

Uganda Elections 2021

Museveni's likely victory obscures a more combustible political future



NRM posters during the 2016 election campaign © Maxence/Flickr

Uganda is at a political and democratic crossroads. Despite being a nominal democracy, incumbent president Yoweri Museveni, who has been at the helm for 34 years, shows no intention of relinquishing power and increasingly relies on the military to overcome his waning popularity. In addition, a lopsided electoral playing field makes it even less likely that he will be dislodged through the ballot on Thursday 14 January. At the same time, the country is at the heart of a complex and potentially combustible mix of demographic factors. While women account for the bigger segment of the population and continue to press for more political inclusion, the country has one of the world's youngest populations and is sitting on a youth bulge that will likely implode soon, if not managed economically and accommodated politically. While these factors will be brought into sharp relief in this week, the country's stability and democratic prospects will be severely tested over the next years.

Constitutions and electoral institutions

It is a trite recognition in constitutional theory that a constitution is of little value without constitutionalism—defined as the culture of respecting the constitution as a fundamental social contract. This culture is in turn founded on the rule of law—the idea that every individual is equally subject to, and governed by, the law.

Democracy and the rule of law are thus flip sides of the same coin. It is impossible to have a proper democratic process in the absence of a legal and institutional framework that holds all the political actors accountable. While changes to such a legal or constitutional framework are a legitimate exercise in any society, they must be based on legitimate circumstances and standards that are in the interest of the entire society and not the ruling elite.

It is against this theoretical background that Uganda's constitutional dispensation must be evaluated. The country's experience over much of its post-independence history has been defined more by 'rule by law'—the use of law to serve the subjective interests of the ruling class rather than objective ends of society. The country's current constitution was adopted in 1995 following years of political turmoil that had its roots in a constitutional crisis in 1966. While there is debate on the precise causes of the 1966 crisis, which had many causal factors, the frail sense of constitutionalism—a willingness to exercise political power in accordance with constitutional restraints—was undoubtedly key. More fundamentally, the 1995 constitution was thus intended as an inoculant against a similar constitutional collapse.

Since its adoption in 1995, Uganda's current constitution has undergone several amendments covering a wide range of areas. The most prominent of these have been the removal of presidential term limits (2005) and the removal of the presidential age limit (2017). The timing of both amendments, as well as the process through which they were effected, aptly illustrates the subtle manner in which Uganda's incumbent leadership violates the fundamental spirit of the constitution while appearing to follow its letter. For instance, while the constitution sets standards by which amendments may be effected by parliament, legislators each got or were promised a substantial amount of money in return for voting in favor of both amendments (which the majority of them duly did). In addition, the process leading up to the 2017 removal of the presidential age limit did not entail proper consultation by legislators (as required by the constitution) while the final debate and vote was marred by violent assault of opposing legislators. The net result of these developments is a prevailing sense that while the constitution may constrain other actors in society, it is of little value in terms of imposing checks and constraints on the incumbent president or his apparent intention to stay in office as long as possible. To summarize, incumbent president Yoweri Museveni has mastered the art of co-opting the constitutional framework to suit his ends. More worryingly, this lack of respect for the constitution is a culture has been embedded in the governance structure and will likely prevail long after he leaves office. With the constitution unable to constrain the maintenance or exercise of political power by the incumbent, its utility as a tool for arbitrating democratic political contestation is severely limited and in the absence of rules that bind all players, there can be no meaningful political game.

This factor bears severe implications for Uganda's democratic prospects, both in the current and long term. More specifically, the democratic promise of the decade following Museveni's ascendancy to power in 1986 has gradually dissipated and in its place is a growing realization that the 'democracy' project of the last 25 years was little more than a disguised continuation of militarized politics and the country is no closer to a peaceful transition of power than it was in January 1986. The incumbent leadership has particularly mastered the art of adopting and co-opting the legal and institutional scaffolding of democracy while ensuring that the substantive dynamics of political power remain intact. A close look at the country's electoral commission illustrates this.

A biased electoral commission

In principle, electoral commissions are independent institutional arbiters of democratic contestation, ensuring a level playing field for all actors. An effective and impartial electoral commission (EC) is thus a key determinant of democratic rule of law and it is worth exploring the extent to which Uganda's EC, established under the 1995 constitution, meets the above attributes. Under the constitution, commissioners are appointed by the president (with the approval of parliament) and can only be removed by him. There is no stipulation as to the qualification of such appointees beyond the broad requirement that they be 'persons of high moral character, proven integrity....who possess considerable experience and demonstrated competence in the conduct of public affairs.' In short, there is no restriction on the extent to which the incumbent president can appoint cronies and other persons over whom s/he has influence.

Electoral reform

The need for reforming Uganda's electoral dispensation in order to ensure genuinely free and fair elections is well documented and has been a major bone of contention in discussions aimed at ensuring an equal level playing field. Following the 2011 elections, opposition parties and members of civil society have called for electoral reforms aimed at rendering the EC more independent. While the initial set of electoral reforms was enacted in 2005, these remained inadequate and the clamour for further reforms continued. Other civil society reports have given more specific recommendations regarding the electoral reforms needed to level the playing field. Finally, in its ruling on the disputed presidential elections of 2016, Uganda's Supreme Court noted key factors that undermine the prospects of a level electoral playing field and which 'seem to come up at every presidential election.' According to the court, these include 'an incumbent's use of his position to the disadvantage of other candidates' as well as his 'use of state resources', and the 'unequal use of state-owned media.' The court also noted that 'in the past two Presidential Petitions, this court made some important observations and recommendations with regard to the need for legal reform in the area of elections generally and presidential elections in particular. Many of these calls have remained unanswered by the Executive and the Legislature.' The court reiterated the need for structural and legal reforms that 'create a more conducive atmosphere that would produce genuinely free and fair elections.' Finally, in its observer report following the 2016 elections, the African Union called for 'electoral reforms at least a year before elections to allow for timely preparation and implementation.'

In July 2020, parliament enacted yet another set of electoral reforms, none of which addresses the concerns of the opposition or civil society in a fundamental way.

Civic space and participation

In addition to a constitutional electoral dispensation that favours the incumbent, Uganda's legal framework also undermines electoral fairness at the legislative level. In particular, laws that are on the surface legitimate tools of public order in a free and democratic dispensation are enforced in ways that undermine mobilization by the opposition and political participation by the general public. Key among these is the Public Order Management Act (POMA), 2013 which has become a major tool by which the state restricts political assembly. In addition to the POMA, the Uganda communications Commission (UCC)—the media regulator—has interpreted a number of laws ostensibly intended to regulate the media in ways that restrict political discourse. Similarly, the UCC has interpreted a number of laws regulating social media and the use of cyber space in ways that will likely have a negative impact in democratic discourse by the public. This adds to a context in which the popular public political talk shows ('Ebimeeza'), which served an important role in building civic consciousness and political accountability, were banned on grounds that they fostered political disaffection. In all, Uganda's constitutional and legal framework guarantees basic civil and political rights. Yet in practice, these are severely curtailed through state practice. And in a context where the judiciary's independence is contested, the opposition and civil society have little inclination to test the constitutionality of government excesses in the courts.

Security agencies and elections

The role of security in affecting democratic outcomes is twofold: The first is through the regime's use of security agencies to restrict mobilization of the opposition and citizen participation in legitimate democratic activities (e.g. political assembly). The second is the declining public security and its impact on voting (increased violence by non-state actors)

Within the Ugandan context, the term 'security agencies' covers a broad array of outfits that includes the disciplined forces (military, police and prisons), auxiliary support outfits (Local Defence Forces) and civilian agencies (Resident District Commissioners and Internal Security Officers). Their involvement in the democratic process or elections plays out both in terms of legitimate maintenance of public security, as well as their more sinister role in ensuring regime security.

Public security and democratic participation

In a country that is in many ways still recovering from a turbulent past in which political participation was shunned owing to its perceived association with violent conflict, security agencies (and particularly the military) have played a key role in demilitarizing politics within the public consciousness. This, in turn, has fostered a growing sense of civic participation and democratic activity. Assessed in terms of real and perceived security therefore Uganda's security agencies have played a positive role in promoting democratic participation.

Regime security and democratic participation

The positive democratic role played by security agencies as guarantors of public security is nevertheless offset by their role in promoting regime security. In the run up to, and aftermath of, the 2001 presidential elections (in which Museveni faced his first real democratic challenge), Uganda witnessed signs of a renewed focus on regime security as the military and other security agencies played a key role in beating and generally suppressing opposition supporters. Between 2005 and 2018 when he served as Inspector General of Police (the administrative head of the police), military general and Museveni's former Military Assistant Kale Kayihura oversaw a further consolidation of the myriad security agencies into a single operational command focused on regime security (FN). Since then, any perception of electoral impartiality on the part of the security agencies has totally dissipated as the latter do little to disguise their commitment to keeping Museveni in power. Prior to every election for instance, and despite the constitutional ban on military involvement in politics for instance, a number of military generals have publicly expressed their determination to ensure that Museveni remains in office regardless of the electoral outcome. In terms of democratic participation, comments such as these, as well as the broader association of the security agencies with regime security have severely undermined public confidence in the electoral process.

The media

In a nascent democracy like Uganda's, the media plays a critical role in terms of mobilizing and channelling political discourse. A vibrant media is an instrumental segment within civil society and plays a key role in building a sense of civic consciousness and engagement as well as holding political actors accountable.

With over 30 television stations and 303 registered radio stations, the majority of which are privately-owned, Uganda has all the makings of a vibrant media. Yet the media's potential as a tool of democratic accountability and civic engagement is severely curtailed by peculiar structural conditions. First, and as noted above, the legal stipulation that all presidential candidates be accorded equal access to state-owned media is honoured more in the breach than practice and state-owned media is a practical preserve of the ruling class.

Second, while most media houses are privately-owned and, theoretically open to all candidates, many such houses (particularly in the rural areas) are owned by politicians affiliated with the ruling NRM thereby making it unlikely that they will be accessible to opposition politicians or their supporters.

Third, even where media houses are owned by individuals or entities with no political affiliation, the regime has created an environment that compels such individuals or entities to censor themselves and avoid or minimize any association with the opposition. On several occasions, media houses publishing stories that are perceived as anti-government or pro-opposition have suffered dire consequences including raids by security agencies and fines or closure by government. The government also boycotts adverts with private media houses that are perceived as anti-government and in a context where media houses derive a significant portion of their revenue from government advertisements, this is significant.

In addition, even assuming that policy is adjusted to allow all candidates equal access to media, the utility of such media within the democratic context is limited by the geographical coverage of most media houses. In effect, many parts of Uganda (particularly in rural areas) are not covered by Ugandan media houses (or any media house at all) and are, therefore, unreachable.

Finally, the government's tendentious regulation of media is not confined to traditional media and as noted earlier, the state has relied on legislation like the Computer Misuse Act, 2011 to restrict the use of social media as a tool of democratic discourse. On election day in February 2016, the government took down social media platforms in a bid to limit public discourse around the election.

The impact of the above structural constraints on democracy and electoral politics is even more pronounced in the current context of the COVID-19 pandemic and the associated restrictions on public gatherings. The EC has issued guidelines that require candidates to rely more on the media as a channel of communication with the electorate and as already witnessed, this expectation is proving wildly unrealistic, particularly for opposition candidates.

Women's political participation

Improving women's participation is an ideal for which every society, including the most advanced, strives and Uganda has registered remarkable gains in this regard. As recent surveys show, women enfranchisement has particularly improved, with more women than men registering as voters and turning out on polling day. Statistics regarding the 2021 elections point to an even further rise in women participation both as voters and as candidates. Yet it is not at all clear that signature achievements in this regard, including Uganda's appointment of the first female vice president in Africa and election of a female Speaker of parliament, have precipitated more substantive improvements in the place of women within politics. The same statistics and surveys also suggest that there is a lot more still needs to be done before we can confidently conclude that full participation of Ugandan women in the democratic process. Despite recent improvements for instance, patriarchal impediments remain and women participation as candidates for electoral office remains significantly lower than that of men. Aside from patriarchy, other structural impediments to women participation are enshrined in law, as illustrated by a recent controversy regarding a legal requirement that candidates for elective office whose names differ from those on their academic testimonials must execute a formal Deed Poll.

Women, youth and ethnicity

While the key demographic in the 2021 elections is likely to be the youth, women remain a close second for the reasons explained above and, given their numbers, active participation as voters, and will likely play a key role in determining the outcome. In previous elections, for instance, women, particularly those in rural areas, have constituted a key support base for the ruling NRM. Assuming this holds true in the 2021 elections and, as appears likely, the youth will more than likely vote for key opposition challenger, Robert Kyagulanyi (aka 'Bobi Wine'), the stage is set for a major contest between Uganda's two most important demographic constituencies.

At the same time, there are unmistakable ethnic undertones to the contest between Museveni and Wine. In the early days of his political movement for instance, Wine's rallying cry was *Twebeereremu* (Luganda for 'Let's take charge of our destiny'), a word widely interpreted as a call for Wine's ethnic Baganda community to liberate themselves from three decades of perceived domination by Museveni's Banyankole and other (south) western communities.

Finally, there are already worrying indicators that the 2021 elections will be accompanied by pre- and post-election violence and that women (along with the youth) will likely bear the brunt. For instance, following Bobi Wine's November 18 arrest while campaigning in Luuka town in Eastern Uganda, violent protests broke out in Kampala, and other towns across the country leading to arrests and a growing death toll of over fifty as well as more than 300 people who suffered gunshot wounds and other forms of injury. Victims of the latest protests included an unspecified, but significant, number of women.

Succession politics: The military and the NRM

The notion of 'succession politics' is central to any discussion of Ugandan politics and within the country's parlance, the 'succession project' is understood as a reference to the widely held suspicion that incumbent president Yoweri Museveni is keen to have his son Muhoozi Kainerugaba assume the presidency at some point

after Museveni relinquishes it. While there is no direct evidence of the existence of such a project, anecdotal and analytical accounts by regime insiders and other individuals support the view that it exists or certainly did at some point. As such, no meaningful attempt to assess Uganda's political landscape and democratic prospects would be complete without reckoning with the succession question. The absence of hard evidence complicates any effort to assess the project and its implications for Uganda's democratic prospects post-2021 and inevitably implies that any analysis will be based largely on anecdotes, innuendo and even speculation. With these caveats in mind, a few points are worth making, based on the observations of commentators.

First, to the extent that the succession project existed, some observers believe it has since failed or at the very least run into complications, in part owing to idiosyncrasies on Kainerugaba's part as well as unforeseen political dynamics. In particular, there is a growing belief that while Museveni has done everything in his power to accord Kainerugaba every conceivable military and political advantage, the latter has failed to exploit the same and is overwhelmed by his personal weaknesses.

Second, there is a view that in his original conception of the project, Museveni might have underestimated the political ambitions of many around his court, including some of his close family members, some of whom have actively opposed and undermined the succession plan.

Third, while the succession plan appears to have been founded on the assumption that the NRM would dominate youth politics for the foreseeable future and that as long as the party and the military were mobilized in support of Muhoozi, the succession would go as planned, recent developments appear to have altered this calculus radically. To begin with, Kainerugaba does not wield nearly as much support within the NRM as he does within the military, albeit, even within the military, he faces challenges. It is, clear that Uganda's military is comprised of two broad segments, the regular forces and the Special Forces Command (ostensibly nothing more than Museveni's Praetorian Guard but in actuality 'an army within the army'). While Kainerugaba's fast-tracked promotion and meteoric rise to the helm of the Special Forces Command (SFC) has no doubt accorded him considerable support within that elite segment of the military, it remains unclear that he wields equal support within the wider military establishment, particularly the rank and file soldiers whose role in the event of any political conflict cannot be underestimated. Added to this is the reported discomfort on the part of key members of the military top brass who are said to be aggrieved by Kainerugaba's undeserved elevation through the ranks.

At the same time, the recent emergence of Bobi Wine has upset any calculations that Museveni may have had regarding the political management of Uganda's youth bulge. It has particularly become clear that the youth clamour for more active participation in politics is an inexorable force that cannot be contained using the NRM's traditional structures and tools. Every indication is that this youth surge will remain a key political factor in the foreseeable future, regardless of the outcome of the 2021 elections. In particular, while it may be too soon for this youth factor to upset the NRM electorally in 2021, the youth will remain the key political force in ways that Museveni, Kainerugaba, and the NRM will struggle to contain. There is little to suggest that Kainerugaba's efforts to build support outside the SFC and specifically among the youth have yielded much success and unless this changes, his hopes of rising to Uganda's political helm are unlikely to succeed.

To summarize, Uganda is at a cross roads, both politically and democratically. Since Museveni's ascendance to power, the country has had five democratic elections. With the exception of the 1996 elections, which, by most accounts, Museveni won fair and square, all the other elections have been severely contested and were characterized by a blatant abuse of the advantages of incumbency by Museveni and the NRM, including a deployment of the military and other coercive institutions, as well as influencing the EC with the aim of guaranteeing victory for the incumbent. Moreover, while the outcome in each of the last four elections was challenged legally, the court ruled in each case that the electoral malpractices were not so significant as to affect the overall outcome—a development that was widely interpreted as an attempt by a pliant judiciary to placate Museveni. With the prospect of transition through democratic or judicial means thus foreclosed, the opposition is left with few options other than violent protest. Rather than reinforce Uganda's democratic promise

therefore, the last four elections have undermined any sense that a peaceful and democratic transfer of power is possible.

Enter Bobi Wine

To be sure, the youth factor and the number of unknowns that it potentially throws into the electoral equation appears to belie this sense of democratic despair – as evidenced by the excitement generated by Bobi Wine’s entry into the fray. Even before Bobi Wine’s emergence, Uganda, which has one of the youngest populations in the world, was sitting on a youth ticking bomb economically and the youth clamour for economic accommodation was met by meek attempts by Museveni and the NRM to create employment and other economic opportunities. Wine’s emergence on the political scene has not only amplified the youth dissatisfaction with the lack of economic opportunities but parlayed such dissatisfaction into political disaffection. His People Power movement has mobilized the youth and accorded them a vehicle through which they can build a collective sense of their grievances. Moreover, the speed with which Wine has politicized youth unemployment and lack of economic opportunities gave Museveni and the NRM little time to respond in ways other than brutal suppression. In short, the more the youth clamour for political power is frustrated by an older generation that is unwilling to let go, the more the country is set on a generational collision course.

There is no doubt that owing to this and other factors related to the regime’s natural attrition, the NRM will likely face its strongest electoral challenge yet and there is a genuine belief on the part of many that the 2021 elections may produce a different outcome than previous ones. It is worth noting though that a not dissimilar excitement was generated around perennial opposition presidential candidate Kiiza Besigye (particularly in the run-up to the 2001 and 2006 elections) and that this did not suffice to overcome the unfair advantage resulting not just from deployment of security agencies but Museveni’s presumed control of the EC. The latter’s management of the voter registration process ahead of the 2021 elections has, for instance, already given Museveni and the NRM a significant electoral advantage ahead of the polls. At the same time, and fully two months ahead of the elections, the country has witnessed its bloodiest crackdown on the opposition by security agencies, a development that points ominously to an even bigger role for security agencies in the 2021 elections. In view of more dispassionate observers therefore, the excitement and promise generated by Wine’s candidacy is of little consequence in the context of a hopelessly lopsided electoral environment and is unlikely to affect the outcome of the election.

Uganda’s democratic prospects post-2021

The democratic veneer notwithstanding, Uganda remains fundamentally a military regime at whose helm is an autocrat with no intention of relinquishing power by any means. The prospect of a peaceful political transition has receded over the last two decades and remains unlikely in the short term, rendering elections little more than a perfunctory ritual aimed at giving the government a cloak of legitimacy. Yet natural attrition and personal idiosyncrasies, coupled with an evolving political environment at the domestic, regional, and international levels render Museveni’s grip on power ultimately unsustainable. Owing to demographic and other factors mentioned above, the country’s political development and trajectory are gradually acquiring a dynamic of their own and political transition of some sort is inevitable in the long run, the only question being when and how it happens. In democratic terms, this reality presents both a challenge and an opportunity. Over the last thirty years, the exercise of political power in Uganda has become so deeply personalized, with almost every governmental institution reduced to merely rubberstamping decisions made by the president. This culture of personalized politics is a dubious legacy that will define Uganda long after Museveni leaves office. Indeed, regardless of how it happens, his departure from the political scene is likely to set the stage for a vicious power struggle within his inner circle (not unlike that witnessed in Zimbabwe during Robert Mugabe’s last days). The country’s ability to manage such tensions will define its political and democratic future. Herein lies the opportunity. By liberating Uganda from a particularly pernicious brand of personalized rule, Museveni’s departure will allow the country’s politics to undergo a fundamental reset. While this in itself is fraught with uncertainty and may result in civil conflict or even state collapse, it could, if properly managed,

lead to a new dawn. In Uganda's case, several constituencies will play a crucial role in any such transition and key among these are the youth (already discussed), the military and the NRM.

Conclusion

Uganda is at a critical juncture in its democratic journey. On the one hand, it has a rising youth constituency whose demand for political accommodation is mutually exclusive with a continuation of the political status quo. At the same time, prospects of political transition are practically foreclosed by the absence of a legal and institutional framework that ensures a level playing electoral field and barring major changes to the current constitutional order, the country is unlikely to make real progress in its democratic development. Moreover, as many constitutional theorists believe, it is hard for a country to get a new constitutional dispensation in the absence of a 'constitutional moment', one that is often born of revolution or some other form of fundamental political crisis. Yet, even as Uganda is unlikely to have a peaceful (democratic) transition of power in the short term, the country is moving inexorably in the direction of long-term political change. Such change will be peaceful or violent, depending on how it is managed and the next five years will prove critical in Uganda's democratic development, since they portend both opportunities and threats to peaceful political transition. Domestic and international policymakers keen to exploit the prospect of long-term political transition need to begin identifying and engaging key actors in any such long term transition, as well as potential spoilers. As this paper has argued, three critical constituencies in the country's democratic dispensation are the youth, the military and the ruling NRM. Identifying engaging progressive elements within these various constituencies using a range of carrot and stick tools and with a view to harnessing their energies towards peaceful political transition is not easy (or even short term) task but is one that is every bit worth the effort. At the same time, Uganda urgently needs to reckon with a long running series of historical and political injustices that cut across generations and ethnic constituencies. The country will need some kind of mechanism that fosters national conversations across generational, ethnic and other cleavages. Only by stepping out of Museveni's shadow and forging a new social compact will Uganda be inoculated from future conflict.

Notes

- 1 A.V Dicey, *Introduction to the Study of the Law of the Constitution*, London: Palgrave Macmillan, 1985.
- 2 Dicey, *Introduction to the Study of the Law of the Constitution*.
- 3 Brian Z. Tamanaha, *Law as a Means to an End: threats to the rule of law*, Cambridge: Cambridge University Press, 2006.
- 4 See Article 60 (1)
- 5 See Article 60(8).
- 6 Article 60 (2)
- 7 In 2014, for instance, civil society clamour for electoral reform culminated in adoption of the Citizens Compact on Free and Fair Elections.
- 8 A report by the citizens Election Observers Network (CEON) notes that 'Uganda's legal framework limits the foundation for conducting credible elections. These limitations prompted the citizens to produce the Citizens' Compact on Free and Fair Elections, which includes recommendations for legal reform; overhauling the Electoral Commission to ensure independence and impartiality; reforming the demarcation of electoral boundaries; ensuring that the recruitment of polling officials is done transparently, competitively and on the basis of merit; and the establishment of an independent judiciary to adjudicate electoral disputes impartially. These recommendations were not taken up for the 2016 elections.'
- 9 Report by the citizens Election Observers Network.
- 10 See 'African Union Election Observation Mission to the 18th February 2016 General Elections in the Republic of Uganda, Final Report, June 2016. https://au.int/sites/default/files/documents/36078-doc-report_of_the_african_union_election_observation_mission_to_the_18_february_2016_presidential_election_in_uganda.pdf
- 11 These include the Electoral Commission (Amendment) Act, 2020, the Political parties and Organizations (Amendment) Act, 2020, and the Presidential Elections (Amendment) Act 2020.

- 12 Although section 5 of the Public Order Management Act requires organizers of ‘public meetings’ to ‘give notice in writing ... to the authorized officer of the intention to hold a public meeting’ the police has often interpreted this provision as implying that public meetings must get prior authorization by the police.
- 13 Notable among these is the Uganda Communications Commission (UCC) Act, which gives the regulator (Uganda Communications Commission) almost unbridled power to issue regulations on the use of traditional and social media. Pursuant to these powers, the UCC has issued a series of regulations and directives that severely restrict the activities of media houses, entertainers, and other social groups. On November 19, for instance, the UCC issued a directive to all media houses and online data service providers (read telecommunications companies) in which it cautioned them against ‘misrepresenting information, views, facts or events in a manner likely to mislead the public’ or ‘broadcasting programs in a manner that glorifies lawlessness and undermines public interest, confidence in law and its enforcement in Uganda.’ The net effect of sweeping directives interpreted the Act in ways that prohibit media houses from televising public protests, opposition activities or police brutality against organizers of both.
- 14 Prominent among these is the Computer Misuse Act, 2011 which criminalizes a range of ordinarily legitimate cyber activities.
- 15 As an illustration, political party activities were proscribed between 1986 and 2006 on grounds that political parties were vehicles for propagating ethnicized politics. While this was no doubt a self-serving argument on the part of the political leadership, it is one that was supported by the country’s political history.
- 16 The most recent instance of this occurred on 28 October 2020 when Uganda Peoples Defence Forces Brigadier Deus Mande reportedly told a public gathering in Masaka that ‘We cannot peacefully hand over power to Bobi Wine.’ Col. Deus said: ‘This is our country and we can’t let anyone preside it over. We will not surrender to Bobi or any other opposition parties.’ See ‘Another UPDF General Says Army won’t Surrender to Bobi Wine’. <https://ekyooto.co.uk/2020/10/28/another-updf-general-says-army-cant-surrender-to-bobi-wine-in-2021/>
- 17 Indeed, in the view of some observers, the carefully choreographed comments of the military generals are intended to demoralize the opposition.
- 18 As earlier noted, the Uganda Communications Commission regularly wields its regulatory powers in ways that discourage media houses from hosting opposition politicians or covering stories and events perceived as ‘anti-government.’ Similarly, the ubiquitous Resident District Commissioners play an instrumental role in conveying subtle threats of ‘dire consequences’ to media houses that are inclined to host opposition politicians.
- 19 As a recent report by the Economic Policy Research Institute at Makerere University notes, ‘Uganda’s political landscape has helped create an opening for increased women participation in formal politics. This is seen in the political representation of women at district level as directed by law. In addition, there is increased high level political appointments for women at ministerial level and high positions of leadership in Ministries, Departments and Agencies. As of March 2019, there were 28 out of 80 ministers who were women- with 11 full cabinet ministers and 17 as Ministers of State, making it 35 percent which is higher than 20 percent in 2015.’ See ‘Women Participation in Political Processes in Uganda: Evidence from a National Survey’, Economic Policy Research Centre, January 2020. <https://eprcug.org/research/education/615-women-participation-in-political-processes-in-uganda-evidence-from-national-survey>
- 20 ‘Women Participation in Political Processes in Uganda’.
- 21 Anecdotal evidence of enduring patriarchal tendencies is illustrated by a recent incident in which a divorced female aspirant for office was denied the right to use her marital name on the ballot.
- 22 Female candidates for elective office who had adopted their spouses’ name argued that this requirement was discriminatory on gender grounds since marriage in itself was a legal act that ought to obviate the execution of a Deed Poll.
- 23 Although the voter registration process typically runs until about four months to the election, the Electoral Commission inexplicably closed this year’s process one year ahead of the elections, effectively disenfranchising an anticipated four million young people who would have attained voting age and been eligible to vote. The decision is widely thought to have been aimed at denying Bobi Wine a significant chunk of potential support.
- 24 On November 18, the police arrested leading opposition presidential candidate, Bobi Wine, on grounds that he had violated standard operating procedures aimed at combatting the spread of COVID-19. Wine’s arrest sparked widespread protests in which at least 50 people were shot dead by security agencies.
- 25 Whether this was always the case or is owing to the seemingly failed plan to have his son succeed him is a matter on which analysts disagree and is, in any event, neither here nor there.
- 26 With regard to the military for instance, identifying and engaging the corps of young (post-bush war) officers in the top echelons whose long term interests may not necessarily be aligned with those of Museveni and his bush war generation may be a useful starting point.



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