

## When elections consolidate power: The futile fight of the Ugandan opposition in the 2011 elections



Recent elections in Uganda produced the outcome “everyone expected”: President Museveni and the NRM-party won. After 25 years of Museveni in power, the opposition has failed to pose any significant and real challenge to President Museveni’s rule. Rather than a democratic contest for power, elections in Uganda appear to be tools for consolidating power. The election reflects the NRM and Museveni’s continued control of the political game. Albeit internal weaknesses in the political opposition, we argue that a hostile operating environment makes it impossible for the opposition parties to compete.

The international community, monitoring teams and the opposition have all lamented that there was an uneven playing field in the 2011 elections, and that the results were fraudulent (box 1). Yet, the election results also revealed a fragmented and weak opposition in Uganda. While claims of ballot stuffing, a faulty voters’ register and uneven distribution of voting material to the polling stations, dominated the discussion on election day, the large difference between the NRM candidates and the candidates of the other parties in both the Presidential and Parliamentary race, seems to indicate that the opposition failed to mobilise voters to challenge President Museveni and the NRM.

Six years after the re-introduction of multiparty politics in Uganda, the opposition parties have not managed to attract enough members and voters due to poor party organisation and infrastructure. Lack of access to both financial and human resources within the parties have been compounded by within-party splits, making already fragile organisations weaker. With the failure of the Interparty Cooperation (IPC), the opposition parties have also failed to create a credible, monolithic opposition alternative to the NRM (see box 2). “Opportunistic ambitions” have caused the opposition parties to attack each other rather than to unite against the NRM.

Table 1: Results of Uganda Presidential election 2011

Candidate (party)	Number of votes	Percentage of votes
Yoweri K. Museveni (NRM)	5,428,369	68.38%
Kizza Besigye (IPC)	2,064,963	26.01%
Norbert Mao (DP)	147,917	1.86%
Olara Otunnu (UPC)	125,059	1.58%
Beti O. Kamya (UFA)	52,782	0.66%
Abed Bwanika (PDP)	51,708	0.65%
Jaberi B. Ssali (PPP)	34,688	0.44%
Samuel Lubega (Indep)	32,726	0.41%

Source: Electoral Commission of Uganda

Table 2: Results of Uganda Presidential election 2011 by party: directly elected MPs

Party	Regular MPs	Women MPs	Total
NRM	164	86	250
Independents	30	11	41
FDC	23	11	34
DP	11	1	12
UPC	7	3	10
JEEMA	1	-	1
CP	1	-	1
<b>Total</b>	<b>237</b>	<b>112</b>	<b>349</b>

While this might paint a bleak picture of the opposition in Uganda, there have been positive developments since previous elections. Most of the parties have held delegate conferences with internal elections. Through new, inventive schemes to broaden their resource base, they have shown a willingness to spend some of their resources on building an organisation that in time can reach across Uganda. The Inter Party Cooperation shows that there are ongoing initiatives within the opposition to create a credible alternative to the NRM. This kind of opposition cooperation has been successful in many other African countries.

According to the Afrobarometer, when voting for president, voters consider personality and leadership skills more important than ability to deliver on issues like employment and development. The candidate's party affiliation is less important. The opposition failed to convince voters they could ensure peace and security. Without support from a powerful coalition, Besigye did not manage to convince voters he could beat Museveni and be a strong leader. Voters did not buy Besigye's vision of change. This seeming failure of the opposition, we will argue, is a result of Museveni and the NRM using the state apparatus and their incumbency advantages strategically to distance the electorate from the opposition. How have they taken control of the electoral contest?

## A "hostile" operating environment

### The legal and institutional framework

The manipulation of the legal and institutional framework surrounding the election process has contributed to a "hostile" operating environment. The number of electoral and bureaucratic districts has increased dramatically since elections were reintroduced in 1996 (see box 3). This has increased the costs of the actual election and of participation because the number of positions the opposition has to compete for increases. This hurts opposition parties with weakly developed party structures. While

decentralisation has been a goal of the Ugandan government and international donors since the late 1980s, research has shown that NRM and President Museveni enjoy significantly higher electoral support in newly created districts.

The single-member district plurality electoral system for Parliament creates a candidate-centred system where many opposition candidates campaign against each other. This creates disgruntled losers and spreads their resource, which is detrimental for the opposition. A split opposition simply cannot compete with the monolithic NRM. While this has also haunted the NRM-sponsored candidates who have faced former NRM Independents, it has highlighted the splits both within and between opposition parties.

"The Political Parties and Organisations Act" restricts fundraising. It is poorly and selectively implemented. Public funds supposed to be given to presidential candidates were delayed. Simultaneously, the law contains clauses that can be used to disband and prosecute political parties and individuals if they do not comply with the regulations, thus making it an effective "threat-mechanism". Finally, the Electoral Commission lacks legitimacy. The Commission is appointed and funded by the government and thus dependent on it. The Commission conducts elections without addressing previous failures.

### The use of state resources

A fusion between the state and the NRM party creates opportunities for the NRM to use and distribute state resources. These resources are either used to buy votes, positions or policy.

The importance of money in politics in Uganda is increasing, and vote buying is pervasive. NRM has been named top vote buyer in both surveys as well as focus groups. Money is funnelled through the State House, which has an item in the budget called to "Presidential Gifts"; the President himself can grant policies and projects to regions, districts or individuals. This was used in the period before the campaign. The importance of the public

#### Box 1: Monitoring reports

Commonwealth Observer Group:

"The country is still in the process of consolidating its multi-party political system ... Some serious concerns remain. Of particular note are the overwhelming lack of a level playing field and the "commercialisation of politics". As a result, the 2011 elections in Uganda did not fully meet national, regional and international standards for democratic elections."

EU Observation Mission: "The 2011 Ugandan general elections showed some improvements over the previous elections held in 2006.... Furthermore, the power of incumbency was exercised to such an extent as to compromise severely the level playing field between the competing candidates and political parties."

sector for the economy in Uganda, has created an environment where the private sector is dependent on public contracts to prosper. This increases the importance of being on sound footing with the ruling party, and the risk if one is associated with the opposition.

As the ruling party, NRM controls the creation of positions as well as the loyalty of those employed in the state apparatus. The size of both the local, regional and national governments and bureaucracies are extensive and growing (See box 3). This means that it is 1) important to be associated with the party which can provide you with the resources to win elections, and 2) that the winning party can provide other party sympathisers with non-elected positions. This is compounded by the large salaries enjoyed by public officials. The legacy of the "Movement" system on local and regional government structures and Regional District Commissioners has created many non-partisan government structures that are loyal to the NRM and, more often than not, the President himself. These are often paid from public funds, and should thus be considered public servants.

### ***The "fear factor" and the "silent threat"***

While the build-up to the election and the Election Day was generally peaceful, security forces were massively deployed on Election Day. The close links between the government and a formal and informal security apparatus capture the essence of how the regime uses elections to consolidate power. Hendrickson and Mutengesha (2008) estimate that Uganda has the largest government-friendly militia in the world. As a response to the fear of violent attacks from an organised youth mob known as "Kiboko Squad" with assumed links to

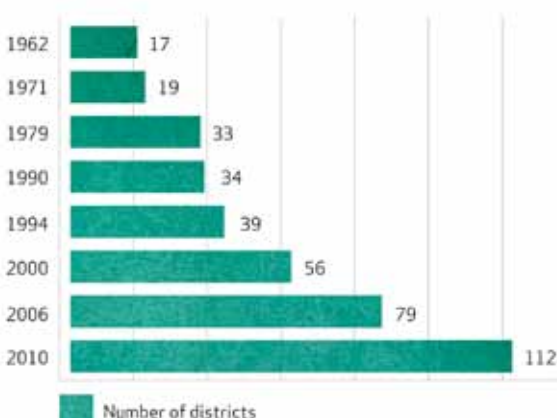
#### **Box 2: The failure of the IPC**

- The Interparty Cooperation (IPC) was an attempt to create a unitary Ugandan opposition for the 2011 election.
- The initiative was supported and funded by the international community.
- It originally included the following parties: FDC, DP, UPC CP, SDP and JEEMA.
- DP quit the IPC in early 2010 and by August UPC has quit as well. Both nominate their own presidential candidate instead.
- SDP quit the Cooperation after seeing FDC support Independent candidate Erias Lukwago for the Kampala Mayor's race, after initially supporting and nominating SDP leader Michael Mabikke as the IPC's candidate.

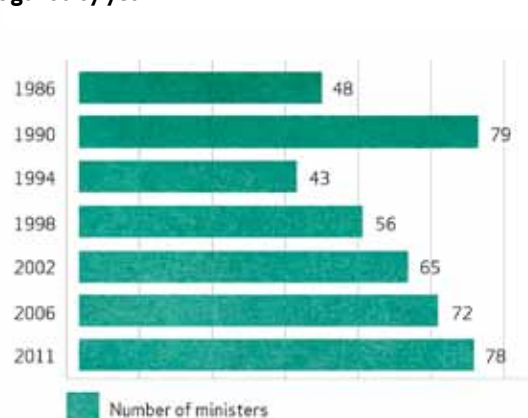
the state apparatus, the opposition mobilised youth wings to "protect the vote". The use and misuse of the term "vigilante group" and "youth brigade" create both fear and space for the military and the police to intervene in opposition mobilisation. The police was supposed to be responsible for security during the elections because the army is under the command of President Museveni. Yet, the army's crucial role in the organisation of the security aspects linked to the Election, created of an atmosphere of a "silent threat". This threat became reality in the late aftermath of the election when the opposition organised peaceful "walk to work" protest marches against increasing fuel and food prices. The state's security apparatus showed its partisan face by violently stopping the protest, arresting protesters including the head of the opposition Dr. Kizza Besigye, and killing at least five people in the streets of Kampala. All in all, this creates a feeling of insecurity in Uganda, a feeling which the NRM and Museveni nurture to strengthen the image of the incumbent president as a "strong leader".

**Box 3: The increase in districts and ministerial positions in Uganda**

**Number of administrative districts in Uganda by year**



**Number of junior and senior ministers in Uganda by year**



## Looking ahead after the 2011 Elections

After the election, the opposition called for peaceful protests against what they perceived to be rigged elections. Returning to Kampala in triumph the week after the election, President Museveni addressed a large crowd of NRM-supporters: "If anybody jokes with this victory of Ugandans, I will hold him like a samosa or a cake and swallow them up". It is interesting to note that Museveni here appears to allude to the memories of Idi Amin and his cannibal reputation. And indeed, the post-election events have shown that Museveni was not joking. The 2011 election was his and the NRM's latest "electoral tool" to legitimize and consolidate their hold on power. This suggests that opposition parties are stuck in a "vicious cycle": their organizations are too weak to effectively compete with the NRM, and the operational environment effectively constrains the opposition's ability to build organisations

that can compete. In 2011, the NRM could hold elections with the certainty that they would win.

To give the 2016 Elections democratic substance and in order to ensure a level playing field between the competing actors in all stages of the process, the rules of the electoral game and the institutions governing the whole election cycle must be changed. The huge incumbency advantages enjoyed by the NRM needs to be constrained. The use of state resources in and before the campaign period needs to be curbed. Money in politics must be controlled either through spending caps or through more transparent spending. The pervasive use of vote buying must stop. The close ties between the security apparatus, the government and the NRM must be addressed. An inclusive and independent Electoral Commission with enough resources to further strengthen the Electoral process would be a good place to start.

"Elections and Democracy in Africa" is a collaborative research project between CMI, IESE in Maputo and Makerere University in Kampala. It focuses on the challenges of institutionalising democratic change within existing formal and informal power structures. The brief is published for the Kampala Conference 2011: Legitimacy of Power - Possibilities of Opposition. [www.cmi.no](http://www.cmi.no)

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