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Turnaround: The National Resistance Movement and the Reintroduction of a Multiparty System in Uganda

SABITI MAKARA, LISE RAKNER, AND LARS SVÅSAND

ABSTRACT. This article addresses the process behind the decision of the National Resistance Movement (NRM) to reintroduce multiparty politics in Uganda. Restrictions on party activity were introduced when the NRM assumed power in 1986 and were upheld in a referendum in 2000. In March 2003 the NRM u-turned on the issue and agreed a return to multiparty politics in Uganda. The article seeks to explain why the NRM leadership sanctioned a transition to multiparty politics and, secondly, how the NRM leadership sought to remain in control of the transition process. We find that the reintroduction of a multiparty system in Uganda primarily was stimulated by internal conflicts between factions within the NRM and much less by international (donor) pressure. We show that the decision to move to multiparty politics was made contingent on other constitutional changes which enabled the executive and the central political leadership to remain in power.

Keywords: • NRM • Uganda • elections • organizational change
• democratization

1. Introduction

This article addresses two questions. First, why would a political movement that had monopolized political power for two decades expose itself to competition; second, after having made this decision, how did the incumbents maximize their chances of remaining in power? These questions are posed in the context of the decision by Uganda's National Resistance Movement (NRM) to reintroduce multiparty politics. The restrictions on party activity that were introduced when the NRM assumed power in 1986 were upheld in a referendum in 2000, but soon after the 2001 elections a process was initiated that led to a u-turn on the issue. On February 28 2003, to the astonishment of most observers, President Museveni

announced that the Movement National Executive Committee (NEC) and the National Conference would meet to discuss the return to multiparty politics. The NEC meeting held in March 2003 and the following National Conference agreed in principle that the country should open up for multiparty politics.

In the article that follows we argue that the reintroduction of a multiparty system in Uganda was stimulated primarily by internal conflicts between factions within the NRM. These tensions originated in the 1994 constitutional debates and were exposed in the 2001 elections when Col. Kizza Besigye challenged Museveni in the presidential elections. We argue that this development was much less influenced by international (donor) pressure than is generally believed. We also show that the decision to open for multiparty politics was made contingent on other constitutional changes which enabled the executive to remain in power. We find that the transition or turnaround primarily was orchestrated by President Museveni and a close circle of "inner cabinet members" consisting of family members and loyalists from the President's home region, and that the transition appears to have strengthened the executive branch of government. As a result, the formal transition to multiparty politics has not been completed in terms of changing the foundations of the NRM Movement system.

We contextualize our analysis of the NRM's turnaround in the political party literature and the study of the circumstances under which parties will open themselves to change. According to dominant perspectives in this literature, parties are only likely to change when faced with an organizational crisis that negatively affects the leadership's ability to remain in office. But, assuming that parties make decisions through an organizational process and that institutions act in a unitary manner, we argue that this perspective is only partly applicable to studies of organizational change in African politics. Studies of African politics have questioned the assumption that political institutions are able to restrain executive will. Instead, it is held that African political parties are vehicles for party leaders and that the internal organization of the parties leaves little room for internal democracy. By combining the party organization perspective with the perspective of office-seeking actors, holding that politicians are primarily motivated by the attractions of political office, our analysis emphasizes the role of the central leadership of the NRM, and above all President Museveni, in the turnaround. We argue that the decision to open up for multiparty competition was intimately linked to Museveni's ambitions to remain in office and control the transition process. By linking the return to multiparty politics to the removal of term limits, the power of the executive was consolidated, arguably, through a weakening of the institutions that could act as a check on executive dominance.

The article is organized as follows. Section two provides a brief historical background to the Uganda case and presents the NRM Executive Committee report that opened up the possibility of a referendum on the multiparty question in 2005. In section three, two perspectives are introduced to explain the NRM's turnaround. First, we assess the pressures from Uganda's external environment as part of the overall democratization process on the African continent; second, we consider the turnaround as a response to internal challenges faced by an organization. Section four presents a theoretical perspective on how an incumbent may maximize opportunities for re-election and applies this perspective to an analysis of the pre-election and election phases of the 2006 Uganda elections. A fifth section concludes the article.

2. The Movement Political System in Uganda

Uganda has had a volatile and violent history as an independent state. Initially it was a multiparty system, but became a de facto one-party state in 1966, led by Milton Obote. In 1971 Obote was deposed by the army, which under the leadership of General Idi Amin established one of Africa's most brutal dictatorships. The economy collapsed as a result of corruption and the forced emigration of the Indian business community. Eight years later (in 1979) Amin was overthrown by a rebel army, supported by Tanzania and a small contingent of Ugandan troops. Elections in the following year returned Obote to power, but his rule triggered more armed resistance and he was deposed in a military coup in 1985 that subsequently was defeated in 1986 when the National Resistance Army (NRA), led by Yoweri Museveni, captured the capital. Since the civil war Uganda has remained politically stable, but armed conflicts have persisted in the northern parts of the country.

During the guerrilla war against the second Obote government, the National Resistance Army (NRA) established Resistance Councils (RCs) in the villages under its control. When the NRA took power in 1986 and established itself as the NRM, it aimed to spread the institution nationwide as the basis of its administration. The NRM's rule was initially based on the legitimacy it had earned as the ouster of the hated Obote regime. Legal Notice No. 1 of 1986 provided an initial legal basis for the new government, but it took several years before the RC structures that had been developed from the start of the Movement regime were incorporated in the legal and constitutional framework, with the adoption of the constitution of 1995 and the Movement Act of 1997. The Movement system that was introduced in Uganda when the NRM came to power was based on the principles of participatory democracy, and a major feature of the system was the establishment of Resistance Councils (RCs) in every village. Renamed Local Councils in the 1995 constitution, the Local Councils are part of a five-tier structure that starts at the village level (LCI) and progresses from parish to sub-county, county, and finally district level (LCV). Political parties were allowed to exist, but their activities were subject to strict limitations that prohibited delegates' conferences and the sponsoring of candidates for elections (Barya, 2000; Carbone, 2003). Until the February 2006 elections, all elected representatives in the LCs and the national legislature – a total of 945,351 seats – were elected on the principle of "individual merit."

A question that increasingly manifested itself in the debates around the 1995 constitution, the 1996 elections, the 2000 referendum, and the 2001 elections was whether the Movement system was to be regarded as a permanent or transitional system pending the day when Uganda could become a multiparty democracy. However, the Movement Act and the constitution did not differentiate between the state of Uganda and the Movement as an organization separate from the state. The NRM did not have a formal structure until May 2003 and the Movement structure was directly funded by the Ugandan state until February 2006. It was only after the repeal of the Political Parties and Organizations Act and the registration of the NRM as a party officially called the NRM Organization (NRM-O) that a party constitution was adopted. As a result, for many years there were no rules for how the Movement should be governed as opposed to how Uganda should be governed (Goetz, 2002). Thus, from a complete fusion between Movement and state, the NRM was gradually made distinct as an organization but never separated in a fundamental way from the state. As our analysis of the 2006 elections will reveal, this was to have a major impact on the outcome of those elections.

The Decision to Reintroduce the Multiparty System

On December 18 2001 the National Executive Committee (NEC) of the NRM appointed an ad-hoc committee with the mandate to “examine the performance of the Movement system in light of current political trends/developments, including the calls to open up to political party pluralism, with a view to guide the political future of this country” (NEC, 2002: iii). The committee submitted its report in April 2002. After reviewing the Movement’s strength and weaknesses, and the arguments in favor of and in opposition to changing the current system, the committee summed up its deliberations in three possible scenarios for the Movement (NEC, 2002: xiii):

- a) the continuation of the Movement in governance, but with improvements as pointed out by the committee, and continuation of restrictions on political parties;
- b) the continuation of the Movement in governance, continuation of restrictions on political parties, but the NRM organization should become the organ of the Movement political system (thus, establishing a one party system);
- c) political pluralism, in which those who believed in the Movement should organize themselves into a political organization.

The report concluded that opening for political pluralism was the best option. Although the committee praised the achievements of the Movement since its capture of power in 1986, it addressed some key weaknesses. According to the committee, the role of ideology had declined and there were examples of corrupt behavior. The all-inclusive nature of the Movement provided space for opponents bent on destroying the Movement system from within. Legal developments had not taken into consideration the need to strengthen the NRM as an organization separate from the state. The NEC presented four reasons for its recommendation to prefer political pluralism. First, the transformation of the NRM into a party would provide “the opportunity to purify itself of those people that are in the system because of the concept of broadbasedness.” Second, by opening up for multiparty politics, opponents would be deprived of “the weapon they have been using to malign the Movement accusing it of being undemocratic.” Third, the change would “enhance Uganda’s relationship with our development partners and facilitate our access to world markets and international aid.” Finally, it was argued that “political pluralism is the current world trend and Uganda can ill afford to detach herself from the rest of the world” (NEC, 2002: 114–15). Thus, based on the official justifications presented in the report, it is evident that the decision to u-turn on the issue of multiparty politics was linked both to internal factors in the Movement and to the international environment of Uganda.

3. Explaining the Turnaround: Internal and External Factors

In a comparative perspective Uganda is an example of what Hyden (2006: 39) calls “a renewal of the movement idea.” While many African parties derive from movements, they have usually done so from fighting a colonial power. Rwanda, Chad, Ethiopia, and Eritrea are, together with Uganda, a unique group of countries in which the governing movement ousted an incumbent African regime – not a colonial power. The Movement system, also characterized as a “no-party system,” has been praised as well as criticized by domestic and international actors and

observers (Carbone, 2003; Dicklitch, 2000; Mugaju and Oloka-Onyango, 2000; Salih, 2003; Ssenkumba, 2000; Tangri, 2006). If not initially, then at least at some point, according to these critics, the NRM appeared to have assumed most of the characteristics of a political party, and by implication Uganda had become more like a one-party, or at least a dominant party system. The recommendation to reintroduce a multiparty system meant that the NRM had to make a complete turnaround from a position it had advocated for almost two decades and which, as recently as in 2000, had received overwhelming support in an – admittedly disputed – referendum (Bratton and Lambright, 2001). President Museveni's position on the matter was that parties were suitable for developed countries where societal cleavages are based on divisions of labor and, therefore, principled. However, in developing societies like Uganda, divisions were unprincipled and based on parochial considerations such as ethnicity, religion, and region. Lacking a sizable middle class, it was not possible to practice meaningful multiparty democracy (Museveni, 1992).

Understanding the Turnaround as a Result of Pressures from the Environment

The decision in 2003 to reintroduce multiparty elections in Uganda can be understood against the backdrop of the general democratization of African polities since the late 1980s. Since 1989, 44 of the 48 sub-Saharan countries have organized multiparty elections, although a number of them do not count as free and fair. With reference to aid-dependent regimes in sub-Saharan Africa, scholars have argued that the international donor community to a large extent has influenced processes of democratization by making democratic reforms a condition for maintaining donor support (Abrahamsen, 2000; Mkandawire, 1999; Remmer, 1997; van de Walle, 2001).

In this context, Uganda constitutes a unique case where elections have been held but without any party competition. The return to party competition would bring Uganda “into line” with the rest of the countries on the continent, as pointed out in the NRM committee's report. The international donor community had been favoring the adoption of a multiparty system in Uganda, as it had for the rest of the continent. However, the introduction of multiparty elections was never made a condition for continuing economic and political support for the NRM regime, unlike the situation for many other African countries.¹ Although the decision to return to multipartyism may be seen as a contagion effect, it hardly explains why the NRM decided to make this move. President Museveni himself dismissed the relevance of outsiders' opinions,² knowing very well that neither neighboring governments, more concerned with their own situation, nor the donors, with their conflicting priorities, had any significant leverage over the regime. Uganda's environment may have provided a conducive context for change, but it does not explain why the change was made at this particular time, in the way it was made, and how it was implemented. Explanations for why the NRM abandoned its opposition to multiparty contests are therefore more likely to be found in the domestic arena.

Turnaround as the NRM's Response to Internal Challenges

The literature on political parties has extensively analyzed the circumstances under which political parties will change (Harmel and Janda, 1994; Mair, 1997; Panebianco, 1988). Parties are seen as conservative organizations that prefer

stability, are resistant to change, and are only likely to change when they are exposed to dramatic events with an impact on their organization, such as an electoral setback. In these situations, parties are faced with several constraints, or multiple games in Tsebelis' conception (Tsebelis, 1990). On the one hand, a party as an institution acts in order to protect itself against environmental challenges, while, on the other hand, party leaders change if they believe that their position within the organization is being threatened without a change.

These perspectives, derived from the analysis of parties in established democracies, are only partly applicable to the Ugandan context. The NRM is a political movement, similar to an incumbent party, but it did not face a competitive environment. However, as is the case in most movements, factionalization also emerged in the NRM. The challenge of Col. Besigye in the 2001 elections, in which he won 29 percent of the votes, sent a strong signal to the party leaders that all was not well, and may have served as the equivalent of an electoral shock, stimulating a discussion about change within the NRM. Below we will show that the factionalization of the Movement over time posed a challenge to the leadership, which responded with increasing centralization.

Factional Divisions in the NRM

Critical observers have argued that the period preceding the 1995 constitution saw a different kind of movement. The NRM was moderately tolerant of divergent views, accommodating members of various political parties and allowing political debate on almost every issue (Kasfir and Twebaze, 2005). Despite the NRM's all-inclusive ambitions, it proved difficult to accept dissent from people who disagreed with the principle of the Movement system, from those that disagreed with the Movement on political grounds, and from people who did not approve of Museveni's leadership. As a result, factions within the Movement developed that challenged both the leadership of President Museveni and the no-party political system. Gradually, in response to these internal challenges, the Movement grew intolerant of divergent views and increasingly power became centralized around the President, his family, and loyalists from his home area. Power-centralization within Museveni's close family and around loyalists from his ethnic group (Bahima) is increasingly becoming a public concern in Uganda. According to independent news reports, 71 percent of the cabinet members are Bahima kinsmen, controlling approximately 75 percent of the budget (Mwenda, 2008). Two examples include the President's brother, Hon. Salim Saleh, who is chief of the presidential guard, a major security arm of the government. After the 2006 election, he was appointed Minister of Micro-finance, considered a major source of political patronage funds. Sam Kutsea, the President's brother-in-law, is the Minister of Foreign Affairs.

The origins of factional developments date back to the 1994 constitutional debates and the question of the inclusion of the Movement system in the constitution (Furley and Katalikawe, 1997). Towards the late 1990s, growing political differences within the NRM leadership were fueled by concerns over corruption and the centralization of power within the presidency. In addition, a new generation of parliamentarians had emerged with their own agenda and for whom the "glue" of the Movement's history was less significant. Thus, over time several internal conflicts emerged exposing the Movement to factions that challenged the leadership of President Museveni. One group comprised the army and police forces of the state. A second developed around the so-called "Movement historicals."

Within this latter group there were politicians who expressed support for pluralist reforms and were critical of the dominance of Museveni and his close associates. As a third group, we identify the new generation of politicians that emerged over time with different experiences and political views than the veteran NRM group whose experiences were rooted in guerrilla warfare. As we will show, the “broad based” government, the NRM term for its consultative spirit (Museveni, 1997), changed markedly in the period leading up to the 2001 elections.

The Role of the Armed Forces

Upon taking power, the NRM controlled the civilian state apparatus and could also transform itself from a guerrilla movement to a government equipped with a defense force. All the leading personnel in the UPDF (Uganda People’s Defense Force), the various police forces, and the presidential guard came from the Movement. A symbol of the status of the UPDF is its special representation in the National Assembly. The appointment of the leadership of the UPDF is the prerogative of the President of Uganda. Col. Kizza Besigye, a veteran of the bush struggle and twice State Minister in the NRM cabinet, was one of ten army representatives to the Constituent Assembly (CA) in 1994. Together with two other army representatives, he argued that the NRM should be considered a transitional arrangement and that the ban on parties should be lifted before the 1996 elections (Onyango-Obbo, 2001). This minority position was rejected by the CA. Col. Besigye’s critique revealed a faction within the Movement that also divided the army representatives between the groups that regarded the no-party system as a temporary device and those that saw the Movement as an ideal form of leadership.

In November 1999 Col. Besigye delivered the most far-reaching critique of the Movement. Echoing perspectives of Ugandan and international scholars, Besigye presented an “insider’s view” of the decreasing tolerance for opposition within the Movement and accused the NRM government of being undemocratic and corrupt (Besigye, 1999). Col. Besigye was subsequently threatened with court-martial. When Col. Besigye announced his candidacy for the presidency at the November 2000 NRM National Conference, factions within the army group became evident. Due to the active role of the army in restoring stability in Uganda after 1986, increasingly the army and security agencies became key institutions from which the President and cabinet derived power (Kituo cha Katiba, 2002). More and more central policy issues were only debated by a tight circle of close army comrades of the President, popularly known as “the Movement Political High Command” (Goetz, 2002: 571). The linkage, personally and institutionally, between the President and the defense and police forces meant that these institutions could potentially be used to the advantage of Museveni against internal opposition to his leadership (Mwenda, 2007). The army’s loyalty to Museveni, as opposed to the Movement, became evident in the 2001 elections, when soldiers attacked Museveni’s opponents and beat and harassed voters and activists from the opposition (HRW, 2006; Uganda Parliament Select Committee, 2002).

The “Historicals”

The “historicals” is a faction that is clearly defined in the statutes of the NRM. It refers to individuals who were members of specified NRM units at *specific dates* in 1986 and 1987.³ Parts of this group were also unhappy with the system of election

that favored particular candidates and relegated others. Members of this group are also reported to have objected to the NRM pressure on the constitutional commission to write the “no-party system” into the 1995 constitution (Goetz, 2002: 574, fn 14). In the run-up to the 2001 elections, the National Executive Committee (NEC) of the NRM was convened in November 2000 to discuss the candidacy for the post of president. At this meeting, Museveni was declared as sole candidate for the Movement. This decision contravened the 1995 constitution, which stipulated that under the Movement system all positions were open for competition by any qualified Ugandan citizen. Members of the NEC opposed the decision that only one candidate should be nominated from the NRM (*Daily Monitor*, November 29 2000). According to newspaper reports, the NEC meeting on November 24 2000 exposed significant disagreements among the NRM historical members.⁴ After critical debates, the following resolutions were adopted: “Bearing in mind his contribution to the building of the Movement and the country and confident of his potential to make further contribution to the Movement, H.E. Yoweri K. Museveni is urged to contest the forthcoming presidential elections” (*Daily Monitor*, November 25 2000). However, this position was debated among “founding members” of the NRM, and the rift was exposed when the debate resurfaced after the 2001 elections.

The Young Parliamentarians

A third faction emerged inside the Movement, particularly during the sixth parliament (1996–2001). As new and younger politicians without a background in the resistance struggle, this group tried to find a political platform within the Movement from their parliamentary position. Increasingly, these younger MPs objected to what they perceived as increasing corruption and lack of willingness within the NRM leadership to accept criticism and initiate reform. In the sixth parliament, 97 MPs formed “the young parliamentarians group” (YPA), a group of young Movement MPs who used their parliamentary position to oppose what they saw as power concentration in the executive (Kasfir and Twebaze, 2005). The YPA members returned to the seventh parliament (2001–6) formed a successor group, the Parliamentary Advocacy Forum (PAFO), and some MPs from this group later joined the party Forum for Democratic Change (FDC). According to a member of the PAFO caucus in parliament: “The Movement caucus essentially died and there were no venues beyond the plenary sessions. By 2000 parliament was left as an empty shell.”⁵

In terms of electoral politics, the turning point in Movement politics appeared in the year 2000. For the first time, central NRM politicians began to openly question the government of Uganda. Concerns about growing levels of corruption, fueled by the exposure of corruption cases involving senior NRM politicians and army personnel, were voiced in parliament (Tangri and Mwenda, 2001). One of the leading critics of the Movement in parliament was Mbarara Municipality MP Winnie Byanyima, who at that time also served as the Director for Information at the NRM Secretariat.⁶ Col. Besigye’s strong electoral performance and the violence perpetrated by the NRM leadership against his supporters exposed a rift in the NRM. Before the 2001 elections, Museveni campaigned for NRM parliamentary candidates and actively campaigned against many of the leading spokespersons against corruption and Museveni’s leadership in the previous parliament

(Kasfir and Twebaze, 2005). As a result, the seventh parliament (2001–6) had a lower profile and made fewer efforts to curb the executive.

Controlling Factions through the Centralization of Power

With hindsight, it may be argued that Museveni's campaign for particular parliamentary candidates in the 2001 elections was a preparation for 2006. While it was generally understood that, constitutionally, Museveni was serving his last term in office as president, shortly after the 2001 elections a process to change the constitution was initiated to secure a removal of the two-term limit to the presidency. The ad-hoc committee that was appointed after the 2001 elections was an element in this process. The election result and the electoral process had suggested that the NRM leadership risked losing their grip on political developments. While lifting the term limits of the presidency was not part of the ad-hoc committee's mandate, the process to ensure this outcome had already started.

When the NEC of the Movement met on March 3 2002, two motions were introduced for discussion. The first concerned the opening up of political space, with a view that some people who were uncomfortable being in the Movement should be granted the freedom to leave and form their own organizations if they so wished, while another motion was introduced by Hon. Jessica Eriyo, the MP for Adjuman district. This second motion sought to delete Article 105(2) of the constitution on presidential term limits. It is reported that the motion took many delegates by surprise, including some ministers who argued that they had not been briefed about it (Mulumba, 2005). In the course of the debate the group supporting the motion argued that to change leaders (i.e. Museveni) during a time of transition would be destabilizing for Ugandan politics. This argument was used as a key reason for retaining Museveni. However, other delegates, including some ministers, openly opposed the removal of presidential term limits. Shortly afterwards, at the National Movement Conference (March 2002), Minister Ssali rejected the amendment of Article 105(2) on lifting term limits. According to reports of the meeting, Museveni lost his temper during the debate and confronted Ssali with the question: "Who are you?", adding that he (Ssali) was a mere "spoke in the wheel" (Mulumba, 2005). This was the clearest indication thus far that Museveni was determined to change the constitution and to stand for a third term, although officially he refrained from declaring his ambition until after parliament had changed the constitution. After the March meetings of the NRM and the NEC, three ministers (Eriya Kategaya, Miria Matembe, and Jaberu Bidandi) opposed to the lifting of term limits were dismissed from the government.⁷

Thus, over time internal conflicts surfaced within the Movement linked to concerns about the permanence of the Movement system, corruption, and the leadership issue. In addition, a new generation of parliamentarians emerged with their own agenda and for whom the "glue" of the Movement's history was less significant. All of this pulled the NRM apart, triggered by the 2001 elections. Increasingly, the various factions were controlled by replacing historical members and dissenting voices and centralizing power among close family members and loyalists from Museveni's home region. The linking of the decision to reintroduce a multiparty system with the third term issue suggests that President Museveni and his close circle of loyal supporters carefully orchestrated the transition to multiparty rule. For the leadership group, the opening of the political space was made contingent on the lifting of presidential term limits. Opening the political space to multiparty

politics would silence the donors and the opposition groups within as well as outside of the Movement, while lifting the term limits would mean the return of the incumbent leadership. The lifting of term limits ensured the re-election of Museveni, engineered through a carefully controlled transition and electoral process.

4. How Incumbents Remain in Office: the NRM's Control of the Transition Process

The literature on parties emphasizes that politicians are primarily motivated by the attractions of political office (Harmel and Janda, 1994; Muller and Strøm, 1999; Schlesinger, 1991). Thus, politicians will seek to maximize the probability of winning, or in the case of incumbents remaining in, office. A problem regarding this literature when applied to African politics is the assumption that parties as political organizations make decisions through an organizational process and thus that institutions act independently of their leadership. Much of the scholarship on African politics questions the assumption that political institutions and organizations are able to restrain executive will. The literature on African parties emphasizes how crucial access to public office is for elites, not least because of the absence of attractive alternatives. This stimulates a strong motivation to use "every trick in the book" to obtain this goal. At the same time, one of the most common claims in this literature is that African political parties are vehicles for party leaders (van de Walle, 2003), and that the internal organization of the parties leaves little room for internal democracy. The party leader dominates over the organization, what Ihonvbere (1996: 356) calls the leadership fixation of African parties. In the African context, it has also been pointed out that the blurring of the boundary between party and state gives rise to corruption and use of state control to benefit relatives, associates, and the president's own ethnic group. Access to the state therefore involves more than the prestige of winning office. Of all offices, the presidency is the ultimate prize because of its dominance in the political system. Thus, the combination of an "African party organization," the desire for access to state resources, and the importance of the presidential office may result in strategic calculation to maximize an electoral winning strategy. The management of the 2006 electoral process adds further credence to our claim above that the decision to open up for multiparty competition was intimately linked to Museveni's ambitions to remain in office and control the transition process.

Once the decision was made to move away from the Movement system to a system of competing political parties, the strategy was to minimize the likelihood of losing to any competitors. President Museveni and the NRM leadership's strategy can be divided into two phases. In the first phase, the pre-election period, the party leadership used its government status to alter the rules in its favor, and in the second phase, the actual election campaign period, the NRM used its incumbency position to tilt the playing field to its advantage.

The Pre-election Phase

The pre-election phase began with the appointment of the Constitutional Review Commission in 2003 and culminated with the 2005 referendum on multiparty politics, the constitutional amendment that lifted the two-term limit to the presidency, the 2005 Political Parties and Organizations Act, and finally the 2006 presidential and parliamentary elections. Through these processes, Uganda

officially transformed from a Movement system to a multiparty system. However, the protracted transition enabled the NRM leadership to control the process.

A so-called omnibus bill was presented to parliament on February 15 2005. The bill was intended to amend an array of articles of the 1995 Uganda constitution. It resulted from the report and recommendations of the Constitutional Review Commission, which was submitted to the government on December 10 2003.⁸ In one go the government proposed to amend 114 articles and schedules in the constitution.⁹ On April 7 2005 the government decided to withdraw the controversial Constitutional Amendment Bill from the House. Instead, the government tabled two separate bills before parliament on April 5: Bill no. 2 and Bill no. 3. Amendment Bill no. 2 dealt with amendments that required approval by the District Councils, while Amendment Bill no. 3 concerned amendments that required approval by parliament only. However, the government noted that Article 74 on changing the political system from Movement to multiparty would not be amended. Instead, the government would move a motion calling for a referendum on that matter. Thus, against the initial vote of parliament, civil society, the donors, and the opposition, the NRM government conducted a referendum to decide on the issue of a return to multiparty politics. Other, more controversial issues of the constitutional amendment process were left for a decision by parliament.

The Referendum on Multiparty Politics

Some MPs, the opposition parties, civil society, and international donors argued that a referendum was an unnecessary and costly procedure to decide the issue of a return to multiparty politics in a context where both the opposition and the government supported the change. Regardless of the concerns voiced, the NRM government pressed ahead. The argument voiced most explicitly by President Museveni was that the referendum was a “house cleaning exercise” through which the NRM-O “would rid the Movement of saboteurs,” as he noted during a press conference in July 2005 (*Daily Monitor*, July 27 2005). In the July 28 2005 referendum 92.5 percent of the voters favored a return to multiparty politics. However, at 47 percent the voter turnout was low. In Kampala, it was observed that only 16 percent of the registered voters participated in the referendum. The low voter turnout may in part be attributed to general confusion as to the purpose of the referendum. Museveni, as the head of state and leader of the NRM-O, was campaigning in favor of a return to multiparty politics despite the fact that for nearly two decades he had emphasized the virtues of the Movement system. During the referendum campaign, the President did not adequately explain his change of mind, but continued to criticize the political parties. The NRM-O was represented in both the pro-change camp and in the camp advocating the status quo. Thus, voters were faced with a situation where the executive and parts of the NRM, together with the opposition parties, campaigned for a return to multiparty politics, whereas other parts of the NRM system campaigned against this position.

Uncertainty of Rules: the Lifting of Presidential Term Limits and Delayed Registration of Parties

On May 21 2005, the Legal and Parliamentary Affairs Committee voted 11 to 1 in favor of lifting the presidential term limit. Before the adjournment for a two-week recess on May 26 2005, Bill no. 3 was tabled by the Speaker of Parliament. Clause 37 of

this bill sought to amend Article 105 of the constitution to make clear that a person elected president under the constitution may hold office for one or more terms. The stated reason for lifting the term limit was to enable a person who is favored by the electorate to hold office for more than two five-year terms. On September 26 2005, the President assented to the Constitutional Amendment Bill 2005, in which Article 105(2) lifted the limit on presidential terms in office.

Another legal element in the pre-election strategy of the NRM-O was the implementation of the procedures for registering political parties. Problems for the opposition started at the party registration stage. The Political Parties and Organizations (PPO) Act passed in 2002 required new parties to register and older parties to re-register. The NRM-O was the first party to register. The party filed its application on June 27 2003 and was registered four months later. But the registration process was not without problems for other parties. The office of the Registrar General (RG) claimed that financial constraints prevented them from carrying out the verification of signatures in time. Thus, the opposition parties took much longer to be registered. The Forum for Democratic Change (FDC), which emerged early on as the most serious contender to the NRM-O, was not registered until mid-December 2004, more than a year later than the NRM-O. It is not clear whether the financial constraints of the RG's office were politically constructed or genuine reflections of the economic constraints of Uganda, but the registration process had important implications for the parties. Unless a party was formally registered, it could not start operating. It could not organize a convention, it could not establish district branch offices, and it could not start the process of candidate nomination. The NRM-O therefore had a head start as a party compared with the opposition. In March 2005 the NRM launched its parliamentary caucus, and in May the NRM-O's interim national executive committee established district committees charged with the task of mobilizing and registering party members. By July 2005 the party claimed to have recruited more than 12 million supporters countrywide (*New Vision*, July 18 2005). NRM-O membership cards were distributed free of charge.

Finally, the timing of the elections was changed. Originally scheduled for March 13 2006, they were brought forward to February 23 2006. This narrowed the time span between the formal registration of the opposition parties, their organization, and the nomination deadline for candidates. One implication was that civil servants would find it difficult to stand as opposition candidates because they could not meet the resignation deadline before they were nominated. Thus, a vital element in the whole process was the time perspective. The comprehensive legal and constitutional changes rushed through in a short time, the obstacles in party registration, and moving the elections forward all compounded the opposition parties' problems ahead of the election campaigns.

The Election Phase

During the electoral campaign period three key factors were applied to the advantage of the NRM: election finance, control of the media, and the use of the judiciary, the police, and the military.

Election Finance

Although the PPO Act granted all political parties a level ground to contest for political power, at the same time it was made clear that the Movement system would

remain until *after* the 2006 elections based on Article 74(a) of the constitution. It was argued that the winding up of the Movement system should be done in an orderly manner and that the Movement Secretariat had employment obligations (*Daily Monitor*, August 24 2005). Thus, the NRM-O officially repositioned itself so that it would be separate from the government and state. Unlike the other political parties, the NRM-O had a claim on the national budget throughout the financial year 2005/6. Although section 68(1) of the Parliamentary Elections Act made it an offence to influence another person to vote or refrain from voting through the provision of money or gifts, numerous instances of candidates and parties offering gifts and food at centers of worship and other social functions were reported in the Ugandan press and by the civil society organizations monitoring the elections, the DEMGroup. On February 14 2006, the Coalition for Election Finance Monitoring (CEFIM), a joint entity of the Anti-corruption Coalition of Uganda (ACCU) and Transparency International, issued a public statement expressing concern about the unfettered use of public resources by or on behalf of the incumbent presidential candidate. According to the Director of Economic Affairs in the Office of the President, Mr Cheeye, the NRM spent 50 billion shillings on the 2006 elections (*Daily Monitor*, April 26 2006). The NRM's main rival, Kizza Besigye, disclosed a spend of 740 million shillings. As the NRM-O relied on government funding through the Movement Secretariat, the NRM-O had a substantial advantage over its rivals in the 2006 electoral race. CEFIM also expressed concerns about the unfettered use of public resources on behalf of the incumbent (CEFIM, 2006).

Control of the Media

Documentation by Uganda Journalists Safety Committee (UJSC, 2006) shows clear differences between various media channels in how much and in what way they covered the candidates. According to this study, Besigye and Museveni were given about equal coverage in all print media taken together. However, radio is by far the most important of the media as it is available through the whole country. Private radio stations varied somewhat with regard to who was given the most coverage, but state radio and state television were overwhelmingly dominated by the NRM: 61 percent of the election news on state radio focused on the NRM.

Employment of the Courts, the Police and the Military in the NRM-O's Election Bid

The February 23 2006 elections were contested in a context of increasing military control of Ugandan politics (Kiiza et al., 2008). Overt military repression and violence was less visible than in the 2001 elections. However, subtler forms of re-repression were employed, and key among these was the incumbent's use of the courts to hinder the opposition from carrying out its political tasks. The main legal obstacles were put in the way of the FDC and its presidential candidate, Col. Kizza Besigye, who had returned from exile in South Africa in late October 2005. Four weeks before the nomination of presidential candidates he was arrested and charged with treason, concealment of treason, and rape alleged to have taken place in 1997. Besigye's arrest sparked two days of political violence. The case carried a death sentence which meant that bail could not be granted for six months – thus after the 2006 elections. On December 12 the opposition won an important battle when the Electoral Commission (EC) declared that Besigye

was eligible for nomination and that he could be nominated in absentia, despite the stated opinion of the Attorney General, who had advised the EC to reject the nomination (*Daily Monitor*, December 13–14 2005). Although Besigye was in the end released on bail, the court case proceeded during the election campaign, forcing him to interrupt his campaign.

The Ugandan army (UPDF) played a key role in the 2006 elections. Before the elections key military personnel were promoted to significant positions within the police and media. There were also instances of violence during the campaign. The involvement of and intimidation by different actors in the security sector affected the general electorate by perpetrating fear and uncertainty. The arrest and prosecution of the FDC leader limited his ability to campaign, and it also demonstrated his vulnerability to the security structure. This strategy effectively distracted the opposition candidates during their campaign, and it also undermined their legitimacy as political leaders (Commonwealth Observer Group, 2006: 27). There were also reported cases of intimidation and interference in the polling exercise (Ssemogerere, 2006). In polling stations where the army voted, it was reported that the agents of opposition candidates were denied access to stations and sent away. The army barracks at Kyamugashe hill provide an example. The barracks were created in 2002. Since 2002 there had been few soldiers present, but just before the 2006 elections approximately 500 soldiers were transferred to the barracks. The barracks were used as a polling station and while there were party agents for each candidate, the agents were soldiers or their wives and two of the polling assistants and the Presiding Officer were soldiers. The soldiers and civilians voted in an orderly manner and the results from this polling station revealed that Museveni got 98 percent of the votes. No physical threats or cases of intimidation of voters were reported, but the local residents argued that the presence of soldiers posed psychological intimidation as residents could not engage in controversial debates about the candidates.¹⁰

The 2006 Election Results

As shown in Table 1, according to the official results Museveni was returned to office for a third term with a comfortable majority and the NRM retained a two-thirds majority of MPs. Thus, at least officially, the 2006 elections were unique in the sense that a two-decade-long era without active political parties was brought to an end and replaced by party based contestation. The surprising outcome of the election is perhaps not that the NRM won, but that the opposition did as well as they did, considering the uneven playing field. The post-election developments have largely confirmed the continued dominance of the NRM. Many MPs elected as independents have joined the NRM, as have several MPs from the Ugandan People's Congress. The donors have continued their support for Uganda, despite the fact that the Electoral Commission and the Supreme Court judgment on the presidential election acknowledged that there were problems in the execution of the elections (Ssemogerere, 2006).

5. Conclusion

We began our analysis by posing two questions. Why would a political movement that had monopolized political power for two decades expose itself to competition,

TABLE 1. *Uganda's 2006 Parliamentary and Presidential Election Results*

	NRM	FDC	DP	UPC	Indep.	Other* parties
Presidential candidate** (% votes)	59.3	37.4	1.6	0.8	1.0	–
No. of parliamentary seats***	205	37	8	9	37	2
Percentage of seats	66.3	12.0	2.6	2.9	12.0	0.6

Notes: * Conservative Party and Justice Forum each one seat.

** NRM-O: Y. Museveni; FDC: K. Besigye; DP: J.S. Kizito; UPC: M. Obote; Indep.: A. Bwanika.

*** Total number of seats in parliament is 319, including all 215 constituency seats, 10 seats for UPDF (Uganda People's Defence Force) and 10 ex-officio members.

Source: Electoral Commission, Report on the 2005/2006 General Election, August 2006 (<http://www.ec.or.ug/pub.html>) (Accessed Oct. 13, 2008).

and how did the incumbents maximize their opportunities for remaining in power? We have argued that the reintroduction of a multiparty system in Uganda was stimulated primarily by internal conflicts between factions within the NRM exposed in the 2001 elections and much less by international pressure for democratization. We have also shown that the decision to move to multiparty politics was made contingent on other constitutional changes which enhanced the prospects of the executive and the central political leadership remaining in power.

After initially enjoying widespread domestic support and international acclaim, in the late 1990s the NRM experienced internal disagreements. Internal conflicts between factions within the NRM originating in the 1994 constitutional debates culminated in the 2001 elections, when Col. Kizza Besigye challenged Museveni in the presidential elections and won 29 percent of the votes. The 2001 elections marked a turning point and a split in the Movement, with senior members of the NRM – many also from Museveni's home district – arguing that the cohort of leaders that came to power in 1986 should give way to others.

The analysis of the NRM's turnaround has drawn on the political party literature and the analysis of the circumstances under which parties will open themselves to change. According to dominant perspectives in the literature, parties are only likely to change when central actors within the party face situations that imperil their primary objective: to remain in office. The 2001 elections must be considered a setback to the NRM leadership, and the conflicts prior to, during, and after the 2001 elections exposed the need for a new strategy. The combination of defections and opposition strength tipped the balance inside the NRM in favor of a multiparty system that would deflect international criticism of Uganda and allow time for the NRM to organize the transition process for its own benefit.

But our analysis has revealed that the literature on party change is only partly applicable to studies of organizational change in African politics. The literature on party organizations derived from a European context assumes that parties as political organizations make decisions through an organizational process and thus that institutions act as a unitary actor. However, much of the scholarship on African politics has questioned the assumption that political institutions are able to

restrain executive will. Instead, it is held that African political parties are vehicles for party leaders and that the internal organization of the parties leaves little room for internal democracy. By adding the perspective of office-seeking actors, holding that politicians are primarily motivated by the attractions of political office, we have emphasized the role of the central leadership of the NRM and, above all, the role of President Museveni and shown that the decision to open up for multiparty competition was intimately linked to Museveni's ambitions to remain in office and control the transition process. By linking the return to multiparty politics to the removal of the term limits, the power of the executive was consolidated, arguably, through a weakening of the institutions that could act as a check on executive dominance.

Throughout the 2006 electoral process – starting with the battles over procedure, through making certain changes, to implementing measures for the election itself – the incumbent government greatly shaped the election outcome. The fact that the Movement system remained in operation until after the February 23 elections meant that the incumbent party was funded as a government entity right through the 2006 elections. The NRM-O was registered as a political party two years before the other contending parties and was building its party structures on the extensive Movement structures erected from the grass-roots levels to the top echelons of government. The failure to ensure a distinction between the NRM-O and the state was demonstrated through the use of public resources, public servants campaigning for the NRM-O, lack of balance in media coverage, and the harassment of the main opposition candidate and his supporters. It may therefore be argued that the combination of the NRM's absolute majority in the parliament and the fact that the president was re-elected for a third term characterizes an emerging one-party-dominated system. Can it then be argued that the 2006 elections, and the transition to a multiparty dispensation that preceded the elections, represented a step toward democracy in Uganda?

In recent years, scholars have begun to challenge the democratic transitions witnessed on the African continent since the late 1980s. It is increasingly argued that many countries have not followed the pattern of rapid transition from authoritarian to democratic rule leading to an institutionalization of democracy. Focusing on so-called hybrid regimes, or regimes that are neither fully authoritarian nor democratic, some argue that in many new and transitional regimes elections are simply "window-dressing," designed to enhance domestic and international legitimacy (Carothers, 2002; Levitsky and Way, 2002; Mozaffar and Schedler, 2002). From this perspective, the 2006 transition in Uganda appears similar to the strategies pursued in Kenya and other single party and military regimes in Africa during the 1990s, in other words to accept, or even initiate, a formal change to multiparty politics and then contest the elections by utilizing the power and resources of the state to support the incumbency. Thus, a form of multiparty politics and electoral democracy is accepted, but it is not followed by a genuine liberal democracy. The successful parliamentary election campaign of Uganda's First Lady, Mrs Janet Museveni, illustrates the importance of the continued Movement structure throughout the 2006 multiparty elections. She was accompanied on her campaigns by state security agents and the Presidential Guard Brigade. Her campaign slogan was "Okubiba embibo yentuura," which literally means "planting a permanent seed." Reflecting on the challenging distinction between electoral governance and the broader process of democratization, it may be argued that

the NRM planted a permanent seed in the 2006 elections that will continue to challenge the full transition to multiparty politics.

Notes

1. As an illustration of the international donors' reluctance to impose political conditionality on Uganda, see Secretary of State Colin Powell at a press conference in Kampala in 2001, <http://www.state.gov/r/pa/ei/bgn/2963.htm> (accessed November 25 2006). For similar arguments, see Haynes (2001: 202), Tangri and Mwenda (2006), and Mwenda (2007).
2. "When you listen to outsiders, you make mistakes ... Yielding to pressure from outsiders has been our big mistake in some cases. We will never do it again" (*Daily Monitor*, December 22 2005).
3. Constitution of the National Resistance Movement (NRM) 2003, paragraph 27 (1–3).
4. Major Gen. Mugisha Muntu, Hon. Kategaya and Hon. Arnaya Mushega are reported to have opposed the idea of endorsing one candidate for the Movement. Gen. Muntu argued that the proposal for one candidate was one of the causes for bloodshed. Kategaya wanted the proposal to be amended to include that doors remain open for other Movement candidates. Museveni, however, replied that this would only confuse voters (*Daily Monitor*, November 29 2000, p. 1).
5. Personal interview with S. Musumba, vice-president of the FDC, June 1 2006.
6. Winnie Byanyima is also the wife of Col. Besigye, Museveni's main challenger in the 2001 and 2006 elections.
7. After the 2006 elections Eriya Kategaya was appointed as Third Deputy Prime Minister and Minister for East African Affairs in the NRM government.
8. The White Paper presented to parliament in September 2004 deviated substantially from the Constitutional Review Commission's report. See "The Report of the Commission of Inquiry (Constitutional Review): Findings and Recommendations," December 10 2003, and the Government White Paper on, 1) The Report of the Commission of Inquiry (Constitutional Review) and, 2) Government Proposals Not Addressed by the Report of the Commission of Inquiry (Constitutional Review), September 2004.
9. The bill was meant to forestall a repeat of the Constitutional Amendment Act of 2000, which the Constitutional Court nullified on the grounds that it indirectly amended certain entrenched articles of the constitution (*New Vision*, March 14 2005).
10. Personal observation by the authors. See also Kiiza et al. (2008).

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