Civil Society Organisations (CSO) and the monitoring of national elections in Uganda: Understanding the role of the Uganda Joint Christian Council (UJCC)

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ABSTRACT

The recent government's limitation of the Civil Society Organizations (CSOs) that monitor national elections is in stark contrast to the critical role they play in the democratization process in Uganda. According to one of the Uganda Joint Christian Council (UJCC) Secretaries, this was more specifically with the 2021 national elections monitoring. Accordingly, the Civil Society Organizations (CSOs), like the Uganda Joint Christian Council (UJCC) and many others in Uganda, were not accredited by the Electoral Commission (EC), as had been the case before with the previous elections. This government suffocation of election monitoring was equally extended to the international election monitoring organizations, like the European Union (EU) and the Commonwealth Observation Group (COG), among others. While the role of some of these organizations, like the Foundation for Human Rights Initiative (FHRI) and the Human Rights Network for Journalists (HRNJ), among others in this regard, has been documented, there is little scholarship on the role played by UJCC in the monitoring of national elections. This article preferred to use the behavioral theory and the rational choice theory. This preference is because these theories complement each other in corresponding with the issue of national elections and monitoring. Similarly, both theories encompass the rationality aspect in decision-making used by the individuals or agencies that are monitoring elections. Based on the past national elections of 1994 and 1996 in Uganda, this article employed a historical research design, drawing on the archival sources and field interviews, to examine the role of UJCC in the monitoring of national elections in Uganda. To build a coherent interpretation of the primary and secondary sources, the collected raw data was analyzed through triangulation and then categorized according to the key research questions. This helped the researcher to make historical and qualitative sense out of the collected data. This article argues that the interference of the government in the monitoring role of the CSOs will complicate and undermine the otherwise good role they play in the democratization process of Uganda. Findings of this study indicate that UJCC played a significant role in the monitoring of national elections in Uganda.

Keywords: Civil Society Organisations (CSOs), National Elections, Monitoring, Uganda Joint Christian Council (UJCC)

I. INTRODUCTION

There are various CSOs that undertake the role of monitoring national elections. Such CSOs among others included UJCC, Uganda Human Rights Commission (UHRC), National Focal Point (NFP), Foundation for Human Rights Initiative (FHRI), Human Rights Network-Uganda (HuRiNet-U), Uganda Governance Monitoring Programme (UGMP), Human Rights Network for Journalists (HRNJ), African Union (AU), East African Community (EAC) and European Union (EU) among others.

Uganda Joint Christian Council (UJCC) which is a faith based organisation was formed in 1963. The Kampala Archdiocese Archives (KAA) indicates that, the member Churches that formed UJCC were the Protestants under Archbishop Leslie Brown, the Catholics under Archbishop Joseph Kiwanuka and the Orthodox under Archbishop Theodoros Nankyama. UJCC was established with a number of objectives which include among others that of enhancing democratic institutions in Uganda. In that regard, UJCC widened its focus on promoting democracy and good governance. Since the latter can hardly be realised without holding national elections, UJCC embarked on the noble work of monitoring national elections in Uganda.[1]

Behind the establishment of UJCC, there were instruments of ecumenism. The ecumenical attempts which preceded the formation of UJCC were reflected in the formation of the International Missionary Conferences in 1910 in Edinburg. While others followed in 1921, 1925 and 1927, the central objective of these conferences were the need to settle doctrinal, cultural, historical and confessional differences in the various Missionary outreach internationally. It

[1] Kampala Archdiocesan Archives (1963; File No. 15)

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was thought that ecumenical movements would be the solution for such noted disparities. Such proposed ecumenical organizations culminated into the formation of the World Council of Churches (WCC) in 1948 at a meeting of, 147 Churches in Holland. The major aim of the WCC was to promote the unity of the Churches which would ease the general missionary cooperation.[2]

Another ecumenical aspect reflected in the background of UJCC's formation was the second Vatican Council which started in 1962. Among the first local application of the principles emanating from the Second Vatican Council, was encouraging Catholics worldwide to cooperate with other Christians. Therefore, UJCC is considered to be a brain child of the Second Vatican Council. The latter dealt with many international issues and among which was that of emphasising unity (ecumenism), an impetus given by the efforts of Pope John XX111 who summoned the second Vatican to occur among believers. However, there were a number of Christian Councils that had been convened in many parts of the world as already noted, though Uganda's Council (UJCC) was probably the first of its kind in world history, to be composed of a combination of the Catholic and Anglican Churches.[3]

The impacts of the Second Vatican Council, was the establishment in 1975 of a Secretariat for promoting Christian unity. This council was officially inaugurated by the Ecumenical Movements in the Catholic Church worldwide. This was through the document entitled "*Ecumenical Collaboration at the Regional, National and Local levels*." The Roman Catholic Church provided a framework for nurturing of the Ecumenical Spirit at all levels. This effectively opened the door into the Ecumenical Movements. Before that, it had been regarded only as an entity of the Protestant and Orthodox UJCC (2008)[4].

There were a number of factors that led to the formation of UJCC and these include among others, forming a joint contribution to the building of a strong independent Uganda. This was due to the fact that Uganda was still new and young, which still needed guidance from the Church leaders. The latter believed that it is improper to put the headship of the government, into the hands of a person who is not firmly grounded in God/Religion.[5] The need to witness to the Bible teaching of love, tolerance, unity and forgiveness was also another factor of that led to the formation of UJCC.[6] The joint Catholic-Anglican statement issued during the eve of Uganda's independence was among the situations which led to the realisation that forming the UJCC was necessary.[7] This was in such a way that, the joint statement deepened the joint Christian spirit of religious leaders and made them apprehend the need for a cooperative organisation. The urgency to form a formidable front against the introduction of the 1963 Education Act also encouraged the formation of UJCC. In this Act, the government aimed at taking over all the schools in Uganda irrespective of being owned by the religious bodies or not.[8]

It ought to be remarked that in spite of UJCC being established in 1963, the organisation started to exercise its objective of enhancing democratic institutions in Uganda in 1994. This was reflected in the monitoring of the Constituent Assembly (CA) delegates elections that were held in that year. This can be explained according to the research that has been undertaken. Accordingly, between 1963 and 1980, the only national elections held in Uganda were those of 1980. In those elections, UJCC never participated in their monitoring and the only body that monitored those elections was the COG. It was also the first time in the history of Uganda for national elections to be monitored. The research disclosed why UJCC missed monitoring of the 1980 elections. This was partially because during the Amin's regime of reign of terror in Uganda, viz, 1971-1979, freedom of worship was only granted to the Protestants, Catholics and Moslems. The other religious groups of the Orthodox and Pentecostals among others were all abolished. Consequently, UJCC's activities were incapacitated for a long time, since one of its members (the Orthodox), was not free to operate.[9]

Therefore, by the time the 1980 elections were held, UJCC had not yet organised itself to the level of being in position to monitor national elections. When President Museveni took over power in 1986, on top of his tactic of diplomatic handling of politics, he reinstated freedom of worship. This culminated into the revival of the Orthodox Church as one of the founders of UJCC. Consequently, UJCC decided to rise from an oblivion state, to that of being vibrant in advancing democracy, via monitoring of national elections in Uganda. One of the questions posed by this article is, why monitoring national elections? According to one of the respondents, this is due to the fact that election

[2] UJCC (2008), *UJCC 45th Anniversary Magazine; Growing and Serving Together* pp.4-5
[3] Tourigney Yves (1979), *So Abundant a Harvest*, Great Britain pp.168
[4] Op cit UJCC (2008), pp. 4-6
[5] Kiwanuka Joseph (1961); *Pastoral letter to the Catholics in Uganda*, pp. 11-14; Nansikombi Proscovia (2005); *The Response of the Catholic Church to Political Conflicts in Uganda, A Case Study of Buganda 1945-1971.* A Dissertation Submitted in Partial Fulfilment for the Award of the M.A. in History of Makerere University pp.39-40
[6]Holy Bible, John 17;20-23 and Romans 1;10-17
[7]Op cit TourignyYves (1979) pp.167-169; Op cit Mudoola (1993), *Religion, Ethnicity and Politics in Uganda*. Fountain Publishers Kampala, pp.34-35
[8] Mudoola (1993), *Religion, Ethnicity and Politics in Uganda*. Fountain Publishers Ltd Kampala p.28
[9] Field Interview conducted at Nsambya Catholic Parish (15th-February-2020)

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monitoring is considered as a crucial tool and an essential element that promotes genuine democratic elections and good governance[10]

1.1 Problem Statement

In consideration of the national election monitoring in Uganda, Civil Society Organizations (CSOs), notably the Uganda Joint Christian Council (UJCC) as a faith based organization, have been taking an active participation. However, despite their active involvement as noted above, Uganda continues to experience challenges related to electoral irregularities, limited transparency, and declining public trust in electoral outcomes. Since the magnitude of UJCC's monitoring efforts in promoting credible and accountable elections is less known, this study therefore is fronted to examine the role of the UJCC in the monitoring of national elections in Uganda.

1.2 Research Objective

The main objective of this study is to examine the role of the Uganda Joint Christian Council (UJCC) in the monitoring of national elections in Uganda, with a vision of perceiving how its activities contribute to promoting democratic national elections, reflecting transparency, accountability, and credibility in the electoral process.

II. LITERATURE REVIEW

2.1 Theoretical Review

This review is moored on both Behavioral and Rational Choice theories. These theories complement each other in explaining the role of Civil Society Organizations (Faith based) and their participation in election monitoring. The inclusion of these organizations adds a moral and religious dimension to understanding their motivation and conduct during electoral processes.

According to Anthony Downs (1957), it is indicated that the cornerstone of the Rational Choice Theory, explains that both voters and politicians act as rational actors[11]. On the side of the voters, this is done by seeking to maximize personal utility and by choosing parties that best serve their interests. On the other hand, the politicians do this by formulating policies to maximize votes. It can be asserted in reference to Downs that the voters and monitors (in particular those of UJCC) of national elections focus on their strategic rationality and economic self-interest.

When Campbell, Converse, Miller, and Stokes (1960) are considered, they reflect that the Behavioral Theory is anchored in the electoral behavior, stressing that voting decisions are largely molded by psychological connectivity to parties, social group relatedness, and long-term attitudes, instead of calculated self-interest.[12] UJCC as one of the faith based organizations in Uganda, monitored the role of voters' decisions reflected in the monitored national elections.

Together, these works represent two dominant paradigms in election studies: while Downs attentions to strategic rationality and economic self-interest, Campbell, Converse, Miller and Stokes highpoint the psychological tendencies and social influences, offering complementary insights into the motivations that drive electoral choice. The latter was actually monitored by UJCC (a faith based), which supplemented a moral and religious dimension in the monitoring of the national elections in Uganda.

2.2 Empirical Review

The empirical review deliberates on the previous studies in various countries, reflecting how the CSOs (especially the faith based) involved in the national elections monitoring.

2.2.1 The Election Monitoring Mandate of the CSOs

When elections are held in various countries, many times there are some CSOs (which are religious organizations/faith-based) that do actively. The role of CSOs in the electoral process of the Democratic Republic of Congo (DRC) was portrayed in 2015. This role was explored in depth at an event organized by the National Endowment for Democracy (NED). The latter was in collaboration with the World Council for Churches (WCC). The country's leading religious leaders, through the Commission for Integrity and Electoral Mediation (*Commission d'Intégrité et de Médiation Électorale/ Commission for Integrity and the Mediation Electorate* (CIME), had an important monitoring role to play in the process of the national elections. In those elections, the delegates brought by the WCC included Bishop Mary Ann Swenson, who was the vice moderator of the WCC Central Committee, Bishop David Kekumba Yemba who was the head of the United Methodist Church in the DRC, the vice president of the DRC 's Commission of Integrity and the Electoral Mediation. There was also Rev. Andrew Milenge who was the vice president of the E'glise du Christ au Congo (The English Church of Congo). Those delegates were accompanied by Rudelman Bueno de Faria,

[10] Field Interview conducted at Nsambya Catholic Parish (15th-February-2020)
[11] Anthony Downs (1957), *An Economic Theory of Democracy* pp. 36–50
[12] Campbell, Converse, Miller, and Stokes (1960), The *American Voter* pp. 128–132

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the WCC representative to the UN. The WCC highlighted commitment towards "justice and peace" and showed a commitment to accompany DRC Churches as part of the pilgrimage in their mandate reflected in the monitoring of the elections. The CSOs in carrying out election monitoring in the DRC, do check and lessen the-would be election irregularities in the country.[13] On the other hand, this study considered the role and mandate of UJCC as another faith-based organisation in the monitoring of the national elections in Uganda.

For the case of Tanzania, the CSOs (which are Faith based) organized a workshop of the Inter-Faith dialogue in November 2010. The topic of the workshop was about the mandate of the CSOs in promoting free and fair elections via election monitoring and observations. The organizations said that monitoring and observation involved close follow up on the election process, and finally come up with a report. They said the follow up ought to be based on existing standards, a kind of effort aimed at finding out whether or not the set objectives had been met. Some of the issues that are critically looked into in the course of observation are whether the elections are free and fair, and what implication could be brought by the announced election results. The organizations added that to ascertain free and fair elections, the CSOs must go beyond and include a look into the political parties' manifestoes. For it is important for the CSOs to find out to what extent such manifestoes were really out to bring about the desired change in the society. In a nutshell, they said that free and fair elections start from political parties' grass root organization to registration of voters, voting, counting of the votes and pronouncement of winners and losers.[14] This study catered for the mandate of UJCC as one of the CSOs in its role of promoting free and fair elections via election monitoring and observation in Uganda, so as to promote the desired change in the society.

The CSO (which faith based) said that a random survey of the requisite factors for free and fair elections and their application in Tanzania showed that their fulfilment was wanting. They for instance said that it was clear to all and sundry that from the first multiparty elections in 1995 to 2005, Tanzania had, in the course of the exercise, been marred by many problems. They named the problems as weak and undemocratic nomination procedures, corruption, an unequal access to public resources, partial media coverage, especially in favor of the ruling party, and pro ruling party civil service. They named others as intimidation at individual, party and national level and the creeping in of politics of ethnicity, religion, racism and regionalism. Ndugu Mshana one of the speakers during the workshop enumerated some of the roles of FBOs in their mandate of ensuring free and fair elections. Mshana observed that the FBOs play an important role of complimenting the work of the National Electoral Commission (NEC). He explained that much as the NEC was legally empowered to provide civic education in the country, other organizations which included members of IRCPT, could also provide civic education after being cleared by the Commission. He named other roles that could be played by CSOs as participation in the electoral process as monitors and observers. Mshana added that although civic education was being taught in schools, there was a need to ensure it embraced the entire population, including adults, especially in the rural areas. He went on to say that timely and adequate provision of civic education would go a long way towards empowering the electorate in making informed choices when it came to electing their leaders. CSOs of Tanzania had the mandate of contributing to free and fair national elections via their monitoring. A number of issues, which aimed at promoting democracy in the country were addressed in the workshop.[15] This study examined the mandate of UJCC reflected in its role of election monitoring, in Uganda. Some of the issues which were raised in Tanzania also by Mshana and others provided a basis for the critique of the work of UJCC, when Uganda's case was put into consideration.

The CSOs in Tanzania gave an example of the 2015 general election. They said that the 2015 election was fraught with many problems. As such, the IRCPT members said that religious leaders had a large following and since it was their followers that formed the biggest chunk of electorate, it would only be fair if the religious leaders represented by IRCPT to stepped in to fill the void of conducting civic education needed prior to the national elections. The IRCPT members reiterated that the role of the CSOs in elections should not start during the electoral processes such as campaigns but before. CSOs should engage policy experts to examine and challenge the various political portfolios of the different political structures and personalities. They concluded that free and fair elections assist in entrenching a democratic culture, minimize conflicts, and contribute to political stability and peaceful development. They further noted that free and fair elections allow citizens to determine the political make up and the future policy directions of their government, and increase the chances of peaceful transfer of power. The members further commented that free and fair elections ensure the losing candidates accept the validity of the election results.[16] In the interest of entrenching democracy and minimizing the electoral irregularities as commented by the CSOs of Tanzania, this study, as reiterated

[13] Online library, https//www.oikoumene.org/news/faith-based communities-focus-on-electoral-process-n-democratic-republic-of-congo

[14] Online Library; Konrad-Adenauer-Stiftung, P.O. Box 6992, Isimani Road Upanga, Dar es Salaam, Tanzania. kas.tanzania@gmail.com

[15] Konrad-Adenauer-Stiftung, P.O. Box 6992, Isimani Road Upanga, Dar es Salaam, Tanzania. kas.tanzania@gmail.com, Op cit

[16] Ibid.

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in the previous sections, examined the mandate of UJCC reflected in its role of monitoring the national elections in Uganda.

When Zimbabwe is considered, the report of the Ecumenical Observer Team of the World Council of Churches (WCC)/All Africa Conference of Churches (AACC)'s mission to the 29th-March-2008, indicated that Zimbabwe harmonized elections which included the Presidential, Senatorial, Parliamentary and Civic Authorities. This election was significant in that it was the first time the country was concurrently holding the four elections for the first time. The elections were held after a constitutional amendment that introduced a new chamber; the Senate. The elections also harmonized all terms of office to five years and increased the number of representatives. The report of the WCC/AACC indicated that the people of Zimbabwe manifested immense maturity in the way they turned out in huge numbers to exercise their democratic rights.[17]

The WCC/AACC report listed the different political parties that took part in the Zimbabwe's harmonized elections as Zimbabwean African National Union Patriotic Front (ZANU PF), United Peoples Party (UPP), MDC of Mutambara, Zimbabwe African National Union (ZANU)-Ndonga, Zimbabwe Democratic People's Party (ZDPP), United Democratic Front (UDF) and the MDC of Tsavangarayi. The report of the WCC/AACC further showed that the elections were dominated by numerous cases of election violence, intimidation and outright confrontations between the two main sides, viz, the government side (ruling party) and that of the opposition parties. The political and administrative situation however favored the incumbent.[18] It is the mandate of groups that monitor elections to expose such malpractices and unfair situations in electioneering. Thus, the study in this article reflected on the role and mandate of UJCC in the monitoring of national elections in Uganda, and how its report(s) cover the same aspects of the different political parties that do participate in the national elections of Uganda.

The equivalent of UJCC in Zimbabwe are local religious organizations such as the Zimbabwe Catholic Bishops Conference (ZCBC), the Evangelical Fellowship of Zimbabwe (EFZ), and the Zimbabwe Council of Churches (ZCC). The report of the WCC/AACC reflected those local religious organizations and the desirable changes they wanted to see, towards the national vision for Zimbabwe. Such desirable changes included, wanting a new Constitution for Zimbabwe, Land reforms, Economic recovery and growth, a Process of reconciliation and forgiveness, and that Zimbabwe be included in the world affairs. Generally, the reports show that Zimbabwean Churches stood with the people in their quest of the above desirable changes.[19] As it was in Zimbabwe, this study indicated the mandate and role of UJCC in the monitoring of national elections and possibly its report to indicate the desirable changes to be realized in Uganda.

Further, the WCC/AACC report concluded that the role and effectiveness of the security agencies during an electoral process should be defined clearly. The security agencies should remain impartial, responsible, and sensitive to the plight of the electorate and agents within the polling premises. The process of voter registration, access to the media and freedom to campaign by the opposition were somehow encumbered, to some extent, by the incumbent and agents of the ruling party. The report observed that ZANU PF uniformed forces openly intimidated voters in the days preceding the polls. All these events are indicators that the electoral process was skewed in favor of the incumbent who openly utilized state resources to their advantage. Thus the 2008 elections were far from being free and fair. The reports reiterate that Zimbabweans, however, must be commended for displaying maturity on polling day as very few incidences of violence were witnessed or reported. The actual polling on the 29th of March, 2008 was conducted within a peaceful atmosphere that allowed voters to exercise their democratic rights as well as express their choice through the vote.[20] The concluding remarks of UJCC's report, in accomplishing its mandate of election monitoring in Uganda, was presented by this study.

When the case of South Africa is considered, the process of transition from the racist apartheid regime to a multi-ethnic and democratic South Africa led to the first non-racist and free elections in 1994. The period before the elections was marked by much violence in different regions of the country. After the elections, violence continued, specifically in KwaZulu/Natal where followers of the ANC and Inkatha fought, leading to the postponement of local elections in that province from November 1995 to the end of June 1996. This development provided the impetus for another monitoring project. During the elections in 1994 NGOs and intergovernmental organizations sent civilian monitors. The NGO mission with the largest number of monitors was the Ecumenical Monitoring Program (EMPSA) organized by the South African Catholic Bishops Conference and South African Council of Churches with the World Council of Churches. It ran from 1992 to 1994, with a total of 443 participants, about two thirds of them operating in the year of the elections. Three types of monitors were used: An Eminent Persons Group that was supposed to stay up to one week; a group of experts that stayed up to two weeks; and field monitors who served in small teams of two to four persons for a period of six weeks. These time periods included preparation and debriefing at the beginning and the

[17] Online library, http;//www.oikoumene.org, infdesk@aacc-ceta.org, Nairobi 21st-April-2008-Kenya
[18] Online library, http;//www.oikoumene.org, infdesk@aacc-ceta.org, Nairobi 21st-April-2008-Kenya, Op cit
[19] Ibid.
[20] Online library, http;//www.oikoumene.org, infdesk@aacc-ceta.org, Nairobi 21st-April-2008-Kenya, Op cit

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end of the mission. The mandate of the EMPSA monitors included monitoring of politically motivated violence; investigating its causes and, if possible, preventing it from breaking out; monitoring and reporting on the negotiation process; and monitoring and reporting on the election process in its entirety.[21] That being the mandate of the EMPSA as an election monitoring group in South Africa, this study presented UJCC and its mandate and role in the monitoring of national elections in Uganda.

In 1996, a coalition of local churches in KwaZulu/Natal (the KwaZulu Natal-Church Leaders Group- KCLG) organized a program called Ecumenical Peacemakers Program (EPP) in relation to the upcoming local elections in that province. The mandate of the peacemakers was not only to monitor and report, but to intervene actively and mediate between conflict parties. The volunteers –20 internationals and 80 South Africans – were deployed in five regions of KwaZulu/Natal for a period of three months per person. Each region was headed by a regional coordinator. The internationals received a one-week training in South Africa before beginning to work in teams of three internationals. One of their first tasks was to recruit 15 local peacemakers each, and train them with the help of experts.[22] Such were the roles of the EPP in the monitoring of the elections in South Africa-Natal, this study however focused on examining UJCC, which carried out the same mandate and roles in the national elections.

III. METHODOLOGY

In the interest of understanding and examining the role of UJCC in the monitoring of national elections in Uganda, a qualitative research approach employed a historical research design. The latter was selected because of its endowed advantages. Among such advantages, there is that of allowing the researcher to investigate and report on a single or some few cases of a historical phenomenon. Since this design permits the use of various sources to perceive historical events, the researcher applied both primary and secondary sources.

The primary sources used archival documents from places like Kampala Archdiocesan Archival, Makerere University Archives (Africana Section) and Nsambya Catholic Secretariat. Other primary sources among others included field interviews, whereby a sample of 55 respondents was selected, in order to capture diverse perceptions into the UJCC's national elections monitoring role. Purposive sampling was applied to ascertain key informants with real experience in election observation such as UJCC officials, whereas simple random sampling was used to select field observers and other UJCC members. This was done in the interest of ensuring a balanced representation. The secondary sources that helped the researcher to acquire the needed data included books, pamphlets and magazines. The collected data was used in connection with the role of UJCC and the monitoring of national elections in Uganda.

IV. FINDINGS & DISCUSSION

4.1 UJCC'S (and the Other NGOs) role in the monitoring of national elections in Uganda

The findings deal with the role and contribution of the Uganda Joint Christian Council (UJCC) in the monitoring of national elections in Uganda. It ought to be emphasized that UJCC carried out that role in the interest of promoting democratic national elections, which are punctuated with transparency, accountability, and credibility especially in the electoral process.

It should be noted that UJCC carried out the activities of observing and monitoring the above elections under three umbrella bodies, namely; Civic Education Joint Coordination Unit (CEJOCU), National Election Monitoring Group (NEMGroup) and Democracy Monitoring Group (DEMGroup). According to one of the respondents, on top of advocating for peace, UJCC is the lead agency in Uganda's Democracy Monitoring Group (DEMGroup). The latter are a coalition of faith-based and non-government agencies working together to monitor and report on institutions and organizations such as the Judiciary, the Electoral Commission, the Media and the Police among others. Members of DEMGroup do so, with a view of ensuring that the elections in Uganda would be democratically free and fair.[23]

To elaborate more on these NGOs that observe and monitor national elections, CEJOCU consisted of a number of CSOs which included UJCC, National Organisation for Civic Education and Election Monitoring (NOCEM), Action for Democracy (ACFODE) and Uganda Media Women Association (UWMA); NEMGroup consisted of UJCC, Uganda Journalists' Safety Committee (UJSC), ACFODE, and Federation of Female Lawyers (FIDA); then from 2006, DEMGroup consisted of UJCC, ACFODE and UJSC; and in 2011, DEMGroup consisted of UJCC, ACFODE, Transparency International and Centre for Democratic Governance.[24]

[21] Online library, http;//www.oikoumene.org, infdesk@aacc-ceta.org, Nairobi 21st-April-2008-Kenya, Op cit
[22] Ibid
[23] UJCC (2016), Building a better future for all Ugandans by fostering the culture of electoral accountability. pp. 1-2
[24] Ibid. pp. 1-2

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As an ecumenical organisation, UJCC participates in election observation in other parts of the world including Kenya, Tanzania, the Democratic Republic of Congo, Sudan, South Sudan, Zambia, South Africa, Nigeria, Liberia, and Zimbabwe. In carrying out the election observation activities in those countries, UJCC operates in partnership with; All Africa Conference of Churches (AACC), the Fellowship of Christian Councils and Churches in the Great Lakes and Horn of Africa (FECCLAHA), as well as international and regional bodies such as the Commonwealth and the African Union (AU).[25]

According to one of the respondents called Kaiso; the national election observers and monitors try to operate together during the course of carrying out their activities in the field. However, they must first be accredited by the EC before carrying out their roles of observation and monitoring of elections. They do their work in a non-partisan and objective manner. Election observation is such an important aspect of democratic elections in that, observers and monitors provide independent feedback on the work of the EC. The latter is then expected to appreciate and respect the role of the election observers. The EC cooperates with the election monitoring organisations and groups which seek accreditation as election observers and monitors. In that respect, the EC provides a Handbook containing the guidelines to be followed by the respective monitors and observers.[26]

According to UJCC, apart from being accredited by the EC and being given a handbook of guidelines to follow during the process of elections, UJCC and other election monitoring NGOs are also guided by internationally accepted principles and guidelines which include;[27] The government and its agencies shall promote and safeguard the freedom of association, assembly and expression of all citizens and shall ensure the enforcement of duties and responsibilities. The state shall be governed on democratic principles which empower the active participation of all citizens at all levels in their own governance. All the people of Uganda shall have access to leadership at all levels subject to the constitution. The EC lives up to its legal mandate of organizing free and fair elections. Based on the principle of equality, there should be no discrimination against female candidates and women generally during the electoral process. Every registered voter shall have the right to participate in the elections and vote for the candidates of their choice, free from intimidation and or violence of any kind. Equal access to state owned print and electronic media shall be availed to all the candidates and will not be subjected to censorship or editing and equal space and time shall be availed to all candidates to give them equal opportunity to air their views to the electorate. In the course of election, all election officials, candidates, agents of candidates and voters shall desist and or refrain from initiating or committing any election mal-practice as stipulated by the electoral laws.

4.2 Process of UJCC's Election Monitoring

According to UJCC (2006), it was noted that, apart from the EC accrediting and giving UJCC a handbook of rules to follow during monitoring and observing of the national elections, there are other procedures followed by UJCC and other CSOs. Such measures include among others, the international election monitoring standards, the government policy and the Constitution of Uganda. Besides the Constitution, they follow a legal framework which entails laws governing elections in Uganda, which include the Electoral Commission Act of 2005, the Political Parties and Organisations Act of 2005, the Presidential Act of 2005, the Parliamentary Elections Act of 2005 and the Local Government Act, as amended in 2005.[28]

UJCC monitors the pre-election processes (viz, registration, nominations and campaign period), the polling day and post-election period. The latter include the petitions of the dissatisfied candidates that may be filled in various courts of law. UJCC with the other members of CEJOCU, NEMGroup and DEMGroup with which it operates, recruits, train and deploy districts and constituency monitors and poll watchers. In this respect, the district and constituency monitors are responsible for monitoring the nomination of candidates, display of voters register and the campaigns in those respective areas.[29] According to one of the respondents, UJCC monitors and observers are given the tools/instruments they use during the course of monitoring and observing elections (where the monitored data is collected), they include; [30] A booklet from the EC which consists of the guidelines to be followed during the course of monitoring and observation of elections. A booklet containing international principles and guidelines to be followed during election monitoring.

Monitors are also guided by the Constitution of Uganda, a legal framework which entails laws that govern elections in Uganda which include; EC Act 2005, Political Parties and Organisation Act 2005, Presidential Act 2005, Parliamentary Election Act 2005 and the Local Government Act as amended in 2005. A booklet consisting a number of forms/ checklist for observing the various aspects of the electoral process where data is recorded like; form for observation of voting, that for observation of the counting, for recording ballot papers availed to each polling station,

[25] Op Cit UJCC (2016), Building a better future for all Ugandans by fostering the culture of electoral accountability pp.1-2
[26] Rev. Canon Grace Kaiso, former Chairman of UJCC executive committee, he was met on the 12th- March-2021, at Mengo
[27] UJCC (2006), UJCC-DEMGroup Election Report. pp. 4-6
[28] UJCC (2006), Pamphlet pp. 6-7
[29] Op cit UJCC (2006), Pamphlet p.5
[30] Rt. Rev. Constantine Mbonabingi, during an in-depth interview on 25th-February-2021 at Nsambya

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for recording the balance of the ballot papers after voting, for recording other general observations (like any outstanding behavior) in a short time and a form for recording the final results of the elections and tallying of votes. Monitors and observers are availed with two tables, viz, one for observing of voting and another for counting. They are given strong Cameras and Phones to effectively carry out their role during the process of observing and monitoring elections. The respondent reiterated that;

The guidelines consisted in some of the booklets given to the UJCC monitors and observers, contain basic information on the roles of various stakeholders including the Government, Parliament, the EC, the Political Parties and Organizations, Candidates, Agents of the respective candidates, returning officers, Presiding officers, Polling assistants, the Police and other Security Organs, the Judiciary and the Media. The guidelines also underscored the importance of impartiality, objectivity and non-partisan on the part of the election observers as well as the obligations of an election observer, to respect the authority of the Electoral Commission and agencies responsible for law and order in the course of discharging their work. Election Observers were also equipped with special identification tags prepared by UJCC and accreditation documents issued by the Electoral Commission and the returning officers in the respective districts.[31]

In order to monitor and report on the polling day activities, a scientifically representative sample of all the gazetted polling stations countrywide is designed. The above sample is drawn taking into consideration the total number of the gazetted polling stations and the total population figures per district. Reference is also made to the National Census data and the corresponding projections prepared by the National Bureau of statistics[32]. In the same way, a team of entrants and analysts is usually recruited to prepare a data set on the polling day activities. A statistical cross analysis of the different issues with respect to locale, like regions as observed on the polling day is carried out to determine the extent of fairness of voting and counting.[33] Under Monitoring and Evaluation, the Database management is worked on by an ICT consultant and members of UJCC staff who are trained on how to use the database management system. The latter enables the timely inputting and retrieval of any required data on the UJCC activities like the tallied election results. With the new strategic plan of UJCC, the management system was updated, taking into consideration changes in certain aspects like in the indicators which produced both hard copies and soft copies of the necessary information about national elections.[34] In reiteration to the above, one of the respondents said that; UJCC has a centre from where election results are tallied and after the elections, all the monitors and observers and poll watchers who were dispatched to various polling stations throughout the country districts, have to present their recordings and comments to the UJCC headquarters for tallying.[35] UJCC headquarter is located on plot 1554, Block 15 Gogonya Bypass, Kibuga-Nsambya East Zone.

The respondent went on to reiterate that;

> *After the tallying of the Election Results and making the necessary Reports and Recommendations accordingly, UJCC makes arrangements to meet all the stakeholders who are responsible to ensure free and fair national elections or referenda and present their findings. The stakeholders include the Parliament, the EC Chairperson, Inspector General of Police and some Candidates who contested for various posts among others. The stakeholders are informed that the purpose of UJCC's monitoring and observation of national elections or referenda is to assess their compliance with the law and regulations in accordance with the Constitution of Uganda. In the meetings, UJCC also identifies certain areas in the election administration that need to be rectified in order to improve the electoral processes in the future Uganda*.[36]

This article therefore has considered the monitoring role of UJCC for the elections of 1994 and 1996 respectively. It should be reminded that UJCC did not operate independently, but it worked in unison with some other CSOs.

4.3 Monitoring of the 1994 Elections

After noticing the various NGOs that UJCC operates with, in the course of monitoring the national elections and the operational procedures followed in the above sub-section, it is better to embark on the real elections beginning with the 1994 elections. It should be remembered that the 1994 elections were the first elections to be monitored and observed by UJCC in conjunction with NOCEM. It should be remembered that this was the pioneer elections to be locally monitored and observed. This is due to the fact that the 1980 elections acknowledged no local observers and monitors; instead, international ones were received.

[31] Op Cit, Rt. Rev. Constantine Mbonabingi met on the 12th-June-2020 at Nsambya
[32] UJCC- NEMGroup (2001) Election Report; "*Promoting Good Governance Through Election Monitoring*." pp. 4-5
[33] Ibid pp. 4-5
[34] Ibid pp. 6-19
[35] Op cit Mbonabingi met on the same date and venue
[36] Ibid

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The implication with this was that UJCC and NOCEM observers were a bit unexperienced since they were making that attempt for the first time in their life history. However, the above monitoring groups should be credited for having pioneered in the accomplishment of that commendable endeavour. Another implication with these elections was that they were a landmark in Uganda's history in that they were the first ones to elect members of CA who were purely Ugandans. This implied that the Constitution was to be made without any influence from the British as compared to the 1962 Constitution. According to one of the respondents, she said that;

> *After only four years of independence, the government of Obote changed the 1962 Ugandan Constitution and introduced the 1966 Constitution (the Pigeonhole Constitution). The latter was taken to be a temporally one as another Constitution was being organized. The 1966 Constitution was replaced by the one of 1967. The Constitutional changes that were made by Obote in 1967 were all based on the 1962 as the foundation. The 1967 Constitution stayed in operation until when it was replaced by the 1995 Constitution.*[37]

Therefore, the 1994 elections were the first ones to be carried out in Uganda, with the intention of electing the delegates of the Constitutional Assembly. In the same regard, the 1994 elections were the first ones to be organized without the interference from the British. It should be remembered that the election results of the1958, 1961 and those of 1962 were very much determined by the British.[38] When the 1980 elections are considered, it can be said that they also had the British influence in one way or another. According to one of the respondents;

This was specifically reflected in the monitoring role of the COG during the 1980 elections. The report made by the COG after monitoring of the 1980 national elections, was not a fair representation. This was due to the fact that the 1980 elections were marred by irregularities like bloodshed, vote staffing and rigging among others. Yet the COG election monitoring report never indicated such irregularities.[39]

Another respondent reiterated that;

> *The 1980 elections had the British influence due to the fact that after Milton Obote rigging the 1980 elections and becoming the president of Uganda for the second term, Yusufu Lule of DP and former president of Uganda wrote to the British government. He was complaining about the rigged elections and the atrocities that followed. The British government unfortunately remained adamant and, in that way, showed that they had no problem with the election irregularities that were spearheaded by Obote. This possibly was due to the fact that they had worked with Obote, during the 1962 independence elections, which were believed to have been tampered with in favor of Obote*.[40]

It can be emphasized that the 1994 elections, gave a monitoring experience to the UJCC members, which obviously must have helped them tremendously in their role of monitoring the national elections that followed. Therefore, the 1994 elections laid a strong foundation, upon which UJCC could depend, to monitor and observe the future elections in Uganda and elsewhere in some other countries.

4.4 UJCC and the monitoring of the 1994 Constituent Assembly

As a result of the 1980 elections, Obote became the president of Uganda once again, in what came to be known as the Obote 11 Regime as already noted above. The latter was from 1980-1985, when Tito Okello became the Ugandan president after staging a successful coup against Obote 11's government. Due to the rigged elections of 1980, Museveni decided to wage a guerrilla war which toppled Tito Okello Lutwa's regime in 1986. Museveni became the president of Uganda under the NRM government up to the present date. The NRM government for that matter, introduced a number of changes in the electoral laws, which thus involved the people of Uganda in the making of their own Constitution. The latter was preceded by organizing the 1994 elections for the Constituent Assembly delegates. The latter consequently debated the Constitutional Proposals which formulated a new Constitution in October 1995.[41]

In reference to Amaza (1998), the NRM government organized a Constitution Commission (CC) before the 1994 CA elections. According to the Statutes of the Constituent Assembly (1993), the CC was placed under Odoki and it had to consult the public about the various issues to be put in the new Constitution. After the process of Odoki's

[37] A politician who preferred his name to be reserved, he was met in an in-depth interview on the 3rd-September-2020

[38] Karugire S.R. (1980); *A Political History of Uganda,* Heinemann Educational Books, P/O.Box 45314, Nairobi Kenya. pp. 177-187

[39] Op cit A politician met on the 3rd-September-2020

[40] A certain respondent who was met during an interview on the 3rd-September-2020

[41] Kasozi A.B (1999), *The Social Origins of Violence in Uganda*. Fountain Publishers Kampala, pp.145-167; Karugire Samwiri (1996); *Roots of instability in Uganda*. Fountain Publishers Kampala, pp.98-114; Kabwegyere Tarsis. B (1995); *The Politics of State Formation and Destruction in Uganda*. Fountain Publishers Kampala, pp.203-207

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committee of the CC, a number of proposals were gathered and drafted into what came to be known as the Draft Constitution. The latter was thus to be debated upon by the CA delegates.[42]

Basing on one of the respondents, among the Non-Government Organisations (NGO) that monitored and observed the 1994 CA delegates' elections was the National Organisation for Civic Education and Election Monitoring (NOCEM) and UJCC. It should be emphasized that UJCC operated together with NOCEM in the monitoring and observation of the CA delegates' elections in 1994. Therefore, NOCEM and UJCC were allowed and accredited by the Electoral Commission, to conduct civic education which preceded undertaking the role of election monitoring.[43]

4.5 UJCC-NOCEM Report of the 1994 Elections

The CA elections were held on the 28th-March-1994 and one ballot box was used at every polling station. The IEC was under the chairmanship of Steven Akabway. Before voting, civic education was carried out throughout the country, in the interest of sensitizing people about the importance of the CA elections and also to make them aware of their own rights. In the same way, each voter was to present the Voters' Card which was a prerequisite to voting and after that, he/she was then checked in the Voters' Register.[44]

In reference to Kakeeto (2001), the Ugandans with the voting age who registered to vote were 7.180.514. Yet the candidates who were nominated to be voted for were 1200. They were given only one month for campaigning and they moved to almost all corners of the country with the exception of Gulu and Kitgum, due to the insecurity of Joseph Konyi rebels. The voting started at 8.00am and ended at 5.00 pm and after the voting, presiding officers at all polling stations started the counting of votes. The latter was done in the open before the voters and the election observers and results were announced publicly there and then. It was supposed to be that a Candidate with the highest number of votes was declared winner at that respective polling station.[45]

From there, the Polling Officials and the Candidates' agents signed three copies of Declaration forms. This was to confirm whether the voting exercise was free and fair or not. The declared results were then forwarded to the Sub-County, then to the district and finally to the Election Commission offices, which officially announced the very final results of the elections nationwide. The Electoral Commission was under the mandate of Steven Akabway and the Committee with which he operated.[46]

UJCC-NOCEM (1994) states that since there was one ballot box at each polling station that reflected an improvement in organizing elections as compared to the 1980 elections, where each elected candidate had a particular ballot box. The report went on to say that generally there was no government interference in CA elections and that they were democratically free and fair. There were also some international observers according to Cooper and Stroux (1996). These were members of the International Election Observers in Uganda. According to the Report of UJCC, the outcomes of the 1994 CA elections reflected those 214 delegates were directly elected, 60 were indirectly elected and 10 members were appointed by the president of Uganda his Excellency Yoweri Kaguta Museveni. The CA discussed the Draft Constitution and passed it in October 1995.[47]

Section 264 of the Provisional Constitution prescribed that the general elections for the new government was to be held within 9 months of the date of promulgation. The Provisional Constitution continued to put a ban on Political Party activities as had been enshrined by the current political system of the NRM government. The latter had all along emphasized a one-party system of "Movement." Accordingly, president Museveni's main argument against a multi-party system was that he believed that the long-lasting political conflicts in Uganda, depended upon the Political Parties of UPC and DP. Museveni claimed that the "Movement Political system", would minimise Uganda's ethnic and religious differences, and ultimately unite the different political tendencies. All of this was translated in the 1995 Constitution which was broad-based, inclusive and nonpartisan.[48]

The issue of "decentralization" was also enshrined in the 1995 Constitution. Decentralization facilitated an increased level of participation of all the people of Uganda. This implied that ordinary Ugandans would contribute to the decision-making process through their membership in Local Councils (LCs) which were formerly called the Resistance Councils (RCs). Local Councils (LCs) were responsible for administrative and security matters on villages.[49]

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[42] Ondoga Ori Amaza (1998), *Museveni's Long March from Guerilla to Statesman*. Fountain Publishers, Kampala pp. 180-188; Mawazo, *The Journal of the Faculties of Arts and Social Sciences Makerere University* Vol. 9-February 2010, p.198

[43] Op cit Canon Grace Kaiso, contacted on phone on 21st – March – 2020 at Mmengo

[44] NOCEM-UJCC (1994), CA Election Report

[45] Kakeeto Arthur Noel (2001); *MA Dissertation*; *An assessment of the freedom and fairness of general elections in Uganda 1961-2001*, pp. 52-53

[46] Op cit UJCC-NOCEM (1994) Election Report; Ibid Kakeeto Arthur (2001), pp. 53-54

[47] Ibid; Op cit Laurie Cooper and Daniel Stroux (1996), *International Election Observation in Uganda Compromise at the Expense of Substance.* pp. 201-202

[48] Op cit UJCC-NOCEM (1994), Election Report; Op cit Kakeeto (2001) pp. 50-57

[49] Op Cit, Kakeeto Arthur (2001), pp. 50-51

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According to one of the Respondents,

> *One of the unique features of the Constitution of 1995 was the establishment of the Uganda Human Rights Commission (UHRC) and the Inspectorate of Government. The new Constitution also sought to limit the powers and privileges associated with the Presidency by providing for presidential term limits. It is any way so absurd that the Constitutional provision on term limits was however removed in 2005.*[50]

It ought to be remembered that the first Parliamentary and Presidential elections that followed those of 1980, were the 1996 elections as presented by the following analysis.

4.6 UJCC-NOCEM and the 1996 Elections Monitoring

The 1994 CA elections were followed by the presidential elections of 1996 which were the first ones to be organized under Museveni's NRM government. The latter by then had stayed in power for 10 years, viz, from 1986-1996. Cooper and Stroux say that the 1995 Constitution imposed the date of 8th-July-1996 for the completion of elections. The seating of the new parliament signaled the intent of the Assembly to finally end a nine-year-lasting transition process.[51]

However, the period for the election preparations were substantially limited by the Political debates. Consequently, the electoral law that was issued to the Interim Electoral Commission (IEC) was deprived of enough time to review the electoral law. Due to that factor, the IEC did not sufficiently and effectively prepare the election staff. To make matters worse, the electoral law contained more specific restriction of the freedom of assembly, especially for the Parliamentary election. This was reflected in the no-party system and the ban of the party activities embedded in the electoral law. The latter prohibited any contesting candidate to use political party color or symbol, tribal or religious affiliation or any other sectarian ground as a basis for campaigning. The law therefore contained more specific restriction of freedom of assembly, especially for the parliamentary elections. These rules actually brought considerable disadvantages for the opposition candidates like Paul Ssemogerere of DP and Mohammed K. Mayanja, who was considered to have represented the Moslem electorate community[52]

The *New Vision* noted that sixteen years after the 1980 national elections, Ugandans again went to polls to elect their leader. There were still a few new faces around. Ssemogerere was still chief of DP and Obote was also still leading UPC from Zambia where he had sought refuge. UPM which was under the leadership of the incumbent Museveni, had evolved into a Movement embracing all Ugandans. It should be noted that the faces had not changed but the rules of the game had. Candidates were now required to stand on their own merit, not on the party ticket. The only new comer in the race, was Muhammed Mayanja, an economist from Makerere University. Like the case in the 1980 elections, the opposition campaigned about the unlevelled playing field. The opposition candidates were given a short time for campaigning, lack of civic education and inaccurate vote registers. The 1996 election race was actually a two-horse race between Museveni and Ssemogerere. Mayanja was simply ignored, since supporters of the two main candidates went for each other's throats, each side determined to see their candidates through.[53]

While campaigning in Mukono, Museveni was given a grinding stone (Olubengo) by one of his supporters, Kitaka. The grinding stone soon became Museveni's campaigning slogan and symbol, using it to show his willingness to continue carrying Uganda's burdens on his head. Ssemogerere also adopted a thumbs up sign as his campaigning symbol, which was a big contradiction in the reality of his camp. As the race became tougher, violence broke out mainly in the western parts of the country. In Rukungiri, Bushenyi, Kibaale and Mbale, hooligans disrupted DP rallies. Security organs also got involved. This was reflected when fiery Makindye MP Yusufu Nsambu was soon in trouble with police, over his allegations that candidate Museveni was not a Ugandan. During a rally in Rakai, Nsambu had described Museveni as a *Mujjananyina*, (a child who follows its mother when she gets married to another man). As the violence escalated, the army high command promised to step in and contain the situation. In that way, there was more controversy in involving the army.[54]

As matters transpired, candidates Ssemogerere and Mayanja wanted to hold rallies in military barracks all over the country. However, permission was not granted on the grounds that it would affect the army's discipline. Then there was a question of UPDF soldiers deployed far from their polling stations, and had to vote by proxy. Ssemogerere wanted their list to be made public. The army command insisted that the list was a matter of national security, and therefore could not be made public. On May 9th-1996, eight million eligible Ugandans went to polls. The polling exercise itself was relatively peaceful, most of the anticipated violence did not take place and the turn up was overwhelming. It was noted that exactly 8,498,383 registered to vote, about 72.94% of them turned up to vote, to set up a new record of sorts.

[50] One of the Respondents who never wanted to be disclosed, interviewed on the 18th -February-2020
[51] Op cit Cooper and Stroux (1996), pp.2003-2004
[52] Ibid
[53] The New Vision; 12th- March-2001; Lwanga-Lunyiigo Samwiri (2015); *A History of the Democratic Party of Uganda, The First Thirty Years (1954-1984).* Fountain Publishers Kampala, pp.123-148
[54] Op Cit, New Vision; 12th-March-2001

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The results released by the Interim Electoral Commission (IEC) headed by Stephen Akabway, placed Museveni first, with 75% of the total votes. However, both Ssemogerere and Mayanja immediately rejected the results. Rejections that came too late, and were largely ignored as Museveni headed for the history books of Uganda's first directly elected president.[55] According to the newspaper of *Munno,* it was shown that Ssemogerere and Mayanja were sure that Museveni rigged the 1996 Presidential elections. Ssemogerere is quoted to have *stated* this, as reported by *Munno*[56] (See Annex I).

The information in Annex I of Ssemogerere is about the 1996 elections, which were presented by the newspaper of *Munno* as seen above. It indicated that the government of Museveni took no chances, but started right away with the first organized elections, to make an exact replica of what was done by the former government of Obote in 1980 elections. Therefore, the 1996 national elections enabled Ssemogorere to realize and understand the true colors of President Museveni, and how he was ready to use whatever means possible to retain power.[57]

In reiteration of Ssemogerere's complaint about the irregularities of the 1996 elections, it is surprising to be that the issue of hurriedly creating new polling stations on the eve of the elections started right away. It was reflected in the 700 polling stations which were created on the 8th-May-1996. Unfortunately, there was no communication to the public, the Presidential candidates like SSemogerere or the election monitors. If they had been informed in advance about that plan, possibly they would have sent their respective agents, as it had been done with the other polling stations elsewhere in the country. That was among the many election irregularities that influenced Ssemogerere and others on the opposition side to reject the election results of 1996. However, their rejection of the election results could not change anything. Museveni remained in power, he has remained in power and possibly he will remain in power using the same tricks.

Therefore, among the NGOs that were accredited by the EC, was that of UJCC-NOCEM. According to one of the respondents;

> *Those opponents of Museveni actually faced it rough. This was due to the fact that party campaigning was not possible since the campaign was restricted to 39 days prior to the elections and this meant that each candidate had a period of only one day for each district. Yet Museveni had instead already visited almost all district during the months before the election*.[58]

In reference to the above respondent and also as confirmed by Kakeeto (2001), voting for presidential elections was to be held on Thursday, 9th- May- 1996 from 7.00a.m to 5.00p.m. Prior to the nomination day, viz 27th and 28th-March-1996 respectively, DP and UPC had made an alliance, in which they agreed to jointly support a single presidential candidature of Paul Kawanga Ssemogere. The opponents viz P.K Ssemogerere and M.K Mayanja of the Conservative Party (CP), were disfavored by the road conditions that complicated their campaigns. As the electoral law explicitly allows the incumbent as the current president to use all the government logistics, the opponents were given an allowance of 15 million shillings (15,000$) and a four-wheel drive.[59]

4.7 UJCC-NOCEM Report of the 1996 Elections

The Report indicated that UJCC-NOCEM recruited and trained various observers and monitors. The latter helped in carrying out a number of activities which included; observing the registering of voters, nomination of Candidates, campaigning meetings, polling day activities and the post-election activities.[60]

On the polling dates, viz 9th- May- 1996 and that of June 24th-28th-1996, secrecy of the vote was secured by the use of the ballot box and the whole process seemed to be transparent. Ballots were seen being counted in the open and there was immediate announcing of the votes in the presence of everybody, including all the candidates' agents. This increased the voters' confidence in the system since even the agents of the candidates approved the results by signing on the declaration forms. Indelible ink was universally applied as a measure for fraud prevention. All tallying of votes was done openly before the observers. The international and local observers had access to any election related post or centers.[61]

However, the major problem of the Presidential elections was the issue of inconsistent voter register. This was due to the fact that at nearly every polling station, there were up to 20 cases of unregistered voters appeared. The voters in question complained that their names which were originally part of the 1994 Register, had been phased off in the 1996 corrected version of voters. In the same way, logistical problems with distribution of the registers also delayed the operation of polls in several centers. To this problem the IEC responded by directing the election staff to use their old

[55] Ibid
[56] *Munno*, Publication, Monday-Wednesday, 13th-15th-May-1996
[57] *Op cit Munno*, Publication, Monday-Wednesday, 13th-15th-May-1996
[58] One of the UJCC-NOCEM election observer who was an eyewitness and never wanted to be exposed, he was met on the 12th -January-2020
[59] Op cit a respondent who was a former UJCC-NOCEM election observer; Op cit Kakeeto Arthur (2001), pp. 58-59
[60] Op cit UJCC-NOCEM (1996), Election Report
[61] Op cit UJCC-NOCEM (1996), Election Report

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or their new registers so as to enable voters to cast their ballots. In the same way, non-adult voting was observed in several constituents, and stolen voter cards were seen being used by some voters. There was an insecure distribution of blank voter cards that had obviously provided an opportunity for fraud.[62]

The 1996 elections were also observed and monitored by the international bodies like the COG, IFES, UN Secretariat, JSSIOG and others. According to their election Report, the 1996 elections were organised in such a way that presidential candidates, members of parliament, women representatives among others were elected on different dates. For that matter the International Observers remarked that the decision of the IEC to hold separate elections meant that certain election materials were lost between elections. Their absence was not noticed until the Election Day. They said that to avoid the purchase of entirely new materials for each election, it is better for the elections to be held on the same day.[63]

As far as the IEC is concerned, the Observers of UJCC-NOCEM noted that it was obvious that the IEC did not totally control several electoral processes at the same time. In the first place, there were inconsistencies mainly in the conduct of the special representatives of the elections. Nevertheless, given the polarization of political interests, the Commission acted as impartially as it could. In one way it was unable to examine every pro-NRM incident, as a result of lack of resources. Yet in another way, the opposition committee known as the Inter Political Forces Cooperation (IPFC) under the leadership of Paul Ssemogerere which clearly represented the political parties, was protected and facilitated by the Commission. The Consultative Committee (CC) for the Presidential Campaign was the main organ to allow the different political camps to articulate any election related problems. These problems were usually resolved in consensus of those concerned. Accordingly, the complaints of the IPFC against the Commission after the landslide victory of Museveni and its then-announced boycott of the parliamentary elections seemed not to be based on solid facts. The IPFC confirmed how an Electoral Commission, representing only one political camp on the decision taking level, could easily fall victim of political attacks. This was in such a way that according to the electoral law, the president was free to appoint as well as nominate its members without much explanation. The impartiality of the Commission was attributed to the head of the IEC, Steven Akabway, who had already organised the 1994 CA elections.[64]

The Report went on to remark that the IEC allowed them and other international observers to verify the various stages of the electoral process, including the verification of the impartiality and the functioning of the IEC itself. In spite of the process of debriefing, a common conclusion of the election process gathered into a one-page statement, it turned out to be very complicated. This was due to the fact that the group was formed of several smaller observer delegations, each with its own interpretation of the terms of reference. The character of three different types of delegations, contributed to the different interpretation of the task of observation. Among the groups were those subjected to the directions from the sending government with special interests in Uganda; other delegations were with an independent stand, although sent by a government institution; yet other delegations were coming from an NGO-structure with independent standing.[65]

It should be remarked that two main positions of the Observers were identified with nuances or disparities between them; one of these represented a self-restricting position that focused just on technical issues on several days around the polling day. The "quantitative position" was characterized by the standard argument viz "we can only judge what we have seen." The latter succeeded in limiting the scope of the statement, for the Presidential election to the polling stations visited. This group refused any conclusion drawn by the sample of polling station visited over the whole election. In the same way, structural disadvantages given by the electoral law and the electoral system for the campaign, on which the group had been briefed before, were not regarded as part of the statement.[66]

The second group of Observers then considered that any election was part of the small process. This group had the "qualitative position," they believed and comprehended that election monitoring and observation consists not only "to see", but to hear, to read, to discuss and to understand. It wanted to consider and include the pre-election process and some other relevant facts of the elections into the statement. This was due to the fact that at least some Observers had been in Uganda two weeks before the presidential election, and remained until the parliamentary election was over, viz, they wanted to judge and felt capable of evaluating the whole process.[67]

Therefore, the first group was not ready to accept the seniority of the long-term Observers (like UJCC-NOCEM) and their knowledge. There was an obvious lack of cooperation between the majority of the short-term Observers and the long-term ones, which was the major drift encountered in the drafting of the statement. The above problem was especially with the International Foundation of Electoral Systems (IFES), with five persons involved in the observation.

[62] Ibid
[63] Commonwealth Observation Group (COG), the International Foundation of Electoral Systems (IFES), UN Secretariat, Joint Secretariat for Support of International Observer Group (JSSIOG) and others, (1996) Election Report
[64] Op cit UJCC-NOCEM (1996), Election Report
[65]Ibid
[66] Op cit UJCC-NOCEM (1996), Election Report
[67] Ibid

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The former had spent all in all two months in the country and had attended on top of the polling day activities, campaign meetings, training sessions and had had close contact to local observers as well as the election officials. IFES had further provided the UN Secretariat, the Joint Secretariat for Support of International Observer Groups (JSSIOG), with necessary information and had been formally or informally asked to brief other Observers.[68]

Although the respective interest of each delegation in the character can only be assumed, the position of the British observer group taken during the discussion for the Presidential election, seemed to be guided by the wish to a low-profile statement. These observer groups wanted to avoid the possible political damage to donors' policy towards Uganda, committed by an independent (too positive or too negative) opinion. This impression prevailed among several observers that the independence of the observer mission was compromised by this position.[69]

Following the preparation of the Presidential Election Statement, representatives of the donor community met and discussed more specific roles and functions of Observers and Monitors. In this way the donors outlined another mandate for diplomats accredited to Uganda. They suggested that they should be "Resident Observers" and that they were not supposed to participate in the drafting of the statement for the Parliamentary elections. It appeared that during the discussion of the statement for the parliamentary election, a more independent position emerged. This was in such a way that the multidisciplinary composition of the drafting committee, three long-term-observers of the IFES- team, one British and one German observer, favored a more complex statement.[70]

Nevertheless, the Report indicated that, the main conflict remained on the question of how far the statement could go, especially when the draft was presented in the plenum. In this respect, part of the delegations remained reluctant of judging substantial questions. For instance, they refused any comment on indirect vote of the women election or the in-transparency of the elections of the army in the restricted areas. In this perspective a minimal compromise could be reached. This was in such a trend that the two last sentences reflect the different views, viz, the elections observed from 24th- 28th /June/ 1996 were transparent, as representing the "self-restricting" position. The latter suggested that despite the deficiencies that have been outlined, the International Observer Group believed that the Parliamentary election mark a further positive step with in the transition in Uganda. The second sentence was daring judgement on the whole election, but when avoiding at the same time any comment on the direction of the transition process.[71]

The International Observers therefore concluded their remarks by stating that, although the election observation did not fail as it did in some other African countries like Tanzania (where Monitors and Observers come in the last hour only to bless the election results without taking into consideration the political developments and circumstances preceding the elections which are in most cases skewed in favor of one group against others), the elections were organised well enough in a way not to get the observers too much in trouble, that mission and its outcome must be criticized for a number of reasons;[72]

In the first place, as regards Cooper and Stroux (1996), it is stated that a more qualitative statement would have strengthened the credibility of the International Observers viz-a-vis the public. In certain circles, the impression prevailed that the International Observers were dropping in for some days, when they knew nothing about the pre-election period; they observed only the Election Day and departed after legitimizing the incumbent. To a certain extent, the design of both statements tends to confirm that opinion since these hardly include any relevant pre-election facts.[73]

Secondary, the opportunity of a broader statement was necessary because long-term and short-term observers were available. Lack of cooperation was less due to the fact that the UN-Secretariat was only necessary for logistics and to provide a forum for the observers to cooperate with each other. It was rather the unwillingness of certain observer delegations and their respective sending institutions to concede the independence of the observer mission[74]

UJCC-NOCEM finally remarked, as it was with Laurie Cooper and Daniel Stroux (1996), that the Conclusion Statement of both domestic and international election Observers and Monitors, apart from observing the Election Day activities, should have considered the main effects of the electoral law and electoral system of the whole election process. The problem of having general elections into a series of two events and the Parliamentary elections to be composed of six discrete processes could also have been emphasised and addressed. They said that re-organizing these events to take place on a single day could lead to more transparency and more cost-efficiency. This "broader-based" statement could have given the Ugandans a direction for future elections.[75]

[68] Ibid
[69] Ibid
[70] Ibid
[71] Ibid
[72] Op cit Cooper and Stroux (1996), pp. 203-207
[73]Ibid
[74] Op cit UJCC-NOCEM (1996), Election Report
[75] Ibid

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V. CONCLUSIONS & RECOMMENDATIONS

5.1 Conclusions

This chapter presents a summary of the key findings, the main conclusions drawn from the study, and practical recommendations for strengthening the role of Civil Society Organisations (CSOs), particularly the Uganda Joint Christian Council (UJCC), in monitoring national elections in Uganda.

The study in this article sought to understand how UJCC (faith-based) CSO contribute to the monitoring of the national elections in Uganda. It has generally encompassed the issue of UJCC not operating in isolation, but with a number of CSOs as a coalition. It has been established that, the reason is that of getting enough monitors/observers and poll watchers to be posted effectively, throughout the polling stations nation-wide. The electoral process that is monitored in the national elections, requires enough workers to undertake the hectic task of election monitoring in the whole country. The operational procedures such as the pre-election processes, the activities of the Election Day and the post-election period, have been considered. These procedures are followed by UJCC during the course of monitoring and observing the elections. It has been remarked that the Reports and Recommendations which are made by UJCC, are accordingly presented to the various stakeholders of the national elections. It has been seen that such stakeholders include the EC Chairperson, Inspector General of Police, the Parliament and a number of Candidates who contested for various posts, among others.

The Reports that UJCC makes after elections are intended to assess the compliance of the stake holders, with the laws and regulations in accordance to the constitution of Uganda, the EC laws and guidelines and the international principles at large. It has been noticed that the 1994 CA elections were the first ones to be monitored by UJCC, in the struggle of overseeing democracy in Uganda. Accordingly, UJCC operated under the umbrella of NOCEM during undertaking the role of monitoring those elections. UJCC-NOCEM described the 1994 elections as being free and fair, with no government interference and thus promoted the desired democracy that Ugandans had never witnessed before.

The 1994 elections produced the CA delegates who made the 1995 Ugandan Constitution. According to the Constitution; Uganda remained a one-party state as had been retained by the NRM government, the issue of decentralization was promoted, it prescribed that the general elections for the new government were to be held within 9 months from the date of promulgation, it put in place the UHRC and an Inspectorate Government. The Constitution also advanced the issue of the two term limits for the President. Therefore, such were the fruits of the 1994 CA elections which were monitored by UJCC-NOCEM and need to be commendable.

According to the report of UJCC-NOCEM observers and monitors, the 1996 elections were punctuated by the positive and negative characteristics. When the positive characteristics are considered, they included; use of only one ballot box at each polling station. It should be remembered that during the 1980 elections, there were four ballot boxes each representing a political party. With a one ballot box during the 1996 elections, was a reflection of an improvement, which minimized vote rigging. There was also secrecy and transparent in voting in the course of the 1996 elections. This implied that there was individual private voting, counting and announcing of votes before everybody and signing of the declaration forms by agents of candidates. It was also noticed that there was impartiality of the IEC. Accordingly, that impartiality was attributed to the head of the IEC Steven Akabway, who had done a commendable job during the 1994 CA elections.

Since in normal circumstances there can hardly be a perfect situation, the negative characteristics of the 1996 elections included the following; inconsistence in the voter registers like missing names of voters, there was non-adult voting that was seen in some centers, there was distribution of blank voter cards, some stolen cards were seen being used by some voters. There were also logistical problems reflected in the distribution of registers, which delayed voting in a number of polling stations.

It has been asserted that, since these were the second elections to be monitored and observed by UJCC-NOCEM, a certain experience was manifested in the detailed ways in which they carried out their role, as compared to the 1994 CA elections. It appeared in this way that members of UJCC-NOCEM, had gone to the field a bit earlier. They were therefore, able to train their own observers who witnessed the registering of voters, nomination of candidates, campaigning meetings, polling day activities and post-election activities. In this way, they made a qualitative election report which must have helped the EC in the future elections.

The UJCC-NOCEM Report concluded by discouraging the IEC under Steven Akabway from having general elections organised into series of two events (Presidential and Parliamentary elections). They instead proposed that in the interest of reducing costs and promoting transparency, Presidential and Parliamentary elections ought to be organised on the same day.

Therefore, UJCC-NOCEM is commended for the portrayed mandate and role in monitoring the 1996 national elections. The monitoring report that was made was presented to the concerned stakeholders, like the IEC and the government among others. Therefore, it is believed that the organizers of the future elections were expected to pick a

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leaf from what was recommended, by putting them into action. The efficaciousness of the UJCC-NOCEM recommendations was proved by the 2001 elections and other elections that followed;

-The issue of the unregistered voters was worked upon, whereby during the 2001 elections, majority of Ugandans were registered and exercised their franchise.

-UJCC discouraged the IEC from having general elections organized into series of two events that is to say presidential and parliamentary elections, instead, the elections should be organized on the same day. This was rectified during the 2006 national elections.

NB; It should be asserted that, when the efficaciousness percentage of the UJCC election recommendations made after the 1996 elections is considered, it was only 17%.

It can be concluded that in spite of that, UJCC should be commended for the Reports that were made during the 1994 and the 1996 national elections. It is therefore believed that, the recommendations in those Reports helped in improving the future electoral process, though to a minimal extent. Possibly, the situation would have been worse, if it were not for those reminders in the UJCC Reports. Consequently, this has helped the stakeholders of the national elections in one way or another, to be compliant with the Constitution of Uganda, the EC laws and guidelines, and the International Principles, though to a slight extent, viz, (17%).

5.2 Recommendations

In the final analysis, it is recommended that CSOs (UJCC in particular), which undertake the noble task of monitoring national elections, should be provided with a conducive working environment by the government and the EC, instead of being suffocated and throttled. This is due to the fact that they are the representatives of the society, by acting as a watch dog to the casted votes of the populace. In other words, CSOs like UJCC use national elections as an opportunity to actively supervise the process of democracy via election monitoring and observation. This is because, election is a democratic mechanism available to the members of a society, to express their approval or disapproval of the government policies. Yet election monitoring acts as a democratic tool, geared towards promoting the principles of good and democratic governance. At the same time, election monitoring is expected to encourage and promote the value of integrity and quality of elections in the country.

It is again recommended that UJCC, in corporation with the other CSOs (faith-based and non-government agencies), ought to activate for reforms that defend freedom of association and access to information for election monitors. This is due to the fact that such organizations do monitor and report on institutions and organizations such as the Judiciary, the Electoral Commission, the Media and the Police among others. If this is done, it would reduce the bureaucratic limitations and foster confidence amongst CSOs and government institutions. In the same way, UJCC and other CSOs will be ensuring that the elections in Uganda would be democratically free and fair. This would in return help UJCC to be exercising one of its objectives of enhancing democratic institutions in Uganda.

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ANNEX 1



Dr. Paul Kawanga Ssemogerere.

Ssemogerere w'ayimiridde ku kulonda

wa

sabye
tirize
ne ku
a mu
ngula
dewo
a mu

lw. J.
naye
ibaka
za mu
a CP,
nguzi
obwa

ir

ulimu
isaba
a na
akole
ozesa
zaala

tunda
teeko
tuma
a mu

Bivudde ku 1

ng'ateekawo ebintu ebiwerako nga mwe muli n'okulonda okw'amazima n'obwenkanya.

Nga tusinziira ku kino, nze ne bannange twetaba mu gavumenti ye, mu kukola konsitityusoni n'okulonda kwa pulezidenti okwakakomekkerezebwa.

Okuva nga March 27, okutuusa ku Lwokubiri nga May 7, mbadde ntambula okwetoloola Uganda. Wabaddewo obukakafu obulaga nti Bannayuganda baagala wabeewo okukyusaako.

Wabula, ebigendererwa byabwe bitiisiddwatiisiddwa abakozi ba gavumenti n'abantu abali mu bifo ebya waggulu. Ku Lwokusatu era nnalaga nga bwe nnali ntidde nti waliwo obujulizi okukola kino. Okulonda kuno kulaze bulungi obumalirivu bwa Museveni okwesigariza obuyinza mu buli ngeri yonna nga mwe muli, okubbirira, okubuzaabuza, okugulirira, n'okugingirira.

Abo abeetabye mu kulonda olunaku lw'eggulo (ku Lwokuna) bayinza okujulira obubbi obw'amaanyi obwabaddewo.

Kyabadde kisuubirwa nti wadde wabaddewo emiziziko okulonda kuno kwandisobozesezza abantu okweyondera omuntu gwe baagadde mu mazima n'obwenkanya. Okusuubira kwabwe kuno kubetenteddwa.

Bulijjo nkikkaatiriza nti okulafuubanira eddembe ly'obuntu kikaluba nga naye kirina okugenda mu maaso. Nkimanyi nti abo bonna abampagira mu kwewaayo kuno n'okulafuubana kwange bateekwa okuba nga 'bayiiriddwa' era nga baweddemu amaanyi.

Kyensobola okukola kyokka kwe kubasaba baleme okuggwamu omwoyo wadde essuubi naye beyongere okulafuubanira okufuna ebigendererwa by *Demokulase* nga bayita mu mirembe.

Okutakabana kw'abavubuka abajjumbira ennyo okwetaba mu kulonda kuno nga kukwasa omubabiro era nga kuzzaamu nnyo amaanyi. Balaze wa gye balaga mu biseera byabwe ebijja wamu ne Bannayuganda bonna. Ntwala akakisa kano okulaga okusiima kwange eri abawagizi bange bonna, ba agenti bange, n'abantu bonna, n'abantu bonna ababadde mu ttiimu enkubidde kampeyini.

Tulina obuwanguzi bw'omutima omulungi kubanga ebigendererwa byaffe bituufu.

Nkubira omulanga obukadde n'obukadde bw'abawagizi bange wamu n'abantu abanjagaliza emirembe n'abo abaagaliza Uganda emirembe okubeera abakkakkamu wadde nga basosonkerezeddwa.

Eky'omukisa omubi, okusuubira kw'abantu okw'engeri eno kubetenteddwa. Kaakati tulina obujulizi obw'amaanyi obulaga nti okulondebwa kwa pulezidenti okwakomekkerezeddwa olunaku lw'eggulo (ku Lwokuna) kwabaddemu okubbira okw'amaanyi. Njagala mu kaseera kano okunokolayo eby'okulabirako ebitonotono;

1. Ebiragiro eby'oluvannyuma ebyayisiddwawo IEC

Akawungeezi k'olunaku olwaddirira olw'okulonda n'olunaku lw'okulonderako lwennyini akakiiko akakola ku by'okulonda Interim Electral Commission kaayisaawo ebiragiro eby'okugoberera ebirala. Nga May 8, 1996 ku ssaawa 5.50 (ttaano n'eddakiika ataano) ez'oku makya, ofiisi yange yafuna ebbaluwa ng'eriko omukono gwa kamisona Idro Philip, ng'eraga ebifo omutakkirizibwa bantu ba bulijjo abajaasi ba UPDF gye baali bagenda okukubira akalulu enkeera era ebbaluwa eno yali ewa amagezi ofiisi yange okuweereza ba agenti mu bifo bino eby'enjawulo mu ggwanga ebitaayatulwa wa gye biri.Ku lwa May 9, (Olwo kulonda) IEC yafulumya ebbaluwa ng'ewa ebiragiro abakulira eby'okulonda ku disitulikiti (Presiding officers) ng'egamba "abalonzi amanya gaabwe agaali ku lukalala lw'abalonzi nga baweebwa kaada naye nga kati amannya gaabwe tegali ku lukalala, bakkirizibwe okulonda." Enteekateeka eno, ng'oggyeko okulaga nga IEC bwe yali tesobola by'ekola yaggyako abalonzi bangi omukisa gwabwe ogw'okulonda. Ng'ebiragiro ebipya bwe byali tebisobola kutegeezebwa abantu abaali mu byalo.

II. Ebifo by'okulonderamu ebipya ebiwerera ddala 700 byateekebwaw o ng'enkya kulonda nga tewabaddewo kutegeezebwa kumatiza bantu ba bulijjo era n'abeesimbyewo okusobola okuweerezaayo ba agenti baabwe.

III. Mu bifo bingi, mwalimu obutabo bw'obululu obwaze mu kakiiko akakola ku by'okulonda, obululu buno obwali mu bifo eby'enjawulo b okulambibwako Museveni n'ekifa nga bwakwatibwa gavumenti.

Mu bitund by'eggwanga, aba ebirala ebya NRM kampeyini za Muse kiseera kye kimu okukulira okulonda. **Ebifo ebimu tebyafuna bintu mu budde** tebyabifunirako dd bingi awakubirwa a bw'obululu tebwaliy bangi ne basubw Awalala empapul nkalala z'abalonzi te New Vision owa May

Ebyo waggulu kw'ebyo ebintu e ebikulu, wamu n'o nga byonna awamu b okulonda okubaamu okukyamu.

OKUWUMBAWUM

Mu kuwumbawum nti enkola ey'ok demokulase mu g ettiddwa. Njagala abantu bonna nti ok bibaddewo;

i) Tetukkirizza kulonda pulezidenti nti

ii) Era mu n twagala okulang tuggyiddemu ddala okulonda kwonna o nga kuli wansi w'en eno eriwo. Mu kasee bwe tugumira ebyo e mu ggwanga lyaffe n bakkakkamu era abate

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