them have continued to violate human rights, to harass the opposition leaders and to impose their rule on the people. In the case of Uganda, the NRM in its Ten Point Programme had promised to eliminate anti-democratic tendencies. Its leader was classified as one of the new breed of leaders. After more than twenty years in power, the so called 'new breed of leaders'<sup>9</sup> seem to have either become similar or worse than the 'old' leaders they sought to replace.

### **Uganda Elections: Recent Experiences**

Since the 1986 when the National Resistance Movement ascended the echelons of power, observers (Shaw et al 2008) have noted that Uganda has moved from an unenviable history of decline to reconstruction. While on achieving independence in 1962, Uganda was one of the most promising countries in Africa (IBRD 1962), it soon ran down the path of a failed state in the 1970s and 1980s. The post-colonial period was characterised by political strife, economic mismanagement, and armed conflicts that left the country devastated, with much of its infrastructure and social fabric destroyed. Since 1986, there have been some efforts on the part of the National Resistance Movement (NRM) government to reconstruct the country and to mend the state that had been shattered by extreme authoritarianism and economic malaise. From this angle, our assessment of the democratization processes under the NRM's rule is guided by a critical overview of the promises kept and those broken or unfulfilled (Kobusingye 2010). We are also interested in the changing NRM's commitment to democratic rule. This is borne out of its promise its Ten Point Programme where it promised to 'restore democracy'. We are guided by the assumption that a viable democratization process happens along a given continuum whose indicators can be assessed. We do this against the backdrop of the country's quarter-century leader Yoweri Museveni's promise on being sworn in, on 29<sup>th</sup> January 1986, as President of Uganda that his government would not be "a mere change of guards, but a fundamental change". The question is: has the NRM government put in place a democratic system in terms of respect for human rights, civil liberties, free and fair elections, accountability in service delivery and improved social wellbeing of the majority of the citizens?

### **The Quest for Free and Fair Elections**

Good election practices can reduce cases of violence and instability. Flawed elections on the other hand can be a recipe for disaster. While the 1990s created optimism that electoral politics in Africa was back as a modus operandi of democratic change of power, this seems to be receding. In several African countries today, there is massive

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<sup>8</sup> African Union Commission *African Charter on Democracy, Elections and Governance* Addis Ababa.

<sup>9</sup> See Oloka-Onyango (2004)

evidence of winners being cheated of victory. It has become a shame for the African continent that the losers have usurped the power of the vote to illegitimately stay in power. The principles provided for in Chapter 17 of the African Charter on Democracy, Elections and Governance require States to:

- a) Establish and strengthen independent and impartial national election bodies responsible for management of elections.
- b) Establish and strengthen national mechanisms that redress election – related disputes in a timely manner.
- c) Ensure fair and equitable access by contesting parties and candidates to state - controlled media during elections.
- d) Ensure that there is a binding code of conduct governing legally recognized political stakeholders, government and other political actors prior, during and after elections.

In Uganda, the legal framework for election management is provided by the Electoral Commission Act 1997 as amended (2010). The Electoral Commission is in charge of voter registration, poll conduct, regulation of political parties and candidates as well as final declaration of results. Other relevant laws include; The Presidential Elections Act 2005, The Parliamentary Elections Act 2005 and the Political Parties and Organizations Act 2005.

This paper raises questions on the historical context of management of elections in the country, taking into account the political developments of the country's post colonial history that has been turbulent most of the time. The focus on the election management is deliberate because it the determinant of election outcomes.

Uganda's post-colonial history is characterized by violence and unstable regimes. Free and fair elections have been rare since independence in 1962. 18years after independence, Uganda held its first multiparty elections in 1980. These elections were controversial, ill-managed and the results were contested, not in a court of law but in a bush war waged by the National Resistance Army/National Resistance Movement against the government of Uganda People's Congress of Apollo Milton Obote. Several thousand lives were lost and property destroyed by war.

At the centre of the electoral fraud in the 1980 elections was a discredited electoral commission headed by S. M. Kikira (the Kikira Commission). The Kikira Commission was by and large, neither free nor independent. Kikira, the commission chairman was a diehard member of UPC party. Other parties conceived him as a partisan person who was unlikely to be impartial. His Commission received direct directives from the ruling Military Commission headed by Paul Muwanga, who was bent on returning Obote to power. In the middle of the elections, the Military Commission usurped the powers of

the Commission by decree and took over the responsibility of announcing the results when it became apparent that the Democratic Party (DP), the main challenger of UPC was on the verge of winning the majority of seats in Parliament and form a government. DP's apparent victory was reversed by the Military Commission. The result was that UPC's win was highly contested, leading to the violence that followed in the period 1981-1985. The main reason that was given by Museveni in forming his rebel army, the National Resistance Army (NRA) was that UPC had connived with the Military Commission to cheat the elections.

### **Has the National Resistance Movement caused a Fundamental Change in Election Management?**

When Museveni came to power he promised a fundamental change in the politics of Uganda. The Ten Point Program of NRM posits democracy as number one key priority. The question then is: has that happened? Under the government of the National Resistance Movement (NRM), 1986 to present, the management of elections has been a mixed bag. First there was a period when the elections were held without an established electoral commission. The Resistance Councils (RCs) elections would be conducted by the NRM Secretariat. These were direct elections where voters queued behind their preferred candidates, and the one with majority votes was declared there and then. Second, there was the interim electoral commission headed by Steven Akabway (the Akabway commission) that managed the presidential and parliamentary elections in 1996. The interim electoral commission was credited for announcing results as they came in and exhibiting some reasonable degree of transparency in management of those elections. However, observers noted that the transparency could be attributed to the fact that the NRM and its presidential were almost certain of victory. Since the ruling system was the 'no-party democracy', where contest was on the basis of 'individual merit', there was no official opposition, hence, no apparent threat to NRM's hold onto power.

Third, the management of the 2001 elections proved controversial. This was the first time that the NRM experienced competition from within its ranks.

That was the time Kiiza Besigye dared to stand against Museveni, though the political system was still the Movement. The management of elections was far from free and fair. The voters' register was bloated, electoral procedures were not followed and violence took a centre-stage. The state orchestrated violence. This prompted the Parliament to set up a select committee to investigate the causes of violence. The findings of the committee pointed a finger at state security officials especially the presidential protection brigade. This probably explains why the report was never tabled for debate in Parliament. The commission headed by Aziz Kasujja did nothing to manage the elections fairly. To this extent, in the aftermath of the elections, the discredited Kasujja Commission was disbanded, and the voters' roll was destroyed. The present Electoral Commission was appointed in 2002.

## **Management of Multiparty elections**

The 2006 elections were the first multiparty elections under the NRM government. These took place in the context of President Museveni's decision to change the constitution, scraping the two-term limits for President, hence allowing indefinite eligibility for him to stand for the office. At the same time, the amendments were made on the Political Parties and Organisations Act (PPOA) to allow the freedom of parties to operate freely, and compete for all offices.

Again, in the 2006 elections the main protagonists were Museveni (NRM) and Besigye of Forum for Democratic Change (FDC). Other candidates included: Miria Obote of UPC, Ssebaana Kizito of DP and Abed Bwanika (an independent), who fared poorly. Observers of the 2006 elections (Makara, Rakner and Savsand 2008) noted that compared to the ones of 2001, these were less violent and reasonably well organized. Despite the level of improvement in election management, the elections ended in courts of law which ruled that the Electoral Commission (EC) had failed in several aspects of its constitutional responsibilities and that the elections fell short of passing as free and fair. Stakeholders in the election were dissatisfied with the way the EC handled the update of the voter register, deletion of voters from the register, counting, transmitting and tallying of results. Like was the case in 2001, the final verdict of the court was that the anomalies did not warrant overturning Museveni victory. In the present campaign the opposition has been vowing not to go courts of law. This has created uncertainty about their motives in case they lose elections.

## **The Demand for Electoral Reforms**

In the aftermath of the 2006 elections, civil society organizations and opposition parties demanded for electoral and constitutional reforms. Some of the electoral reforms they demanded include:

- The re-constitution of the electoral commission to reflect the spirit of multiparty political dispensation.
- Removal of the security forces from management of the electoral process.
- Removal of the army representatives from Parliament.
- Reinstating the term limits on the presidency.
- Removal of polling stations from army barracks.
- Electoral Commission Chairperson and Commissioners should serve not more than two terms of five years.

It is noteworthy that most of the amendments were not effected, even after they were tabled before the committee on Legal Affairs of Parliament. The official argument was that most of the proposed reforms required amendment of the constitution itself which was not possible at the time. The main argument presented for the need to reconstitute the Electoral Commission is that the current Electoral Commission is ill-disposed to manage free and fair elections. The argument presented by the reformers is that it has failed to do so in the past. It is also argued that the Electoral Commission lacks the necessary autonomy from the incumbent President, and that its Chairperson, Badru Kiggundu and his Secretary are ardent supporters of the NRM. Both of them were active political actors in the Movement before their appoint to the Electoral Commission.

The two officials have countered such arguments saying that all Ugandans belonged to the Movement before the country returned to multi party politics in 2005.

The point of contention generally is that the Electoral Commission is solely appointed by the President and has the constitutional powers to dismiss any of the members. Comparative studies show that where the electoral bodies have enjoyed significant autonomy, they had a tenure like that of judges, were professionals of high level and their appointment was done either by a professional body or in consultation with the main stakeholders, such bodies had produced respectable results. The frequently cited cases are Malawi, Sierra Leone Botswana and Ghana.

In the case of Uganda, the Electoral Commission has had an image problem, with several stakeholders perceiving it as working at the whims of the appointing authority. In the 2006 Electoral Commission, the EU Election Observer Mission report, noted that although the Electoral Commission had attempted to demonstrate its independence from the executive, it did not win the confidence of all parties in the game. This is in consonance with the demand by the UWONET's Position Paper on the Constitutional Amendment Bill (2005) where it was observed ( p.11):

*“In light of the fact that we are moving towards pluralism, we recommend a change in the composition of the Electoral Commission to reflect and include all stakeholders in the political process. In this regard we propose that the President should not have sole powers to nominate members of the Electoral Commission. Rather, other stakeholders such as political parties and civil society should also nominate and submit their candidates to be considered by Parliament.”*

This proposal was intended to increase the confidence of the public in the Electoral Body. It is noted that this proposal to the Legal Affairs Committee of Parliament that considered amendments in 2005 was not taken up. Similar demands were made by the opposition parties and the all-party forum known as the Inter-party Organisation for Dialogue (IPOD). This includes the ruling party as well. However, the President ignored the proposals for reform and in 2009 re-appointed the Electoral Commission Chairperson and most of the Commissioners. He also replaced Sr. Margaret Magoba, the former Deputy Chairperson of the Electoral Commission with a teacher from Mbarara. However, few administrative reforms were made.

### **Some of the key Reforms effected**

The administrative reforms made in the 2010 amendment of the Electoral Commission Act include:-

- (i) Restricting the term office for Electoral Commission Secretary to a five year term of office renewable once.

- (ii) Electoral Commission to give an electronic copy of the voters' register to every organization taking part in elections before polling day and a hard copy of the register with photographs two weeks before polling day.
- (iii) The Electoral Commission to publish in the Gazette and print media all places at which a voter's register is required to be displaced sixty days before the date of display or polling day.

These amendments have been put to effect by the EC. They prepared a voter register (without photos) for all parties and presidential candidates. Their agents at each polling station were free cross-check the voters as they came to cast their ballots.

### **Issues that affected the Electoral Process in 2011 Elections**

#### **a) Enabling law**

In 2007, Parliament was informed that EC needed enabling electoral laws by January 2010. But the main laws were passed in June 2010. The late passing of electoral laws affects EC's ability to effectively plan. The EC has not had its own independent budget. It depends on government for subventions. Two important laws have been passed- the local council election law and the youth election law. The elections of lower local councils are yet to take place, largely due to lack of money to conduct them. The Local Council election law follows the constitutional ruling on the petition that had been lodged by Betty Kanya challenging the old law that governed LCs. The government had originally wanted those elections at LC1 to be held on a non-partisan basis. This was intended to undermine multiparty politics at the local level, giving the ruling party a free reign at that level.

#### **Challenges faced by EC:**

- Late passing of laws affected EC plans and securing of the needed finances.
- Mapping of the country into electoral areas.
- Challenges of creation of new districts. Most of the new districts were created in the election year. Elections have to be conducted in the new districts. The EC had to recruit new staff for the new districts (minimum three), acquire offices, transport and equipment. These need additional funding.
- Adjusting the Register of voters was a problem in the new districts where new sub-counties were created by the government.

#### **New constituencies:**

- Eight new municipalities became new constituencies. These were generally new constituencies created by President as pledges as he moved around the country in the pre-campaign period.

- All new districts from 56 in 2005 to 112 in 2010 became new constituencies for women. The ruling party has higher chances of winning the women seats than the opposition.
- EC sometimes redeployed staff from the old districts.
- EC advertised 74 new positions (in 2010) most of them were deployed in the new districts as Assistant Registrars. This required a new budgetary line. There were concerns that most of the new recruits were NRM cadres. Besides it was also noted that the majority on new recruits were from Western Uganda.

### **Registration of voters**

- This took place between 3<sup>rd</sup> May and 18<sup>th</sup> June 2010.

#### *Technology failure:*

- With new German technology, a biometric registration of voters was done. Some the data is supposed to be used by the Ministry of Internal Affairs to produce the national Identity Card. The prospective voters complained that the process was very slow. Many of the operators had inadequate knowledge of that technology. EC officials complained that the problem of Ugandans is that they come last minute to register. EC refused to issue new voters' cards arguing that the government considered it a double cost since it was preparing to issue national IDs. The opposition insisted that the refusal by EC to issue new voter cards was a trick to cheat elections. EC insisted that only the voters' register was by law the basis for voting. EC argued that by using the voters' register for voting it was not breaking any law. This caused a lot of suspicion amongst the stakeholders in the electoral process.

The main issues arising from voter registration were noted :

- Computers were slow. Some were defective.
- Technical know-how especially upcountry was lacking.
- Many people have since turned 18 years but could not register and vote.
- Voters on the final register: 13,954,129 voters. Although the opposition parties say this is far beyond the numbers. EC says registration is a self reporting exercise.
- EC (in cleaning the register) used duplicate analysis technology which identifies people who have registered more than once.
- The local residents were to ascertain that someone was registered not more than once (use of local tribunal). Again, the opposition has raised queries on the manner the tribunals were instituted. In 2006 Besigye had petitioned the courts that many people had been deleted without consulting the local people. EC says it has been more careful this time.
- Display is reported to have confirmed the correct people on the register.

- All the political parties participating received soft copies of voter registers (without photos).
- All the 8 presidential candidates received a printed copy (with voter photographs) of the voter register. It had 800,000 pages weighing 4 ½ tons. The law provides this has to be done two weeks before polling day.
- Voter (without photo in the register) – had to prove that he/she is a resident, then be allowed to vote.
- Polling officials were supposed to know that the voter (without a photo in the register) is a resident.
- Voter Cards:  
EC reported this was not a problem; the register was a basis for voting. Section 26 of the EC Act says that the EC may design print and control the use of voter cards. It may even recall the cards.
- That the voter's card is an additional identification.
- In this election, voters on the register with/without card were vote. However, on the polling day, thousands or millions of voters were unable to vote because they were missing on the register
- EC concedes that even a clean register can be manipulated by polling officials. The structure is fine, but the whole process is in the hands of the official. It requires the integrity and vigilance of the presiding officer on the polling day. There were 23,968 polling stations.
- At some polling stations some candidates had no agents.

#### **Nomination of candidates:**

- There were complaints that the convoy for the President Museveni was beyond the numbers allowed by the law. Some complaints were raised that he had moved with more than 20 supporters for his nomination. However, other candidates were restricted to that number and their processions were disallowed by the police.
- Original number of people intending to stand for presidency was over 50 people. Many of them failed to get 100 signatures from at least 75 districts of Uganda.
- Why were some candidates failing the required signatures:
  - i) Some of the people who had signed for them had not registered, so did not have registration certificates or voter cards.
  - ii) Some would sign for more than one candidate (which made it valid for the first submission and invalid for the subsequent ones.
  - iii) Some of the candidates' agents appropriated the money given to collect signatures, and ended up forging names / producing non-existent voters. The system would reject any voter supporting more than one candidate.
- EC had a challenge with flag-bearers. Many candidates claimed to be flag-bearers of particular parties. EC advised many of them to stand as independent candidates.
- EC cannot nominate more than one candidate for a party. A candidate for a particular party has to obtain a letter from the Secretary General of the party authorizing a candidate to be nominated on its ticket.

### **EC struggling with an image problem**

- EC has tried to correct its image but political elites and a good number of Ugandans believe that EC is not up to the task because of its composition (see the Afro- barometer report, 2010).
- Politicians believe there should be political representation but under the constitution, EC is supposed to be non-partisan. However, the main argument is that the present EC is partisan.
- Voter education was weak. EC left that important work to voluntary organizations.
  - There was however, a forum where EC met candidates (both at headquarter and in the field).
  - Met media and religious leaders regularly.
  - Met and briefed the international community
- EC has a political parties' desk – coordinates activities of political parties.
- Complaints desk.
- EC hears and determines electoral related complaints (section 15 of the EC Act)
- EC heard campaign related and nomination related complaints.

### **Campaign management:**

All candidates broke the law, and campaigned beyond the 600 pm timeline, even opposition candidates. The biggest offender was Museveni.

### **Control of campaign resources**

EC received complaints about some candidates using their offices to campaign. Police was informed to follow up. There was an Electoral Offences Unit in the police which was supposed to follow up such cases. It was supposed to report to the EC on its findings. There is no report to this effect. Parties have not disclosed their campaign sources. The ruling party is reported to have used a lot of government funds for its campaigns.

### **Key issues observed in the 2011 elections**

This section of the paper is a summary of major electoral issues raised by Political Parties, Civil Society Organizations (CSOs), the Media/ Press and the Donor Community on Electoral Processes in Uganda:

#### **Ungazetted Polling Stations**

The *Daily Monitor*, September 14<sup>th</sup> 2009 reported that opposition MPs exposed lists of new polling stations in Uganda which they said were part of a concealed Government rigging strategy ahead of the 2011 general election. MPs Hussein Kyanjo and Michael Mabiike accused the Government of crafting a rigging strategy by creating ghost polling stations and zones which include Katoogo, St.Mbagga, Sendaula and Nsubuga zones all in Gaaba parish. Others reported were in Kabalagala parish namely. Muzungu, Meya, Okologo and Kyeyune zones. In denouncing these ghost polling zones, the

Chairman Electoral Commission wrote to the area MP on the 4<sup>th</sup> September 2010 disowning all the 78 new zones and polling stations allegedly created in Makindye division. In his letter, he stated that the process of creating such zones was work of forgery noting that , *“I would like you to know that the document did not originate and could not have originated from the Commission since the Commission does not initiate the creation of administrative units. Further analysis and consultations showed that the headed papers used are forged, lack authentication and formal communication”*. In light of this, the opposition MPs expressed concerns that what was happening in Makindye division could have been a pervasive trend elsewhere with new and illegal administrative units being created without the knowledge of the people and the Electoral Commission so as to steal the 2011 polls.

### **Call for boycott of elections**

UPC President Olara Otunu’s called for a boycott of the 2011 elections. This threatened to split his party as some members were keen on participating in the elections. A couple of UPC MPs had chosen to disregard the call and seek re-election in the 2011 elections irrespective of what Otunu thinks of the Electoral Commission. Otunu has in the past made it known that Kigundu’s Electoral Commission is a partisan and discredited body that could not organize free and fair elections. This was partly the reason UPC withdrew from the Inter Party Cooperation (IPC) while accusing other coalition partners for being reluctant to push hard for the disbandment of Kigundu’s Commission.

### **NRM Predicted its Win amid Controversy**

NRM intimidated other parties. Its spokesperson Ofwono Opondo declared that NRM had already won the 2011 elections because there was no evidence that the opposition has entrenched itself in the NRM strongholds in the Western, Central, Eastern and West Nile Regions. He noted that NRM would secure an automatic win in 2011 elections because of the visible policy successes.

In a reply, *The Daily Monitor* 6<sup>th</sup> September 2010 reported the former army commander Major General Mugisha Muntu ( a senior member of FDC) criticizing the NRM as a party facing serious ideological crisis with a majority of its members placing self interests above national interests. He noted that selfish interest within the ruling NRM was the reason most of its members are involved in electoral malpractices. He stated, *“When you have a party where members are motivated by selfish interest, you are bound to see what we are seeing today in the NRM. My thinking is that in the next few days, you will see President Museveni trying to demystify the situation in order to win power in 2011 without addressing the major ideological problem facing NRM”*. He further warned against what he called state of denial from leaders in the party he fought to bring to power 24 years ago and stated that the chaos that characterized NRM primaries could spill over into the 2011 general elections. He specifically stated that, *“it is possible because looking at what has happened in NRM primary elections, those who are holding the party are the same as those in leadership of the country. I think it is possible that these can spill over into the state and that will be dangerous for Uganda”*. He made these remarks while addressing a group of over 300 youth drawn from different political parties in Mukono. While such arguments pitted the NRM against the rest, the top cream of the army was making statements that they were ready to

intervene if the opposition disputed the elections on the street by inciting demonstrations. Moreover, Top security officials attended the launch of Museveni's manifesto contrary to the electoral law.

### **Civil Society Concerns**

Uganda Joint Christian Council (UJCC) urged the Government to put in place conditions for free and fair elections in 2011 and to strengthen institutions that promote constitutionalism and democracy. UJCC noted that free and fair elections needed an impartial Electoral Commission. UJCC also noted that recent surveys by the APRM showed that Ugandans had little confidence in the electoral processes and unless the Government acknowledged that there was a problem with the electoral laws, it would be difficult to find common grounds that would ensure free and fair elections.

### **Opposition Women Activists rejected the EC**

On the opposition side, IPC women who demanded the reform of the Electoral Commission were routinely harassed and caned, and crudely bundled on police trucks as if they were common criminals. For example, on 24th February 2010 about 30 female opposition supporters under the umbrella of Inter Party Cooperation (IPC) caught the security off-guard and staged a sit down demonstration at parliament demanding an over-haul of the Electoral Commission. This group which called themselves "women for peace" used the swearing in ceremony of the newly elected Mbale Municipality Member of Parliament, Mr. Jack Wamanga Wamai, to sneak into parliament to press their demand for electoral reforms in Uganda. These protests went on throughout the campaign, with police bundling them on their picks.

### **Donor Concerns and Opposition groups disappointed by US**

United States government sent its highest ranking diplomat on Africa to Uganda a month after a report highly critical of Museveni's failure to move on electoral reforms was submitted to the US Congress. Media reports indicated that the visiting US Assistant Secretary of State for African Affairs Johnnie Carson came to Kampala for official visit in the month of May 2010 to address a broad range of issues relating to Museveni's commitment to democracy, a free and independent media, good

governance, regional security issues. Opposition politicians suggested that Carson's visit was connected to Hillary Clinton's report issued to Congress in April and observed that the Uganda government had done nothing to further the independence of Electoral Commission, guarantee the sanctity of the voter's register, ensure free movement of opposition politicians and that the government continues to impose restrictions on local media. ( The Daily Monitor, May 20<sup>th</sup> 2010 ).

According to media reports, Secretary Carson met opposition leaders. Robert Kanusu, the press secretary to UPC leader Olara Otunu, was of the view *"I am sure they will discuss the disbanding of the current Electoral Commission and how the new Electoral Commission can be constituted. No amount of intervention by President Museveni can stop the momentum now"*. DP leader, Norbert Mao confirmed the meeting with Carson at the American Embassy, and stated *"We the opposition leaders will amplify the Clinton report since we know the US state department is interested in the road to 2011 as a key partner of Uganda. We shall put several footnotes to that report where we shall show how the current voter registration exercise is proving to be a sham"*. Many in the opposition did not approve of the Electoral Commission. Many perceived it as partisan, and believed it was not fit and able to conduct free and fair polls in a multiparty system.

US Secretary of State, Hillary Clinton had in her April 2010 report to Congress pinned government of Uganda in her Uganda report to U.S Congress. The report raised concerns about police harassment of opposition politicians and heightened stifling of free media in Uganda. Her report to the congress also stated that the exclusion of key stakeholders from the appointments process, compromised the Electoral Commission's independence and would damage the credibility of 2011 electoral processes. In her own words she stated that, *"the Government of Uganda took no action to further the independence of the electoral commission because president Museveni unilaterally replaced one retiring Commissioner and reappointed six others to a new seven year term"*. Other key highlights of her report showed that Government had compromised the Electoral Commission. The Police were partisan and harassing the opposition, and there was media blockade targeting opposition politicians. The accuracy of the voter register was in question.

On the other side, IPC women who demanded the reform of the Electoral Commission were routinely harassed and caned, and crudely bundled on police trucks as if they were common criminals. The Daily Monitor of Friday March 12<sup>th</sup>, 2010 carried a story indicating that donors warned Electoral Commission over vote rigging. The report noted that three of Uganda's development partners have warned that the 2011 elections run a risk of being discredited unless the Electoral Commission urgently cleaned a cluttered voters' register and engaged political parties without bias. UK High Commissioner Martin Shearman, US Ambassador Jerry Lanier and their Dutch counterpart Joroen Verhaul wrote to the Chairman of the Electoral Commission, telling him that the commission's questionable credibility was eroding public confidence in the democratic process. In their letter they stated *"restoring the confidence of the electorates, political parties and civil society in the Electoral Commission will be key to Uganda holding free, fair and peaceful presidential and parliamentary elections in 2011"*. The Daily Monitor

also noted that whereas the donors had previously argued for free and fair electoral processes, their latest call was the strongest signal to the Electoral Commission on the need to conduct flawless polls. There were also disputes over alleged inflated number of registered voters and delayed electoral reforms and the quest by the opposition for representation among Electoral Commission which heightened political mistrust raising worries that the poll could end up in hostilities. Through the International Republican Institute and the National Democratic Institute, the US Embassy in Kampala was working with the political parties in Uganda. The US Government contributed about 2.5 million US dollars (shs.4.7 billion), to have the EC's electoral processes( The Daily Monitor 28 February 2010).

The Inter- Party Cooperation (IPC) demanded for disbanding Kigundu- led Electoral Commission and reinstating term limits. The donor community through their diplomats chronicled several anomalies they observed in Uganda's electoral system and called for regular dialogues as means of reforming the system. Museveni is reported to have told Carson that he would not reform the Electoral Commission, and defended EC chairman Eng. Badru Kigundu and other six commissioners as professionals properly vetted by Parliament's appointments committee comprising of Opposition MPs. It was reported that during the closed door meeting at State House, that Johnnie Carson stated *"Some groups in Uganda raised concern over membership of the Electoral commission. We feel that there should be more representation to the electoral body (The Monitor 21 May 2010)*. However, at that meeting, Museveni remained unfazed insisting that *"development partners should not allow opposition politicians to confuse them with lies because what they are complaining about can be discussed in the Inter Party Forum"* (The Daily Monitor 21 May 2010, *ibid*).

### **Election-related Violence**

On 7<sup>th</sup> September 2010 Police boss Major General Kale Kayihura assured Ugandans that the police force was to provide the necessary security to ensure that the 2011 elections are held in a free and fair environment. He noted that the police force had recruited more officers and equipped them with the necessary skills to ensure that there is law and order during the elections. The police recruited extra constables to support the regular police. In all villages of Uganda, Police recruited "peace protectors". Kayihura condemned the militia groups of different political parties which he said have invaded Uganda's politics in the name of providing security during the election period. He distanced the police from the actions of the *kiboko squad*, a stick wielding paramilitary group notoriously known for harassing and beating the opposition leaders

and their supporters, stating that, *“They are not part of the police force and I have set up a committee to investigate the squad and I ask the public to give evidence against the suspects who were arrested as part of the kiboko squad”*. His remarks came after the Electoral Commission boss stated that there would be no room for violence in 2011 elections and vowed to disqualify candidates who would orchestrate it. These official statements were contrary to the views of the opposition who blame the police for orchestrating violence by using excessive force against unarmed members of the public. The Chief of the Defence Forces, General Aronda Nyakairima warned opposition politicians against resorting to violence in settling political differences. He pointed out that the army would step in when called upon to quell such violence because the country is on the path towards development and has no time for violence. He was quoted to have noted that, *“these days, we see individuals in senior political positions wanting to solve political differences through violence. I see these days, quite a number of police men on the streets ready to respond to incidents of burning tyres or people blocking roads, but we have also been preparing to deal with such incidents”*.( New Vision 16June,2010). The Army Commander advised the opposition to use courts or the parliament to solve political issues but disrupting innocent Ugandans as they go about their business would not be accepted.

### **Party Primaries and their effect on General Elections**

All political parties held some internal election of one kind or the other. While other parties held relatively peaceful elections, the NRM primaries held on August 2, 2010 were marred by violence. The public perceived this violence as a precursor to the general elections that were to come. NRM party heavyweights tussled for their political survival in several constituencies across the country. The epicenter of violence was the death of two people who were shot dead was in Sembabule district, pitting Lwemiyaga

MP Theodore Sesikubo's group and his political nemesis Hon. Sam Kutesa group, leading to mass chaos and violence that disrupted the exercise. Other areas of chaotic scenes were in Wakiso, Butaleja, Tororo and Kapchorwa districts. The NRM Electoral Commission Chairperson Ms. Felistus Magomu noted that the uncompromising nature of the candidates was the cause of violence as they were not prepared to concede defeat even when it was apparent that they had lost the primaries. It was reported that the actual rigging of the primaries was intense in the districts of Kaliro, Mbale, Moroto, Abim, Napak and Iganga, and this led to the postponement of the exercise. Apart from violence, unfortunate episodes of NRM primaries were shortages of logistics, inadequate and ill trained electoral officers during the primaries and the irregularities in the voter's register of the NRM. The New Vision July 30<sup>th</sup> 2010 reported that President Yoweri Museveni had instructed the police to take stern action against politician who used abusive language and incited violence ahead of the general elections in 2011. The president attributed most of the violence during and after the primaries to indiscipline by the candidates yet as aspiring political leaders, they need discipline in what they say or do and requested voters to get rid of irresponsible politicians with loose talks and actions as a way of stabilizing the country. President Museveni dismissed calls by the opposition for electoral reforms including the disbanding of the Electoral Commission insisting that enough reforms had been carried out and the only issue left was sensitization of voters.

Museveni argued the opposition demand that the Electoral Commission to be composed of members nominated by all political parties would mean that such a commission could not be neutral and would be a centre for partisan views and interests when he noted that, *"It's like saying all parties propose names of lawyers to be appointed to the judiciary and that principle is very dangerous as it will paralyze and undermine the adjudication centre. These should not be coalitions but neutral centres"*. When the president was asked to comment on the opposition calls for people to pick up arms and fight the Government, he stated that Ugandans are enjoying good governance and would not be lured into wars. However he asserted, *"If you deceive yourself that the conditions are ripe for war, try and get the taste of it. Talking of the bush now is like planting in July because the seeds would dry"*. He concluded by stating that NRM was ready for dialogue with other political parties but violence of any kind would not be tolerated.

### **Reflections on the results**

In the 2011 elections, incumbent President Yoweri Kaguta Museveni secured another term in office to extend his rule to 30 years, with a commanding victory. The Electoral Commission declared Museveni winner of the presidential polls with 68.38 per cent of 8, 272, 760 total votes cast.

The dismal performance of the opposition including main challenger Col Dr. Kizza Besigye of Inter Party Cooperation/ Forum for Democratic Change In a reasonably peaceful campaign was a mixed bag. According to Electoral Commission results, Museveni polled 5,428, 369 votes, (68.3 percent) while Dr. Besigye obtained 2, 064, 963 (representing 26%). Many analysts had expected Besigye who secured 27% in his first presidential bid in 2001 and 39% on the second try in 2006, to improve his performance in the 2011 election given the seemingly reducing support of the ruling NRM government and its leader President Museveni.

By getting 76% of the votes in the first 1996 Presidential elections, 69% in 2001 and reducing further to 59% in 2006 elections. Since socio-economic conditions for the majority of the people either declined or were stagnant, many political analysts had expected Museveni to get an even lower performance. Some predicted a second round as the progressive assessments indicated neither of the top candidates had a lead, hence failure to get the required more than 50%. The arrival of new kids on the block especially the youthful Nobert Mao of the Democratic Party, Betty Olive Namisango Kamywa of the Uganda Federal Alliance and elder NRM deserter Jabeli Bidandi Ssali of Peoples Progressive Party and firebrand diplomat Olara-Otunu of Uganda People's Congress was expected to further snatch off significant support from Museveni, but to everyone's surprise, the NRM strongman has emerged with more support and a victory that many are finding hard time to credibly dispute.

Mao whom some supporters nicknamed the "Obama of Uganda" polled a meagre 147, 917 votes (1.86%), Olara Otunnu of Uganda People's Congress got 125,059 (1.58), Beti Kamywa got 52,782 (0.66) despite her appealing federalism promises to return power and resources to regional governments. Dr. Abed Bwanika of the People's Development Party scored a paltry 51,708 (0.65) on his second bid at becoming Uganda President, while Bidandi Ssali of the People's Progressive Party secured just 34,688 (0.44) and independent candidate Samuel Walter Lubega 32,726 (0.41).

Museveni's competitors in the 2011 presidential election refused to accept the results declared by the Electoral Commission (save for Beti Kamywa), but the writing was long on the wall since consecutive opinion polls by the Afrobarometer gave Museveni 64-65%. Museveni's party- the NRM performed even better in the parliamentary elections, getting 279 MPs, up from the 212 MPs the ruling party had in the outgoing 8th Parliament. With the 9th Parliament expected to having 50 more MPs than the 8th Parliament's 327 as a result of creation of new districts and new constituencies, the opposition has instead reduced its presence in the August house from 60 MPs to 56.

The Electoral Commission results indicate that the ruling NRM party secured 167 directly elected MPs, and 91 of the 112 woman MPs who each represent a district. FDC got 24 constituency MPs and 10 district Woman MPs (total of 34 that is less than 37 Independent MPs in the 9th Parliament), DP 11 directly elected MPs, UPC got nine MPs while the Conservative Party has one and JEEMA won one seat. The story is not different in the Local Government elections either, with NRM securing most of the district Chairperson seats and more than 90% of the district Councilor seats . The lower

local council elections (Sub-Country Chairpersons and Sub-county Councilors) are also dominated by the NRM.

## **Conclusion**

So why did Museveni and his NRM secure such a high performance in elections and what are the implications of this dominance for democracy and stability? The answers to these questions lie with the methods employed by the ruling party to secure the numbers. The 2011 elections are perceived as an election that was bought with public money, given that a lot of money was secured by from parliament through supplementary grants to government but was destined to politics of the ruling party. The EC did not show interest in constraining candidates in respect to use of money, several millions missed voting because EC had not given hem any polling station, so they missed out. Newly created districts were a reserve for the ruling party. Transparency suffered because alternative means of checking the results by IPC tally centre was blocked by the government security agencies. In the aftermath of the elections, social unrest was rampant. The opposition staged “walk to work” protests, boycotting public transport vehicles and advocating that members of the public should save by not taking taxis and other vehicles. The main opposition leader, Kiiza Besigye was sprayed by a police operative with unknown chemical rendering his eyes dysfunctional for weeks, and hospitalization in a Nairobi hospital. His car was also smashed by police with a hammer. In all places of protests against high fuel and food prices, the response of the police was harsh and in several cases, brutal. Several lives were lost at the hands of the police, including a toddler on Nyendo –Masaka. The heightened tension was a sign that poorly managed elections could result in violence. It was a strong indicator that stability was still elusive in a country long dogged by political uncertainty. The ultimate solution lies in government giving priority to political and electoral reforms, and ensuring that all stake holders are confident that the playing field is sufficiently leveled for all actors.

