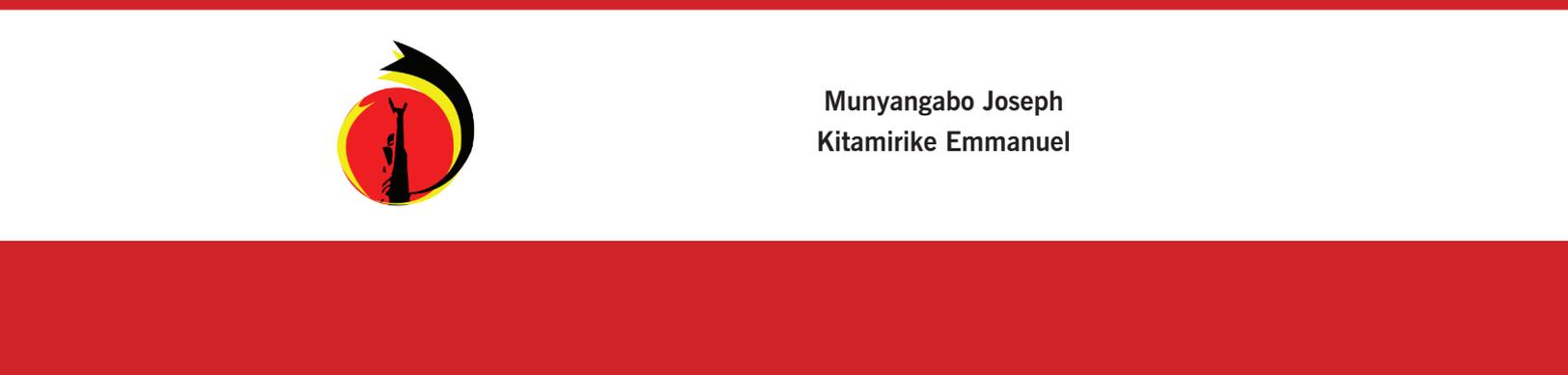


**Political Competition in a Hybrid Multi-Party  
Dispensation** – An inquiry into Internal Party  
Democracy in Uganda



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# 1. Introduction

Uganda returned to a multiparty political system in 2005 following the results of a national referendum. The Multiparty dispensation in Uganda is premised on the legal framework provided for by the 1995 Constitution under articles 71, 72 and 73. The Political Party and Organizations Act (PPOA) was enacted in 2005 to regulate the financing and functioning of political parties in the country. The Act provides the operational framework which *inter alia* prescribes that ‘every political party or organization shall elect such persons as may be determined by the members of the political party or organization as members of the executive committee of the political party or organization with due consideration of gender equity’ 10 (2). The Act further ‘provides for the election of members of the executive committee of every political party or organization at regular intervals not exceeding five years’ 10 (3). These two provisions envisage political parties and organizations which are internally competitive, representative and deliberative in order to guarantee the continuous and meaningful participation of members without compromising the overall external competitiveness of the political party.

This policy briefing paper examines the internal democratic practices within Uganda’s political parties and organisations and illuminates their implications to the country’s pursuits for democratic governance. The analysis is flagged off with a background to Uganda’s multiparty politics and applies a theoretical perspective of political party organizing contextualized in the Ugandan situation. The three issues explored in this paper include the legal and regulatory framework for political parties: State funding of political parties for internal strengthening and competition in national elections and the nexus between internal democracy and political

party ideology and norms. For the purpose of this analysis, political parties and their internal democracy are not evaluated against a structural “ideal” form of political party, but rather against the internal party guidelines, basic democratic competition principles and the country’s legal frameworks.

## ↓ Facts and Figures

1. Since Independence, Uganda’s political trajectory has been characterized by interplays of multiparty political competition, no party state and one party state.
2. Until the 2005 Constitutional Referendum, only one political organisation – the Movement (also referred to as the National Resistance Movement) was allowed to operate
3. Between 1995 to 2005, all Ugandans irrespective of political conviction were presumed to belong to the ‘all inclusive’ Movement (NRM)
4. During the same period (1995 – 2005) all other political parties were in abeyance and not allowed to conduct activities beyond their party head offices.
5. Upon resumption of multiparty political competition, the Movement was transformed into a political party using the already existing national infrastructures
6. The Electoral Commission (Uganda) lists 29 legally registered political parties with only 6 represented in Parliament

7. Every political party in Uganda is obliged by the Political Parties and Organisations Act (2005) to fill its leadership positions through internal elections
8. The leadership of any political party must be at regular intervals not exceeding 5 years
9. Since the enactment of the Political Parties and Organization Act in 2005, Government had not allocated any funds to political parties and organizations until April 2015
10. In April 2015, the first allocation of UGX 10 billion was made available to 6 political parties represented in Parliament to be shared according to the number of MPs representing each party.
11. The National Resistance Movement by virtue of its strength in Parliament and with a total of 256 out of 375 members of parliament was allocated UGX 8.02 billion by the Electoral Commission and the balance shared by other political parties.
12. The Political Parties and Organisation Act (2005) restricts external funding of parties and organizations to twenty thousand currency points (UGX: 400,000,000) in any period of twelve months.
13. Every political party in Uganda is obligated by the Political Parties and Organisations Act (2005) to fill its leadership positions through elections
14. All political parties give supreme powers to their National Delegates conference including powers to elect their top leaders.
15. 31 of the 43 independent MPs in the current Parliament are NRM leaning and contested in the NRM primaries ahead of 2011 elections

## 2. Background

Uganda's governance trajectory is characterized by a multiparty system at independence that gave way to a dictatorship during the 1970s, a return to multi-party political competition in the early 1980s, a no party state following the 1986 military takeover forcing political parties into abeyance and culminating into a one party movement system made possible by the 1995 Constitution. The current multiparty dispensation is just a decade following a national referendum in 2005. "For a long time, there were no open political party activities in Uganda and during this period, only one political organization, [the Movement], was allowed to operate"<sup>1</sup>. Every Ugandan irrespective of his/her political orientation was presumed to belong and an active contributor to the establishment and development of the Movement system as a non-partisan and all inclusive political entity.

The movement system with its bottom –up institutional arrangement through resistance councils (now local councils) promoted the concept of 'individual merit' a proposition that politicians are elected not necessarily because of their party affiliations but rather on their personal worth. This arrangement denied political parties and organisations an opportunity to organize and recruit members for political

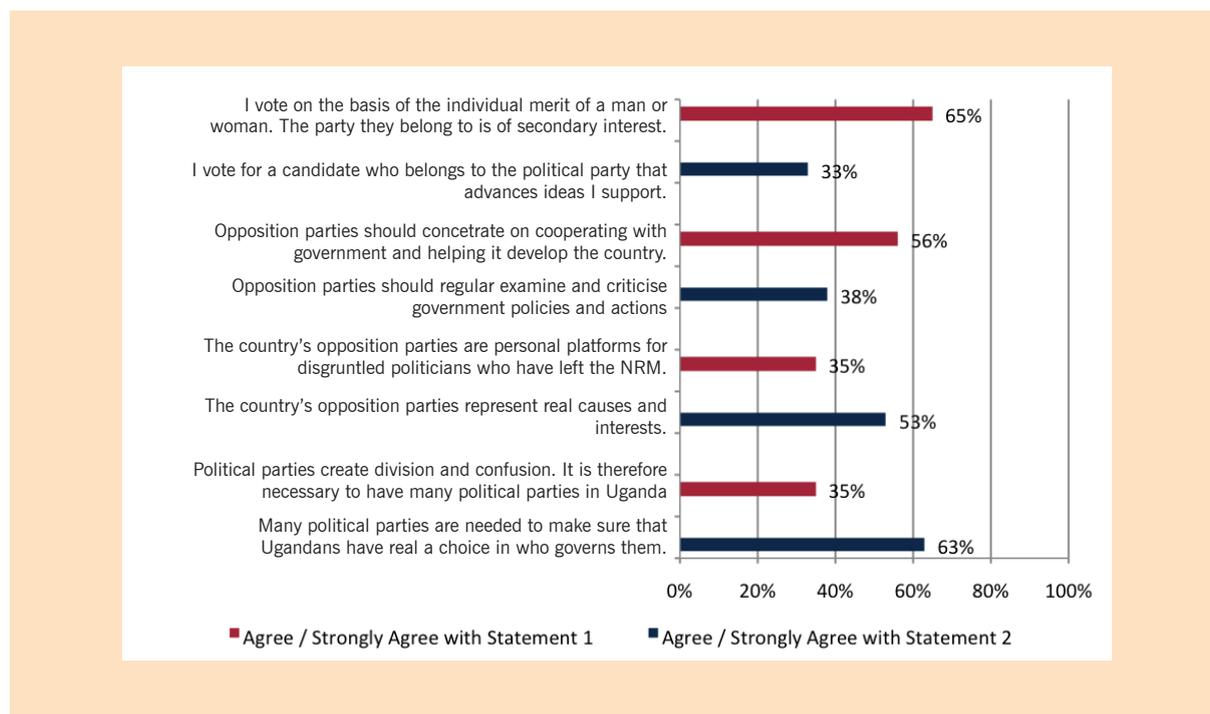
<sup>1</sup> "Uganda: analysis of and reflection on the 2011 elections" – Institute for Security Studies, 5 May 2011, p. 2

competition under a particular political ideology. Upon resumption of multiparty political competition, the Movement was transformed into a partisan political party using the already existing national infrastructures. This institutional arrangement is indispensable to fully understanding and appreciating the contemporary behaviors of the country's political parties.

The current analogy of 'big man' (*cum*) strong leader mentality is directly traceable to the country's post-independence political organizing but became more pronounced during the movement system. This political feature is squarely responsible for the current state of not only public institutions but also political parties' institutional arrangements. As other political parties and organizations emerged from decades of abeyance, the NRM which inherited the all-inclusive Movement system enjoyed advantages that emanated from the fusion of party and state institutions. This partly explains the rapid dominance of the newly formed NRM during recent national political competitions/elections.

The effect of this political history is a landscape in which the NRM has so far dominated the new era of multi-party political competition. This subtle conversion of local structures, such as the local councils and the district security organizations manned by the intelligence agencies, has not only given the NRM members in government an upper hand during internal party democratic competition but also advantages over political organizations competing with it in elections. There is no doubt that the concept of individual merit continues to negatively influence internal political party processes and ballot choices as evidenced by the results below of a recent International Republican Institute (IRI) public poll that sought to identify what influenced the choices of voters during the 2011 general elections.

**Figure 1: The kind of political system voters would like to have in Uganda.**



Source: IRI public opinion poll, 2015

In reference to the above results, 65 percent of respondents affirmed that they made their ballot choices on the basis of individual merit as opposed to a political party they belonged to.

The emerging internal party wrangling and indiscipline within the country's top political parties particularly emerging from internal democratic practices is to a large extent attributed to the after-effects of individual merit and the associated patronage system that is upheld above party allegiances. A perceived lack of fairness in a situation where institutions are centralized and controlled by few individuals has led to distrust of the principles of "collective responsibility." That's evident in the country's main political parties. There have been two major ramifications to this; increase in conflict within political parties and the large number of independents in parliament as a result of contested primaries in which the outcome is blamed on lack of internal democracy and interference within the party by powerful individuals.

### 3. Internal Organisation of Political Parties in Uganda

Fully institutionalized political parties should have clearly laid down legal and guiding rules and regulations especially as it relates to internal structuring and decision-making. These rules and guidelines should be explicit in at least 5 areas that constitute the internal Organisation of political parties including; party structuring, internal democracy, political identity, internal party unity and electioneering processes. 'The principles embodied in these rules should ideally promote the values of internally democratic party organisations, so that parties engage activists in decision-making at all levels of the party<sup>2</sup>.

Clear internal rules and procedures are invaluable for parties which are seeking long-term electoral success. Procedures that regulate internal conflict can contribute to a party's longevity, particularly if rules are transparent, well-publicized, understood by members and followed NDI (2008).

Political parties play a central role in nurturing and consolidating electoral democracy in any country and should thus be supported to have well-functioning grassroots structures constituted using democratic means. This is however not the case in many emerging democracies like Uganda where parties are loosely constituted, revolve around one strong leader or clique and rarely adhere to their own legal and guiding rules and regulations. This is further compounded by a lack of commitment by the State and legal restrictions to international support towards the internal strengthening of political parties. In 2014, the Electoral Commission indicated that there was limited political party compliance to the provisions of the PPOA and went ahead to deregister 10 political parties that had never submitted returns since registration. The PPOA further mandates Government to issue a Code of Conduct for Political Parties and to call a National Consultative Forum. While as the forum was established and meets regularly, its substantial contributions to ongoing processes like electoral law reform, internal party strengthening and general compliance with the law is limited.

<sup>2</sup> Norris, P. (2004). Building political parties: Reforming legal regulations and internal rules. *Report commissioned by International IDEA.*

'The relative neglect of the internal life of political parties is that these organizations have long been commonly regarded in liberal theory as private associations, which should be entitled to compete freely in the electoral marketplace and govern their own internal structures and processes<sup>3</sup>'.

The PPOA (2005) clearly provides for state funding of registered political parties in parliament but it's until April 2015 that government did offer some sort of financial support to political parties. At the same time, the same law restricts external funding of political parties and organizations to twenty thousand currency points (UGX 400,000,000) in any period of twelve months from any one or more. In a political environment like Uganda where political membership is voluntary with no or very limited financial implication, fund raising for internal party activities becomes critical for the functioning of the organization. Major internal political processes like building grassroots structures, filling party vacant positions, periodic party meetings as stipulated by party Constitutions and guidelines have many times been either relegated or ignored due to lack of funding. This has given opportunistic political leaders a pretext to disregard internal democratic processes, hijack party organs and employ patronage systems to control and usurp the powers of the various organs of the party.

Party financing, especially on a local level, is correlated to the presence of party strongmen, in many cases identified as elected MPs. In several cases these local strongmen plug into existing networks and patron-client relationships that are particular to the individual, and feed their financial and logistical support back to the party.

### 3.1 Strengthening Internal Democracy

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Internal democratic structuring principally relating to the election of party leaders remain a crucial component for building a credible political party that offers every member an opportunity to participate in decision making and selection of candidates. There are commonly two traditional approaches to practicing internal democracy namely adult suffrage and use of electoral collages.

Notwithstanding the role, function, organizational structure, and philosophy of any political party, members must be central in deciding the leadership of the party to ensure credible party leadership.

Political parties should not be islands of dictatorship by preaching to have alternative credible leadership that doesn't internally exist in their parties.

To ensure a healthy internal democratic culture, NIMD presents 5 do's for a functioning democratic party to adopt;<sup>4</sup>

- (i) Transparency – political parties must ensure members' as well as public's access to its information and records regarding membership, finances and party platforms among others
- (ii) Commitment to adherence of both the external and internal regulatory frameworks as well as party values and principles including the party Constitution and other administrative instruments

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<sup>3</sup> Ibid

<sup>4</sup> Netherlands Institute for Multiparty Democracy (2004).A framework for Democratic Party – Building. NIMD the Hague

- (iii) Existence of internal mechanisms for the democratic resolution of conflicts and potential conflicts. A strong internal democratic party can be judged by its ability to discipline its members particularly in key party and public offices in accordance with established rules and principles and without serious internal rifting.
- (iv) Frequent and scrupulous organisation of internal elections and open selection procedures for party officials and candidates for elective public office
- (v) The rotation and term limits of leadership positions in the party

**Table 1** below presents the modalities governing the election/selection of leaders of the 6 political parties represented in Parliament

No	Party	Rules and Guidelines	How party leadership is filled
1	Conservative Party (CP)	The elections at the National Delegates Conference are supervised and managed by the Conservative Party Life Members Committee	<ul style="list-style-type: none"> <li>(i) The Delegates conference shall elect the national party executive committee.</li> <li>(ii) Women and Youth shall conduct national conferences which shall elect the national women and youth leaders who shall represent them on the national executive committee.</li> <li>(iii) The presidential flag bearer of CP shall be nominated and elected at the National Delegates Conference</li> </ul>
2	Democratic Party (DP)	Elections by the National Delegates Conference shall be presided over and supervised by a member elected by the National Delegates Conference immediately prior to the commencement of the elections.	<ul style="list-style-type: none"> <li>(i) The national Delegates Conference shall elect the National, Women and Youth executive committees. These committees constitute the top party leadership</li> <li>(ii) The president of the party shall be the presidential flag bearer and head of state whenever the party is in power or leader of opposition if DP is the main opposition party.</li> </ul>
3	Forum for Democratic Change (FDC)	The party Constitution provides for an Electoral Committee composed of not less than 3 persons nominated, seconded and defended at the delegates' conference. Its role is to establish procedures for voting and determining any dispute raised in regards to the conduct of elections	<ul style="list-style-type: none"> <li>(i) The power to elect top party leaders (with a 5 years' tenure) rests with the National Delegates Conference.</li> <li>(ii) The presidential flag bearer is elected by the national delegates conference</li> </ul>

4 Election Petition No 1 of 2006 – Rtd. Col. Dr. Kizza Besigye v Electoral Commission, Yoweri Kaguta Museveni

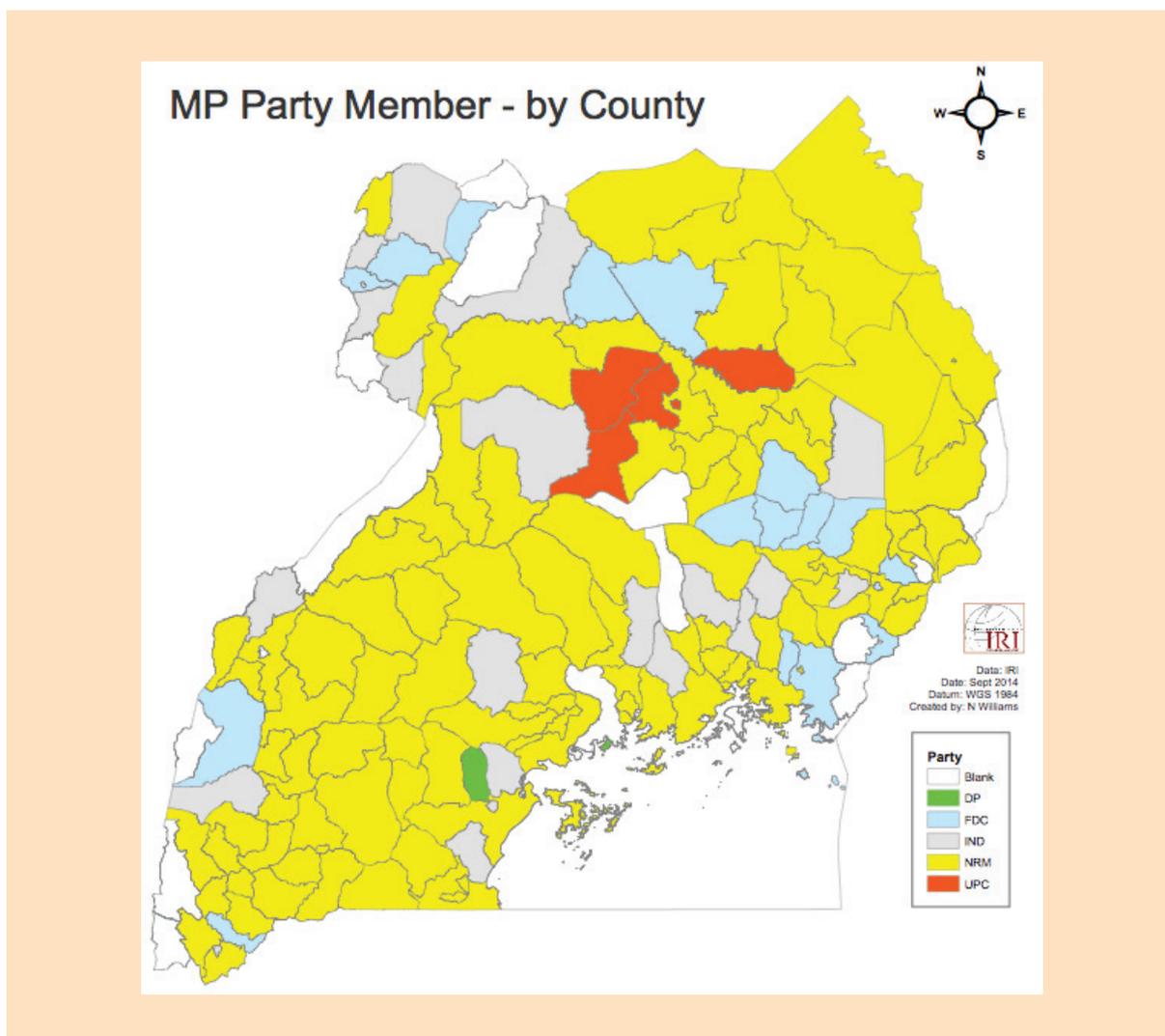
No	Party	Rules and Guidelines	How party leadership is filled
4	Justice Forum (JEEMA)	The Party Electoral Commission established by the National Delegates Conference is mandated to formulate electoral rules and procedures to be followed in electing officers of the Justice Forum at all levels and for all organs.	The powers to elect top party leaders rests with the National Delegates Conference
5	National Resistance Movement (NRM)	The party electoral commission is mandated to organize elections of office bearers with the exception of the Secretary General, Deputy Secretary General, National Treasurer and Deputy National Treasurer. These are appointed by the National Chairperson and approved by NEC	<ul style="list-style-type: none"> <li>(i) The Central Executive Committee (CEC) recommends to NEC, NRM candidates seeking nomination for the office of National Chairperson and presidential candidate for the party.</li> <li>(ii) The NEC reviews and subsequently recommends a person or list of persons for National Chairperson and the NRM presidential candidate to the National Conference for elections/ or approval</li> <li>(iii) The Secretary General, National Treasurer, Deputy Secretary General and Deputy National Treasurer shall be appointed by the National Chairperson with the approval of the National Executive Council (NEC)</li> </ul>
6	Uganda Peoples' Congress (UPC)	<p>The President is elected from candidates approved by a majority vote of at least one third of all district conferences.</p> <p>The President shall hold office for a term of 5 years and be eligible for re-election for a further term of 5 years. If the President wins national election in his/her second term, then he/she will be eligible for re-election for one more term (third term)</p>	<ul style="list-style-type: none"> <li>(i) The National Delegates Conference has the powers to elect the party President who shall be the leader of the party and its flag bearer at a general election.</li> <li>(ii) The President shall immediately after his/her election submit his/her nominations for the top party positions to the delegates conference for approval</li> <li>(iii) The president has powers to dismiss or replace any member so nominated by him/her and approved by the delegates conference provided the replacement is approved by the next National Council.</li> </ul>

A review of the provisions highlighted in table 1 above indicate a blend of election and selection procedures for top party leaders raising concerns of the extent to which some of them do reflect the guiding provisions enshrined in the Political Parties and Organisations Act (2005). The legal and guiding provisions that are either not clear or offer some party leaders absolute mandate over top party Constitutions is characteristic of Uganda's multi-party dispensation story that has been marred with internal democratic contradictions characterized by disputed constitutional order, lack of consensus on election guidelines, internal election malpractices and lack of conflict resolution mechanisms after election disputes.

The stories and after-effects of party primaries ahead of the 2011 elections can be seen through the ramifications of Democratic Party (DP) splitting into three factions, the Uganda People's Congress (UPC) into two factions that did not recognize each other and; National Resistance Movement (NRM) together with the Forum for Democratic Change (FDC) commissioning tribunals to investigate election-related conflicts and propose mechanisms to ensure reconciliation and restore cohesion within the party. This did not only show the inconsistencies in the internal democratic processes but produced the largest number of independent members of parliament in Uganda's history; and continues to undermine the essence of multi-party competition. Following the disputed party primaries especially from NRM ahead of the 2011 elections, the country registered an unprecedented number of independents contesting that saw a total of 43 emerge victorious over and above the 34 members of the leading opposition Forum for Democratic Change.

Internal party democracy means that a political party has objective rules and procedures to avoid the arbitrary control of internal elections and party functioning by individual leaders and cliques – NIMD 2004

Figure 2: Members of Parliament by Party affiliation 2011 – 2016



**Source:** IRI Maps.

A theoretical and practical scrutiny of the country's political parties comes to the conclusion that they are weakly institutionalized and rotate around individual leaders, aspects that greatly affect the processes of electing their candidates during primaries and party conferences resulting into contentions and internal rifts. This deficiency is primarily identifiable by the lack of party rosters, member lists and operational infrastructure at the local level.

To fully internalize and question the internal democracy of political parties in emerging democracies like Uganda, this paper presents several policy inquiries on the theoretical and practical underpinnings of political party organizing. These inquiries are intended to define and orient contextual discourses from the general picture to specifics regarding political party organizing in different democratic settings.

- (i) How can political parties be internally democratic and at same time be legally bound to state rules and regulations especially where they are formed to articulate and aggregate specific peculiar interests of society groups?
- (ii) How can the EC play its impartial and supportive role of strengthening internal and external democratic processes of political parties
- (iii) What activities and processes within political parties should be funded by the state?
- (iv) What innovative approaches should political parties adopt in strengthening their internal democracy and structures?
- (v) How can a political party balance between its cultural norms, behaviors, ideology and obligations of internal democratic structuring?
- (vi) Is the question of internal democracy relevant in newer democracies where majority of political parties are not institutionalized and revolve around powerful leaders or leadership factions?