COMPETITIVE POLITICS AND THE FATE OF ETHICAL PRINCIPLES IN ACCESSING PUBLIC OFFICE IN UGANDA: A CASE STUDY OF ELECTIONS HELD IN NANGABO AND MAKINDYE SUB-COUNTIES, 2001

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A DISSERTATION SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF A DEGREE OF MASTER OF ARTS (ETHICS AND PUBLIC MANAGEMENT), MAKERERE UNIVERSITY
DECLARATION

I Dungu Badru, hereby declare that this is my own work. To the best of my knowledge and belief, this work has never been submitted for any award of a degree or certificate at any University or institution.

Signed: … ..............................................

Date: ........................................................
DEDICATION

This dissertation is dedicated to my mother Ms. Rukia Nganda and all peace loving people in the world.
APPROVAL

This dissertation, which is a result of research carried out by Dungu Badru, under my supervision, is now with my approval for submission and examination.

Signed:.......................................................  

Dr. E. Wamala  

Date: ..............................................
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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DECLARATION</td>
<td>i</td>
</tr>
<tr>
<td>DEDICATION</td>
<td>ii</td>
</tr>
<tr>
<td>APPROVAL</td>
<td>iii</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENT</td>
<td>iv</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>v</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>vi</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>vii</td>
</tr>
<tr>
<td><strong>CHAPTER ONE</strong></td>
<td>1</td>
</tr>
<tr>
<td>1.0 Introduction</td>
<td>1</td>
</tr>
<tr>
<td>1.1 Competitive Politics and Ethical Principles</td>
<td>1</td>
</tr>
<tr>
<td>1.2 Background to the study</td>
<td>3</td>
</tr>
<tr>
<td>1.3 Statement of the problem</td>
<td>6</td>
</tr>
<tr>
<td>1.4 Purpose</td>
<td>6</td>
</tr>
<tr>
<td>1.5 Objectives of the study</td>
<td>6</td>
</tr>
<tr>
<td>1.6 Hypotheses</td>
<td>6</td>
</tr>
<tr>
<td>1.7 Definition of terms.</td>
<td>7</td>
</tr>
<tr>
<td>1.8 Scope of the Study</td>
<td>8</td>
</tr>
<tr>
<td>1.8.1 Geographical</td>
<td>8</td>
</tr>
<tr>
<td>1.8.2 Time Scope</td>
<td>8</td>
</tr>
<tr>
<td>1.8.3 Content Scope</td>
<td>8</td>
</tr>
<tr>
<td>1.9 Significance of the Study</td>
<td>8</td>
</tr>
<tr>
<td><strong>CHAPTER TWO</strong></td>
<td>9</td>
</tr>
<tr>
<td>REVIEW OF RELATED LITERATURE</td>
<td>9</td>
</tr>
<tr>
<td>2.0 Introduction</td>
<td>9</td>
</tr>
<tr>
<td>2.1 Elections towards democratization and political stability</td>
<td>9</td>
</tr>
<tr>
<td>2.2 Elections towards political instability</td>
<td>18</td>
</tr>
<tr>
<td>2.3 Justification/Motivation</td>
<td>29</td>
</tr>
</tbody>
</table>
2.4 Theoretical Framework----------------------------- 29

CHAPTER THREE ---------------------------------------- 32
METHODOLOGY ----------------------------------------- 32

3.0 Introduction---------------------------------------- 32
3.1 Research Design------------------------------ 32
3.2 Study Area---------------------------------------- 32
3.3 Study population and sample size---------------- 33
3.4 Selection of participants and sampling procedure ------ 33
3.4.1 Ransom Sampling--------------------------------- 33
3.4.2 Convenience Sampling-------------------------- 34
3.4.3 Snowball (net work) sampling------------------- 34
3.4.4 Purposive sampling------------------------------- 34
3.5 Data type and source-------------------------------- 35
3.5.1 Primary Data----------------------------------- 35
3.5.2 Secondary data---------------------------------- 35
3.6 Instruments---------------------------------------- 36
3.6.1 Questionnaires------------------------------- 36
3.6.2 Interview guide---------------------------------- 37
3.6.3 Validity---------------------------------------- 37
3.7 Procedure----------------------------------------- 38
3.8 Data Analysis and Presentation Techniques.---------- 39
3.9 Possible limitations and delimitations---------------- 40

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA ---- 41

4.0 Introduction---------------------------------------- 41
4.1 Presentation, Analysis and Interpretation------------- 41
4.1.1 Research Hypothesis One------------------------ 41
4.1.2 Research Hypotheses Two-------------------------- 45
CHAPTER FIVE

DISCUSSION CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

5.1 Discussion

5.1.1 Hypothesis one

5.1.2 Hypothesis Two

5.2 Conclusions

5.3 Recommendations

5.4 Areas for further research

Bibliography

APPENDIX I: Questionnaire

Appendix II: Interview guide
ABSTRACT

The study sought to examine competitive politics and the fate of ethical principles in accessing public office in Uganda: a case study of elections held in Nangabo and Makindye sub-counties, 2001.

The study was guided by two objectives:

1. To examine the electoral process and identify the origin of electoral malpractice.
2. To assess the extent to which violation of ethical principles can lead to political instability and chaos.

The study used descriptive survey design with both qualitative and quantitative approaches. The sample used in the study consisted of civil society members and key informants. The data was collected using questionnaire, oral interview. The data collected was analyzed using frequency counts percentages and content analyses when emerging themes were identified a chi square test was used to test the hypothesis.

The study established that bad electoral laws could give rise to political instability and immoral acts were still prevalent in the electioneering process. The study among others recommended strict observance of the law and creation of awareness to the electorate.

The study suggested the following areas for further research

1. The Uganda’s constitution and moral ethics in the electioneering process.
2. The impact of election court petitions on the election impropriety.
CHAPTER ONE

1.0 Introduction

1.1 Competitive Politics and Ethical Principles.

Competitive politics and ethical approach in politics the world over are a grand sine qua non for democracy and maximum participative participation in the electoral process. Coalitions are a type of competitive politics. Just as competition in a market economy leads to better production and services, competitive politics should in theory at least lead to better governance. In competitive politics it is the people who decide the fate of governments (Manu N Kulkarni 2004). Constitutional rules determine the nature of competitive politics and on the other hand constitutional rules depend on the nature of political competition BRETON, Albert & SALMON, Pierre. (2002). (Kondwani Chirambo and Hugh McCullum 2000). Lobel, (1988)

Even in the United States where it presupposed for popular democracy there has been reported low voter turnout due to less competition. It has therefore been appreciated that there is need for real competition even in American politics as a remedy for low vote turnout in the worlds leading democracy. www.cpjustice.org/stories/storyReader$509 - 26k –

Advocates of libertarian democracy, such as John Stuart Mill, contend that central to the conduct of rational politics is the existence of opportunities for venting dissenting points of view. To act wisely, to explore alternatives, to explore the advantages and disadvantages of different alternatives, to know what they want and how to go about getting it, the citizens of any country need an opposition. Political pluralism can be traced to the limitations which monolithic political arrangements evoked, as they were operationalised. Experience has demonstrated that monolithic arrangements stifle individual initiative and deny basic human rights to the citizenry. This they accomplish through restrictive laws,
which grant constitutional monopoly over political practices, limiting freedom of association, freedom of the press, and freedom of communication.

In the African experience, colonialism was an authoritarian and totalitarian system whose legacy was a legislative tradition that ruthlessly clamped down on individual initiative, freedom and liberty. Secondly, it was a non-competitive system, which was geared against the evolution of free and autonomous labour and cooperative unions or professional associations. It is ironical that in its final days, colonialism attempted a programme of institutional transfer through multiparty competitive elections supported by independence constitutions that provided for a host of freedoms. With independence, the parties that ascended to the helm reverted to the very system and practices against which they had fought during the colonial era; they instituted various forms of monopolistic politics.

(Larry D (ed) (1993)

Tordoff (1984) has summarized the major tendencies in the post-independence politics of Africa. First is the trend towards single partyism derived from the centralizing traditions of colonial rule. Second is the deep `ideological' basis of party politics, which aims at giving the followers of the competing parties a new sense of direction and purpose. Third is the personalization of power by the party leaders who became the post-independence heads of state with almost unlimited executive powers. Finally, Tordoff observed a trend towards the subordination of the ruling party to the state and the subsuming into the state bureaucracy of various party cadres who were then charged with the public relations assignment of explaining and justifying decisions and actions of the state.

Albert Breton and Pierre Salmon (2002) argue that the effects of constitutional rules depend on the nature of political competition and on some meta-rules that contain procedures regulating the application and the modification of constitutional rules. They outline two models of competition - electoral competition and compound government competition - and describe the nature of
the transactions between the parties involved in the two corresponding settings. In both, the transactions are over constitutional rules and ordinary goods and services, all of which are arguments in the utility functions of citizens.

The Uganda politics are characterized of defections and intrigue all of which jeopardize competitive politics. The NRM enjoyed the scenario in young days. The carpet crossing from the opposition to the ruling party began in 1964. The then leader of the opposition in parliament, Basil Bataringaya of the Democratic Party, crossed to the UPC with five other members of parliament. The UPC’s Obote appointed the defectors to ministerial positions, with the chief defector becoming Internal Affairs Minister. Soon afterwards, Kabaka Yekka (KY) MPs, whose party was in coalition with UPC, crossed en masse to the UPC. They were soon to be followed by the remaining DP MPs. By 1969, Uganda had become a de facto one-party state, a situation which Obote merely rubber-stamped by banning opposition parties in 1969. The ruling party became strong and dangerous. It would pass draconian laws without a dissenting voice. The Deportation Ordinance and the Preventive Detention Act were two such laws. Political life was reduced to petty conflicts among the president's confidants over the distribution of favours. The principle became either you bootlick or sink into political oblivion (Bwengye, 1985). Ethical morals and political competition merely became mirage of the era.

1.2 Background to the study

Uganda as it is known today, is the creation of colonialist, lumping different ethnic groups together around 1894 (Lugira, 2001) Barongo (1989) in Rupesinghe (1989:65) noted that Ugandan society is characterized by two inherently contradictory and conflictual social and political formations. On one hand, ethnic pluralism with its multiple centers of interests, identities, loyalties, patterns of action and power, features as the basic structure of society. On the other hand, political centralization, which is
basically incompatible with the process of political pluralism, is the dominant in the country’s political organization.

Soon after seizing power in 1986, the NRM suspended the existing political parties in the country on the argument that they were founded upon religious and ethnic lines of division, divisions which they exploited to the point of poisoning Uganda's political climate and bringing the nation-state to the brink. They were accused of not having ideological positions or platforms, and therefore could not help but continue to appeal to divisive parochial loyalties which brought out the worst in Ugandans. The NRM also accused the parties of being dominated by self-serving urban elites with little or no anchorage among the rural majority. Uganda has, therefore, in reality operated more or less like a three-party system with the NRM increasingly taking on most of the characteristics of the two other parties, namely the Democratic Party (DP) and the Uganda Peoples Congress (UPC). The DP and the UPC, before the rise of the NRM, were the two dominant conventional parties in post-independence Uganda. In suspending them rather than banning them outright, the NRM was able to claim that Uganda was neither a one-party state nor a no-party state. The decision to suspend the DP and UPC, however, had the ironic effect in the competitive politics of the country where the members of the former parties have not enjoyed favorable platform. (Ddungu, E & Wabwire, A 1991).

Under the NRM political dispensation, party members were allowed to speak freely and run for office, but only on their own individual merits and not on the platform of their parties. The realisation that, given Uganda's recent bloody political history, there would be no popular agitation for the return of political parties played a role in NRM's decision to insist on maintaining the suspension of the parties while simultaneously extending its 'interim' period of its rule. During this period, the NRM also devoted resources to amplifying its initial tentative critique of political parties into a fully fledged theory of an alternative path to democracy. While thus formally restricting the freedom of assembly and political organisation along party political lines, it managed to uphold a degree of freedom of political participation that, in some respects, is highly unusual in Africa. Central to this approach, serving as an alternative to party-based
political competition, was the institution by the NRM of non-party elections, built on individual candidacies, into Resistance Councils and Committees (RCs).

It also organised itself as a movement for unity and change in Uganda and invited prominent political figures of all stripes to participate in a broad-based government. The NRM's political philosophy rests on the position that Uganda's political culture is not particularly conducive to a Western-style democratic system built around political parties and periodic elections contested by the parties (Ssenkumba, 2003).

Uganda’s political problems, which are basically rooted in the centralization of power and ethnic pluralism, have been partly solved by the creation of broad-based government and decentralization (bring services and power near to the populace, leading to popular participation and empowerment of the people to their own problems. However, in this broad-based system, there are still election irregularities defeating the essence of the phrase “the power belongs to the people”.

For example, in the 2001 general elections; presidential, parliamentary and local elections were characterized by irregularities, accusation and counter-accusations of vote rigging, bribery, threats and intimidation to mention but a few. The electoral playing field in the 2001 Uganda elections was not leveled and serious human rights concerns cast doubt on whether they could be free and fair. (Us based Human Rights Watch 2001).

Election results of 2001 have seen many cases in courts of law and some members of parliament have lost their seats due to election irregularities. All these allegations point to the challenge of absence of moral principles. Where as this has been most common now, even in the past, there were similar accusations. The disease (moral deficiencies) seems to be growing challenging the legitimacy of government and other electoral offices, leading inevitably to fragile political environment and sometimes to plots of war, or even ought right war.

It is suggestive that political participation and freedom are fundamental parts of human development. But true democratization means more than elections. It requires the
consolidation of democratic institutions and the strengthening of democratic practices with democratic values and norms embedded in all parts of society.

1.3 Statement of the problem

In the democratization process of the third world, more emphasis has been put on their political, sometimes the economic, but very little on the moral (ethical issues). Yet, as we increasingly discover, without moral propriety, political legitimacy cannot be realized. In the Uganda elections there has been reported malpractice, immorality as mad slinging, intimidation and all sorts of approaches negating moral political ethics to access political office

In a sense then, moral propriety and ethical principles have not been the basis of political competition there by undermining the democratization of the citizenry. The underlying circumstances of the competitive politics and role of ethical principles are the basis of this research, an area that has had least address and attention.

1.4 Purpose

The purpose of the study was to examine competitive politics and the fate of ethical principles in accessing public office in Uganda: a case study of elections held in Nangabo and Makindye sub-counties, 2001

1.5 Objectives of the study

The study was guided by the following objectives:
1. To examine the electoral process and identify the origin of electoral immoral practices.
2. To assess the extent to which violation of ethical principles can lead to political instability and chaos.

1.6 Hypotheses
The study was guided by the following hypotheses

1. Electoral malpractices are the causes of political instability in Uganda.
2. The nature of our electoral laws gives rise to moral impropriety in elections

1.7 Definition of terms.

**Election Campaign:** Series of activities of activities designed to win votes for a certain candidate, party or proposal.

**Elections:** Is a method of choosing leaders or making decisions by a process of voting.

**Electional Commission:** Government body that is responsible for the conduct of Elections to parliament, local councils and to the office of the president.

**Electional fraud:** Malpractices such as stealing votes double voting, fake polling Stations, manipulating voters, bribing, intimidating acts in an election

**Electional process:** This is a system by which people vote for the candidate or proposal of their choice.

**Electional roll:** List of all people in the constituency who are registered to vote.

**Ethical issues:** These are issues conceived about the fundamental problems of how human beings ought to relate with other human being.

**Moral Propriety:** This refers to decency in behavior; being correct, right or suitable in social behavior.

**Political Crisis:** Instability arising from conflict in public affairs.

**Political Legitimacy:** This refers to the legality of public affairs resulting from the free will and choice of the people.

**Voters:** People who participate in the voting exercise.

**Voting:** Method by which groups of people make decisions.
1.8 Scope of the Study.

1.8.1 Geographical
The study will cover Kibuli and Buziga villages in Makindye Division, Kampala District and Nangabo and Gayaza villages in Nangabo sub-counties, Wakiso District. These areas are purposely selected as the researcher has lived and observed politics and elections in those areas for decade.

1.8.2 Time Scope
The study was limited to the 2001 election. This period has seen an increase civil society’s participation in the election of different public office bearers at different levels.

1.8.3 Content Scope
The study examined the electoral process and identified the origin of electoral immoral practices and assessed the extent to which violation of ethical principles can lead to political instability and chaos.

1.9 Significance of the Study
The study findings are expected to be of value to the following categories of people.
The Ministry of Justice and Constitutional Affairs, findings of the study could provide an informed basis for the ministry for policy decisions and policy design.
The findings could also be of value to the parliament of the government of Uganda and other governments towards influencing positively the formulation of electoral laws.
In addition the findings could be of value to the civil society, civil servants and politicians as well as other readers for further research.
CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.0 Introduction

This section is a review of related literature and writer on how democracy and political stability or political instability and dictatorship are a result of enforcement or lack of ethical principles in the electoral process.

2.1 Elections towards democratization and political stability

Democracy is a system under which all citizens have the opportunity to participate in their governance and route to political stability (civic Education and Democracy towards Free and Fair elections 1996 and Beyond). Political stability is popularly viewed in the free and fair participatory electoral process. Ferrel (1966) noted that regimes are liberal, accommodative and allow people to form institutions of their choice. Acquisition of power is through popular elections where chances are open for those opposing the government in power to win. Contrary to Ferrel’s observations, in Uganda those in power have reservedly given open chance for those in the opposition to win elections. Ferrel’s analysis does not point to how democracy can be built on ethical principles of transparency; Non-partisan, designed to serve voters and accuracy; a gap that this study wishes to address.

In participatory democracy, one can argue that the principle of separation of powers that is independence of Judicially, legislature and executive is an obvious prerequisite to ensure the decentralization of the society and entrenching basic democratic principles in transitional democracies. Ideal situation would be where there is a “normal balance” of forces in which there are residual institutional
mechanisms of resolving conflicts and no single political force has the upper hand (Mamdani, 1990). Additionally, political democracy places policy formulation and decision-making in the hands of the elected representatives. Although currently Uganda holds a constituent representative type of democratic process, which fits in Mamdani’s analysis, policy formulation and decision-making is left at the discretion of those holding central power. Mamdani lacks emphasis to the importance of ethical principles in resolving conflicts or even averting them, which this study wished to analyze.

Ferrel (1991) further noted that democratic regimes are typified by diverse vertical and horizontal centers of power. The citizens through accepted constitutional rules and the rule of law must base leadership selection on regular elections. The recent court challenges of election results are the typical examples of commitment to the importance of elections; he does not subject the electoral process to moral principles, agap that this study wishes to fill.

Ali (1991) noted that democracy is still a luxury that must be sustained by numerous supportive institutions and assumptions. To him, it is very dangerous to suggest that, it should be the study of the state to call for the formation or itself to create political parties in Uganda. Ali’s observations are clearly reflected in the recent proposed political organizations Bill (2001) that lays stringent process for the operation of political parties in Uganda. Ali lacks mention of moral principles, either individual or corporative, as supportive to democracy, warranting filling this gap.

The mishaps and lacuna existent in Uganda’s politics and developing countries as a whole impacting on the morality of politics and leadership emanate from the African social structure, which, it has been argued, does not contain social forces that are compatible with democratic forms of rule. One perspective, focusing on social classes, suggests that limited capitalist development and weak social
classes, especially a weak but avaricious bourgeoisie based in the state and internally divided by considerable social pluralism, preclude democratic forms in Africa. This is partly because popular and democratic forms of politics are considered to be obstructive of the process of accumulation and the speedy rise of a bourgeoisie. The suggestion, whether explicitly stated or not, is that democratic forms with through level moral competitive politics are only possible in the distant future when the full expansion of capitalism, characterized by free competition within the economic domain can sustain, nourish and reinforce free competition and contestation in a politically plural society. However, it is to the discredit of this perspective that, both theoretically and empirically, there is only a very poor correlation between capitalist development and democracy. Moreover, the very absence of a strong bourgeoisie may, itself, constitute a basis for democratic possibilities. Much as popular forces are poorly organized, their economic power of veto and political influence have, historically, created crises of governance whose resolution might suggest that stability and predictability may have to be purchased through democratic forms of rule. Mamdani, (1994)

Another perspective which has been developed to suggest that Africa's democratic prospects are limited centres on ethnicity. There are various angles that have been developed to this perspective, but in general it is stated that ethnic pluralism becomes highly politicized under democratic forms, exacerbating elite and societal divisions which, in turn, preclude a minimum of political unity and effective state operation essential to the democratic process. ‘Premature’ democratization in a multi-ethnic society may yield disastrous consequences, historically, effective state systems have been built on the basis of ethnic pluralism, allowing a considerable play of plural identities with democratic forms. Such systems have generally been more successful than those which rest on attempts to go round ethnic pluralism by denying the reality of its existence,
thereby making it more volatile and less constrained by democratic rules. (Beckman, 1990)

It has been argued further that the divisions among economic, political and military elites constitute the prime factor which has led them to promote ‘democratisation’ -- not for the purpose of facilitating popular participation, but rather as a means of resolving their differences, strengthening their own influence, and channeling political action. Elite-supported reforms have created an opportunity for restricted `democracy’ to emerge. As to whether this will endure and evolve into a more participatory direction, depends on the strength of civil society and the effectiveness of political parties. If the unions, professional associations and grassroot movements are capable of extending the boundaries of the newly created political space, and if they attain a capability to link with political parties that have an interest in their cause, this is what will ultimately sustain the delicate balance between pressures from below and the threats from above in Africa's uneven, unsteady transition towards a more democratic order.

The constitution can guarantee a legal framework that will facilitate accountability. In politics it is truism that accountability is never to individuals but always to organized interests (Pennock and Chapman, 1979). Any political framework will be accountable to wider social interests only if those social interests are effectively organized. However none of these authors put emphasis to morals/ethical issues as guiding principles in political accountability, a gap that this study seeks to fill.

Operationally, a constitution may be defined as “a states organ or fundamental law, which prescribes the basic organs of government and their operations, the distribution and use of power, and the relationship between the individual and the state (Huntington, 1968). Huntington (1968:10) further noted that for a political
order to be established, in any system, the creation of political institutions involving and reflecting the moral consensus, mutual interests, principle, tradition myth, purpose or code of behavior is a condition sine qua non. These study wishes to consolidate Huntington’s analysis of the necessity of incorporation of ethical principles in creation of political institutions

One issue of prime concern to the opposition parties is the absence of a level playing field. The parties have openly expressed their worry over the way in which the NRM has used its control over the state to advance its own case and cause while suppressing its own voice. Using its virtual monopoly over the means of communication (especially the print and electronic media), the NRM is able to spread its messages far and wide, repeatedly and without challenges from its opponents. The ubiquitous political education and military science courses which the NRM introduced nationwide are a chief avenue through which it has undertaken its campaigns of discrediting the opposition, particularly the parties.

The opposition, with no means of amplifying its message and image, is left with only its weak, and, in some cases limited, attempts at developing a response. Thus, although the opposition may have quality, it finds it extremely difficult to convert this into quantity; its message may have some truth, but there is no audience with which it can share this.

The NRM's decision to ban political party activities has meant that the parties are not allowed to hold open political meetings. For any open public function, permission must be sought in writing from the police, at whose discretion it can pre-judged that an intended meeting will most likely culminate into a breach of peace and law and order, and consequently that a permit cannot be granted. The most serious attempt to challenge the structural obstacles to opposition activity occurred when a splinter faction of the DP stubbornly insisted that its meeting at the city square must proceed and government deployed a massive police presence, in addition to a helicopter gunship, which hovered over the intended
venue for several hours. The same thing happened when other groups like the federalists and monarchists attempted to hold public meetings to press their cause. Besides, opposition politicians and other activists have had to opt for careers outside the governmental system or in self-employment, in the awareness that they were likely to be penalised by thwarted promotion opportunities, if not actually dismissal, if they pursued their activities from their positions as civil servants, Ssenkambo (2003). Therefore democrats find no platform to express their views and the constitution to this remains a shelve document that does not level the political field for the citizens but only favours a few in the shed of the ruling government.

A constitution therefore is viewed as a means not merely to make collective decisions in the most effective way possible but to make the best possible decisions in pursuit of the common good under a condition of popular sovereignty. Popular sovereignty implies that all constitutional matters should be based upon some form of popular consent, which in turn implies a formal, public process (Lutz, 1988). Lutz fell short of mention of whether moral principles are sought in popular consent to constitutional matters, an area that this study wishes to examine.

Kiapi (1989) in Rupesinghe (1989:92) noted that a constitution could also act as a mediator because it is usually a compromise between irreconcilable demands from various sections of the population. It attempts to accommodate as many views, desire, expectations demands as possible. That is why the 1962 constitution was tailored to the circumstances of the country, action as a mediator at the best. It tried to forge a united country from a collection of tribes with varying history, tradition and customary institutions.
Uganda’s independence constitution was therefore unique that it contained both elements of unitarism and federalism. This was a reflection of the country’s peculiar social and political structure that needed intricate arrangements capable of holding the multiethnic nation together in the relative peace and stability. Huntington (1968:10) further noted that for a political order to be established, in any system, the creation of political institutions involving and reflecting the moral consensus, mutual interests, principle, tradition myth, purpose or code of behavior is a condition sine qua non.

Lugira (2001:2) reiterated that constitutionalism provides human checkpoint in as far as fundamental laws and principles, which normally govern the operations of the state. However, Udogu (1997) observed that predatory rulers seek to revamp and consolidate a system of constitution without constitutionalism in which civil society is a zone of limited pluralism functioning as their private estate. Udogo’s observations Clearly point to the absence of moral principles in governance a gap that this research wishes to critically analyze.

The above argument on constitutionalism suggests that regardless of constitutional tinkering, the very survival of the fourth republic may rest on determination of the ruling class (especially the military and political calls) to set aside their parochial constitutionalism and national legitimacy. Given African recent political history, which is characterized by sustained efforts at political monopoly and exclusion, underpinned by repression, the current pre-occupation with pluralism on the African continent is premised on the hope that it will provide a more conducive context for transparent politics, and encourage the potential for independence, multiple initiative, individual freedom, and the accountability of rulers. But, as the experience of many African countries demonstrates, this, in fact, is not necessarily always the case. To transcend the limitations of the plural system, society may have to opt for grassroots organizations built around specific concerns that can offer a more meaningful
means of popular participating in the governance process. So the creation of a multiparty framework is not the final leg to democracy, but may, all things being equal, lead towards it.

The opposition party provides an internal check-and-balance mechanism against the government. Guided by its leadership, it presents a united challenge to the government on all issues it may choose to contest. Second, it is permanent in that it exists as a continuous corporate body, rather than as something, which is created and disbanded in an ad hoc fashion. Third, it is representative, in that it has a group of dedicated followers throughout the country with whom it is organically connected. Fourth, it is a potential alternative to the government; if the government falls or is defeated in an election, the opposition takes over. Fifth, it is a participant in that it helps the government shape its programmes by participating in its decisions through its opposing/alternative propositions. (Ssenkambo 2003)

As a political body with the function of providing checks and balances, the opposition does several things. It participates in deliberations in parliament. It opposes objectionable policies by voice and vote. It compels the government by all acceptable (legal and constitutional) methods to modify its policies. It also attempts to create public sentiment against the government and public sympathy for itself as a precondition for winning the next election. Above all, and this is the essence of its very existence, it proposes alternative programmes. Under normal circumstances, three courses of action are usually open to the opposition. First is the winning of amendments to legislation from the government. Second, it exposes the weaknesses or injustices of government policies, thereby eliciting modifications or cancellations. Third, through its rhetoric and criticisms, the opposition can create an anti-government mood among the electorate. The opposition can achieve its objectives, and pursue them more assiduously and effectively if there are salient factors such as ideology, race/class, religion or ethnicity around which significant segments of the electorate can converge.
(Kiggundu, 1987). The ruling government polishes and perfects political morals if at all it is democratic.

Although the military commission had seized power on the excuse of allowing free political activities, it did not keep its promise of neutrality. As noted the commission did setup an interparty committee to draw up procedures for the elections. These procedures to be followed strictly stipulated that there be only one ballot box, instead of separate boxes for each party as provided for in the law existing from the colonial era; that one ballot paper be used for all candidates at each polling station; that votes be counted on the spot immediately after voting that party agents must stand at each registration and polling station; that 146 constituencies be demarcated as a basis for national representation; that a constitutions inter-party committee be set up to study and recommend necessary amendments to the 1967 constitution and the relevant electoral law (a report of this committee, of which the attorney general was a member, was in fact submitted to the government but no action along the lines suggested was taken.) And that all four parties refrain from manipulating state organs to benefit a particular party in the interim period.

The DP was particularly interested in the issue of one ballot box previous experience had taught them that those in power used their control of violence to take away the ballot boxes of their opponents to isolated areas. Where they changed the vote signs on the box. The authorities reduced the number of parliamentary seats to 126 from 146 to give the military commission room for gerrymandering. The attorney general Stephen Omoding Ario a UPC supporter refused to amend those sections of the 1957 election laws that concerned the ballot and ballot boxes. It had been agreed by the inter-party committee that no announcement would be made on registration or any other election program until the election law whereby the leader of the majority party in parliament became
president without running for a seat in a constituency. This law was enacted band gazetted without the approval of the inter party committee.

Although it is claimed by the proponents of the system that is uniquely Ugandan “No party” invention, the truth is that the idea is neither novel nor is exemplary expression of the democratic ideal. Certainly, elements in the system deserve support and praise. However the critical issue is whether the leadership is sustainable and builds democratic system of government Which allows for complete participation of all peoples of Uganda in its operation.

In this regard, particular attention must be paid to overlap between the movement system and the state. Take when NRM was a guerrilla (anti-state) struggling its way through the bush, RC’s could certainly be said to have given expression to grassroots and unpopular (Oloka-Onyango, 1989:465-80). Once NRM assumed the reigns of the state power however, RC’s were deployed as instrumentalities of the state to prohibit popular mobilization.(Mamdani,1991). In the 1996 elections RC’S were critical in ensuring that movement candidates retained their hold over power, negating a claim to neutrality and non-partisanship (Sabiti-Makara et al, 1996).

2.2 Elections towards political instability

An election in any country is very contentious especially in the developing countries. It leaves so many dead, injured while others flee for exile when not properly conducted. Where moral and ethical principles are totally breached inflicting agony on the opposition. This can finally translate into political tension and instability in the country in question. Similar circumstances have evidence in the Uganda’s political experience in 1981 when NRA took to guns in the bush under the background that the UPC had rigged the election.
Uganda's recent experience would seem to suggest that democratisation has been adversely affected by the unfairness of the fundamental rules and the systematic exclusion of opposition forces from public goods or the spoils of government. The three mechanisms for ensuring durability of incumbents in power have all been fully invoked by NRM. They are: discrediting the opposition; conjuring and managing popular support; and manipulating the military (to at least maintain a ‘benevolent neutrality’). The NRM strategy has remained simple: keep rewarding indispensable supporters, even if all other institutions are falling apart and encourage the crippling proliferation of opposition parties. So regardless of who wins future elections, the lesson is clear: if the rules are unfair, the winners generous and magnanimous in victory, and the losers inadequately represented and preventing from venting their views freely, incentives to continue playing the game according to the rules will diminish. That is one of the main dangers confronting the quest for democratization in Uganda. (Ssenkambo 2003) those affected in question engage the ruling government in verbal instability if not the physical one.

Wolpin (1983) observed that in early 1980 that institutional repression or more extreme violent forms characterized 91 and 105 developing countries. He further noted that absolute majority of the population in developing countries exist under regimes characterized by torture, execution, disappearances and brutal prison treatment of those suspected of opposing the government. However, Gurr (1970) noted that political violence sometimes as an occasional aspect of the political struggle. Gurr’s assumptions are based on the ideology that, it is part of a human being’s constitution that if frustration, dissatisfaction and grievances are sufficiently prolonged or sharply felt aggression (in elections) is quit likely, if not certain to occur. Both authors’ arguments are based to undemocratic regimes as a cause for violence and brutality. They lack analysis on moral fabric of those
holding power, as catalysis to political instability, an area that this study wish to explore.

Kadigido (2002) argues that countries electioneering processes in part is the cause of political instability in the developing countries. Especially when the election has been characterized by vote rigging and suppression of the opposition loosing parties. The assertion reflects the Uganda’s situation in 1981 when the Uganda People’s Congress rigged the election culminating into the country’s political instability for the whole of the early 1980s.

The real situation on the ground is that any regime in power will try all sorts of tricks to maintain power or pass it on to its favorite. Even in the developed democratic world, complaints of election malpractice are evident. The reasons for example that culminated into the NRM bush war in 1980 was election rigging and other related malpractice. Apparently the same government is being accused of intimidation rigging and constitution manipulation. To this note, The East African March 5-11 2001: in the title “Aface-Off Between Two Factions of The Same Army” it observed that ethical issues were done away with through intimidation and threats to the opposition. In the electioneering process, Besigye contesting the presidency claimed that he had 65% support of the army, which Museveni also cherished so much. This brought suspicion on either side. Museveni became angry and threatened to send Besigye “six feet under ground” if he continued speaking about the army. However, Besigye did not stop talking about the army. This shows tendency of high friction in the process. This finally led to Besigye freeing the country for exile and has since then been linked to the rebel factions of PRA fighting the country that operates in the forests of Congo. All this is simply an offshoot of lack of ethical consideration in the electoral process.
Similarly, Kaverlemo (2003) observed and made a number of critiques in the electioneering process and the constitutionalism process in the developing countries. He made mention with emphasis that sections of the law that prove encumbrances and bottlenecks to the incumbent government turn into bad laws. The government will seek their amendment so that they pose in favor of that government. Constitutionalism in the developing countries has been only a cover and theoretical document that is not practical on the ground. This situation is well reflected in the political scenario where constitutional amendments especially on articles that pertaining to the elections are quite regular and crucial. This scenario is articulated in the amend of presidential term limits in Uganda.

Although Uganda has been paraded as a success story on global scenes as regards ethical considerations in the elections, a lot remains desired. Katekoko (2002) compares the praise and credit awarded to the situation as a transition from total darkness to some mild light. It is a comparison to the situation that totally had no institutional and legal framework and or no respect at all as regards election process in the country. Katekoko (2002) cites a lot of influence peddling and involvement of government army principally involved for intimidation and harassment of supporters of certain candidates. Pockets of arrests in some parts of the country are often reported in various parts of the country where the detained were denied their rights to vote. However these occurrences are most prevalent in the rural areas where appreciation of civic rights is minimal.

In relation to the above, A joint Report by an International Human Rights Agency 2001 titled “Museveni Using Tension And Fear To Steal Victory” described the presidential campaigns in Uganda as a shame and stated that President Museveni was using state organs in a spree of violence to ensure he wins the elections.
The same report also observed that the situation was casting serious doubts whether the elections would be free and fair, the report pointed out that most violence was directed against the supporters of Besigye who had emerged as the strongest challenger to President Museveni. The report also said that while acts of violence against Museveni’s supporters were followed up and those implicated persecuted, those against Besigye’s camp, mostly committed by state agent, and were not acted up on.

The prevalence of violence during the campaigns in the presidential elections in Uganda of 2001 raised fear that there would be political instability regardless of who ever won. Mostly, there were rumours that in case an opposition candidate won, the militant movement cadres would not recognize him as a president. This raised fear and some precautions had to be taken in advance. This is evidenced in the statement below;

“As Uganda goes the polls to this Monday to elect its next president, donors, mainly from the European Union, say they will exert immediate pressure after the election to have militant movement cadres brought under control to avoid a continuation of the violence that marred the campaign. Should incumbent Yoweri Museveni emerge winner, the donors say, they will prevail upon him to reconcile with the opposition”. (A joint report by International human rights agency 2001).

Since 1966, Uganda has experienced internal political violence in abide to resolve internal political conflict that led to other forms of violence-among the lawless, or deviant elements in the society and among the citizens trying to protect themselves by fighting fire with, until every one became lawless, using violence for personal ends. Undermining o f the law, intensifying with the administration of justice are some of the features of the elections fraud and irregularities or a manipulated electoral process. This is a clear manifestation of lack of moral principles in the interest of the public.
For example in 1966, Obote then an aspiring presidential candidate personally took over the electoral commission and supervised the elections from his office to accomplished a lightening victory, in the presidential elections. Subsequently, political parties were abolished and one country one-parliament and one-people type of rule took place.

The then government of 1971-79 was characterized by the absence of rule of law, the government became the major law breaker and bad elements in society followed. The human rights as articulated by the universal Declaration of human Rights (Human rights charter 1948) were completely disregarded and violated in Uganda. In 1980, all parties went into elections organized, planned, directed and controlled by a strongman affiliated to one of the parties in contest, who was also chairman of the military Commission. This points to an immorally guided process to selfish ends, warranting an examination into the fate of morals in accessing public office.

When the election campaign of 1980 began the UPC section of the Ugandan army, the Kikoosi Maluum, held military power. The military commission was nothing but UPC’s military army and therefore could allow no other party to take over the state it already controlled. (Kasozi 1999:137). On many occasions UPC supporters said publicly that they had already won the election. Obote was given a hero’s welcome at Bushenyi on his return. The military commission gave him all the facilities, protection and honor that are bestowed on a head of state. Although other parties the Democratic Party, Uganda patriotic movement (UPM), conservative party (CP) were allowed to run. They found themselves disadvantaged in many ways. The UPC intimidated their supporters all over the country. The military commission although was aware of this did little to alleviate the situation. This clearly indicate that without military power, one can
not win elections in Uganda an implication that there is lack of morals in the entire electoral process which this research wishes to address.

The military commission took power in order to give it to Obote in a manner that would be perceived by the international community as democratic and therefore legal. Obote wanted to maintain his image as a civilian ruler who could assume power only through legal means through the ballot not the bullet.

The commission’s main task was to organize national elections but every intelligent person in Uganda and abroad knew that the elections would provide only a veneer of legality. The UPC and UPM clearly knew that the UPC had most of the power and would give none of it away. Most keen observers according to Kasozi (1999:137) knew that even if the DP had been allowed to form a government after its electoral victory in 1980 the Kikoosi Maluum section of the army which controlled the means of physical force around Kampala and was supported by the occupying forces, would have removed that government by force.

Uganda before 1986, ethnicity was politicized by the elite opportunists. Struggles between the various ethnic groups could not be avoided as they scrambled for state power (Rupesinghe, 1989). However Barongo (1989) argues against the view that the internal conflict in Uganda is expression of ethnic or tribal conflict. He maintains that the violent conflicts bedeviling Uganda since 1966 are basically political in origin. As Kirunda-Kivejinja (1995:82) noted that, just as no individual can become a rapacious dictator like those in Uganda has produced. None of these authors pointed the absence of moral as a basis for political conflicts in scrambling for state power. This study will therefore address the immoral tendencies in political struggles as a basis for political instability.
Byarugaba (1987) observed that the 1966-1970 regime was a dictatorship that banned people’s participation in politics except for a few elites who were backed by the army. He further described the 1971-1979 regime as a naked fascist military government that was succeeded by a military government led by the people who had hardly seen the inside classroom. Many Ugandans died during these years, especially those who were suspected to hold views that differed from those of rulers. However, they ruled against a background of democratic struggles for good governance by various groups. Byarugaba fell short of analysis of neglect of ethical principles in breeding dictatorship, a gap that this study wishes to fill.

Political frameworks in Uganda emerged against the background of divisions along primordial sentiments ethnicity, region, religions, nationality, and amidst accusation of marginalisation of some religions. These political frameworks never seized control of political life in the country for varied reasons, mostly due to lack of able leadership (Kirunda-Kivejinja, 1995). He further noted that for example, although Obote claimed to be a national leader whose concern was to build national consciousness and eliminated competing local and primordial loyalties, during his second administration political participation was conducted through ethnic (or tribal) units to such a degree that the latter became the basis before political rewards or retribution.

Kirunda-Kivejinja’s observations are suggestive that obstacles to democracy have little to do with culture or religion (or morals for the matter), and much more to do with the desire of those in power to maintain their position at any cost. This is neither a new phenomenon nor one confined to any particular part of the world. People of all cultures value their freedom of choice and feel the need to have a say in decision affecting their lives. Therefore the enforcement of ethical
principles in leadership reflects people’s cultural values and freedom of choice-to they vote in public office.

Kenya’s political system is also characterized by ethnic voting which is illustrated in the 1992 election results being along ethno-territorial boundaries-mention is made of ethnic clashes and manipulations and division of opposition largely along ethnic lines.

In Uganda, no serious thought has been put into the process of making morally upright leaders. Those who have aspired to public responsibility have simplistic ambitions; others have become leaders by pure accident. The country’s political groups have operated without creating strong frameworks within which emergent leaders were to exercise their responsibilities and subscribe to free and fair electoral process, guided by ethical principles. Luthz (2000) further mentioned that merit in election had become too subjective and relative in most developing countries. Bribing the electorate with material things is a common phenomenon. This was very prevalent in the 2001 elections in Uganda where individual voters were given money at the polling day to even surrender the right to cast the vote and or do it in open. Therefore winning an election in part depended on how much was ready to spend

With exemption of a few cases for example Botswana and Mauritius where leaders of the opposition parties managed to capture power through free and fair elections. This is not different from Uganda. In 2001 there was claiming of rigging of elections where there was nothing like moral principles put in place and observed by the leaders. Many people lost their lives like in Rukungiri abide to intimidate the supporters of the opposition groups (United Nations Human Rights Watch Report, 2001). This showed that in extending political office to one
another lack moral principles and however much such do exist people do not hold. Many authors have not done much on these moral principles.

Voting on the basis of constituencies has been easily subjected to Manipulations. This is what is called Gerrymandering, that is manipulation of electoral boundaries to achieve political advantage for a candidate. In Uganda this has been evidenced in the creation of more districts, counties and sub-counties with the aim of appeasing many voters. This has done away with the principles of Morals, but only to respect the ethnic boundary to win the elections (Karugire, 1980) contends that religious faith and boundaries still counted for a great deal and Uganda for little or less.

In Onyango Odongo (2000), Referendum (2000), winners and losers, by professor. Dan Wadada Nabudere argues that the movement leadership and with particular president Museveni went very extreme to “re-invent the Wheel” and formulate a new definition of democracy in which interlay freedom of association and assembly is not all a fundamental right, but a privilege accorded with majority preferences. The Logic of the movement agenda is premised on the kind of definition and ultimately rests on ideology that depicts the human persons as mere function of the environment and therefore has no intrinsic justification and properties for self directions and free will

Apolitical history of Uganda in the referendum 2000 by Onyango Odongo sees the movement political system as endorsing “no party rule” which promot democratization in Uganda. He argues that issues of creating “indigenous political systems for Uganda is not a new phenomenon.” He cites the example of the “Commons man’s charter” political system of Milton Obote’s regime. This doesn’t show any ethical principles and almost similar to what took place in 2001 elections
Nowork CCPR Commentary (p. 385) in reference to 1996 campaigns contends that the movement system has continued to evolve in open-contradictory directions, and President Museveni has never clearly defined the movement system other than the terms of dangers of “sectarianism” which aims to prevent. The constant refrain during the 1996 presidential campaigns that vote for his opponents, would cause a return to war if Museveni was defeated is a good example. One of the president Museveni’s election posters of 1996 featured a picture of skulls and bones besides a mass grave in Luwero, over one million Ugandans, our brothers, sisters, family and firms lost their lives; YOUR VOTE COULD BRING IT BACK, another campaign advertisement was vote for ssemogerere vote for Obote”.

A majority of elections complaints highlight the army or individual officers in both violence and vote rigging. The presidential protection Unit was heavily deployed in Rukungiri where they vetted out havoc on population. The same presidential protection Unit was heavily deployed in Kabarole, Rukungiri and Mbarara during 2001 parliamentary election violence was repeated all over again. As a result people lost faith in elections and stayed away. In Besigye’s 2001 election petition, both Justice Oder and Tsekoko held that “deployment of presidential Protection Unit in Rukungiri was the height of unfairness and illegality. That there is no justification in involving the army in the electoral exercise. It doesn’t matter that the decision was taken at the highest level by the national Security Council” (2001 Presidential election petition, un reported see monitor Saturday July 7th 2001.)
2.3 Justification/Motivation

The world’s future belongs to democracy at all levels of governance, advancing ethical, legal and political values based on dialogue and the free exchange of ideas and cultures. This call for the promotion of equitable participation, respect of human dignity and commitment to the creation of conditions under which individuals can develop a sense of self-worthy. True dignity comes with an assurance of one’s ability to rise to the challenges of human situation. Such assurance is unlikely to be fostered in people who have to live with the threat of violence and injustice, with bad governance and instability. So there is a need to examine the origin of these immoral practices that accrue from election irregularities. Is it constitutional, administrative, or government intervention? Have the ethical implication/principles been considered or expediency, so as to promote political legitimacy and the rule of law.

2.4 Theoretical Framework

Political theories are concerned with the fundamental questions of public life. They address such issues as the nature of political authority, the relationship of the state to the individual, and the obligations and responsibilities to those citizens have to one another. This sections analyses Aristotle and Mill’s ethical and political theories.

Aristotle in Bertrand Russell (1948:188) considers ethics a branch of politics, to him; merits of great social importance are shut out from the realm of ethics. A government is good when aims at the whole community, bad when it cares only for itself so apply to a leader. The aim of the state in his view, is to produce cultured gentlemen- men who combine the aristocratic mentality with love of learning and the arts of governance.
Stoics and early Christians consider that the greatest good is virtue and external circumstances cannot prevent a man from being virtuous; therefore there is no need to seek a just social system, since social injustice affects only unimportant matters. The democrat, on the contrary, usually holds that at least so far as politics are concerned, the most important goods are power and property; he cannot therefore acquiesce in a social system, which is unjust in these respects. The Aristotelian view that the highest virtue is logically connected with the subordination of ethics to politics. If the aim is the good community rather than the good individual, it is possible that the good community may be one in which there is subordination.

When people are not thinking in terms of religion or political controversy, they are likely to hold that a good leader is more honored than a good ordinary citizen. In democracy a leader is not expected to be quite like Aristotle’s magnanimous man, but still he is expected to be rather different from the average citizen, and to have certain merits connected with his position. These peculiar merits would perhaps not be considered ethical but it is because we use this adjective in a narrower sense than in which Aristotle uses it.

On the other hand John Stuart Mill in Clanck Bouton (1965) argues that moral theories are divided between two distinct approaches the intuitive schools. Although both schools agree that there is a single and highest normative principle, they disagree about whether we have knowledge of that principle intuitively (without appeal to experience), or Inductively (though experience and observation). Mill gives a precise formulation of the highest principle, and defends the principle against attack. The highest normative principle is that, actions are a right in proportion, as they tend to promote happiness; wrong, as they tend to produce the reverse of happiness. Mill argues that by “happiness” he means pleasure both intellectual and sensual. To him the binding force of our
sense of duty is that we experience pain or remorse when we act against these feelings by not promoting general happiness. Mill argues that duty is a subjective feeling, which develops with experience. However, humans have an instinctive feeling of unity, which guides the development of duty towards general happiness. Ethnically, the individual has the same right to the condition of happiness as to those of freedom. Society is duty bound to provide such conditions.

Mill offers two counter arguments. First, he argues that all moral elements in the notion of justice depend on social utility. There are two essential elements in the notion of justice: punishment, and the notion that someone’s rights were violated. Punishment derives from a combination of vengeance and social sympathy is the same thing as social utility. The notion of moral component, and social sympathy is the same thing as social utility. The notion of rights violation also derives from utility. For, rights are claims we have on society to protect us, and the only reason society should protect us is because of social utility. Thus, both elements of justice (i.e. punishment and rights) are based on utility. Mill’s second argument is that if justice were as foundational as non-consequentiality contends, then justice would not be ambiguous as it is.
CHAPTER THREE

METHODOLOGY

3.0 Introduction

This section presents the methods that used to carry out the research. It details the research design, sampling procedure and sample size, instruments of data collection, validity, reliability procedure and methods of data analysis.

3.1 Research Design

Since the study was an evaluation one, seeking opinions and attitudes about moral principles in the electoral processing Uganda, a descriptive research design was adapted. This study was to a greater extent, oriented to qualitative research approach, which was to allow the researcher to acquire first hand knowledge of the degree to which electoral ethical issues were neglected or enforced by different players in the electoral process.

3.2 Study Area

The study was conducted in Ngangabo and Makindye sub-counties of Kampala district. These areas were chosen because of the urban population who can understand and elaborate on issues posed to them during interviews and questionnaire administration and therefore a possibility of attaining from them information that is representative and which can be generalized, In addition area was in close reach of the researcher.
3.3 Study population and sample size

The study included 120 randomly selected respondents from the members of society across the study of Nangabo and Makindye sub-counties. It included two (2) purposively selected officials from the Electoral Commission, Ministry of Justice and Constitution Affairs of parliament, Army and the police. In all the Study used a sample of 130 participants for the study.

3.4 Selection of participants and sampling procedure

The researcher selected a sample of respondents using purposive, convenience, snowball (network) and random sampling. The sample size of 130 respondents was selected for the study using one or all the above sampling methods.

3.4.1 Ransom Sampling

A sample of 120 members of the communities from Makindye and Nangabo Sub-counties were randomly selected to participate in the study. The participants both male and female who satisfied the criterion of participation in the study were randomly selected. These were adults above the age of 18 years and knowledgeable who fall in the voting bracket. The researcher picked the geographical scope and had study characteristics. Random sampling used it because it is easy to administer and it helps to eliminate bias in selecting sample participants.
3.4.2 Convenience Sampling

Convenience sampling was contingently applied along with other sampling techniques. Where one participant sample failed and or was not available he/she substituted by one available so long as they fell in the same province of concern. According to Balyejusa (2001) this method is suitable where the sample may not be easily obtained due to schedules and mobility requirements. For each effect, a researcher substitutes such samples with those available and willing as long as they fall in the same jurisdiction. In this case like convenient sampling was used to select members of the communities and civil service staff. This approach gives room for flexibility but requires intuition.

3.4.3 Snowball (net work) sampling

The method was employed along with other methods to select members of parliament, judiciary, army and police. This method was appropriate because the staff in the above mentioned offices helped to direct the researcher to the concerned official in the electoral process. Therefore by net working the researcher was able to identify the relevant participants for the study. According to Balyejusa (2001) Sekaran, U., (2000), it is ascertained that snowball method is the most suitable method for selecting uncommon samples that are not in one place or not easily identifiable and traced. Identification of one helps to identify another so in a network link until sample is registered.

3.4.4 Purposive sampling

A sample of 10 key informants from the police, army, judiciary, parliament and constitution affairs was purposively selected to participate in the study. These were selected because they are in administrative, decision making and policy
positions regarding the electoral processes, complaints and controversies and therefore with a critical observation to make to the study. These were purposively selected by the virtue of their positions. Again members of the society were purposely selected on the basis of being knowledgeable adults in the voting age bracket.

Atuyambe (2001) revealed that purposive sampling is suitable for selecting key informants because by virtue of their position in the respective offices they hold the relevant information that is representative of the behavioural domain under investigations.

3.5 Data type and source

The study used both primary and secondary data. The two sources were used to compliment each other for purposes of comprehensiveness of the study.

3.5.1 Primary Data

Primary data was obtained from the selected respondents of public service and members of the electorate in Nangabo and Makindye sub-counties where the study was conducted. This was primary information based on people experience and observation regarding the ethical issues in electoral process.

3.5.2 Secondary data

Secondary data was obtained from documents of written articles. These were based on other people's experiences in parts of the country and world at large. They helped to shed light of what happens in other parts in relation to the study area.
3.6 Instruments

Data was collected using two data collection instruments namely; questionnaires and interview guide.

3.6.1 Questionnaires

The questionnaire was administered to the 120 randomly selected civil society respondents in selected villages in Makindye and Nangabo sub-counties. A questionnaire was opted for this category of respondents because it could collect information from a large sample in a very short time. It was able to provide multiple alternative choices mainly for ticking off the most appropriate while some questions were made open to get extra information from respondents. The questionnaire had three sections. Section A addressed the personal data of the respondents. On the other hand, sections B and C, which addressed the problem of the study contained in ten questions. Some questions however contained subsections. Section B contained six questions and tried to answer the issues on “whether electoral malpractices are the causes of political instability” it contained six questions from one to six. However some of the questions had subsections. This section had eight structured questions and four unstructured questions (open-ended questions). Section C which was directed to test hypothesis that electoral laws and moral impropriety in elections had four questions running from seven to ten but some with sub-sections. These contained eight structured questions (closed ended) and structured questions (open-ended).

Issues of election have recently become topical. In the United States - as regards a democratic nation, for example, there was crisis after the 2000 elections in the of States of Florida and Los Angles (Bush versus Al gore). In Zambia the opposition cried foul and the case in the courts of law. Uganda is no exemption,
the 2001 elections, for example, were challenged in the Supreme Court. One wonders what could be the cause of these election irregularities. One conviction may be that they are caused by non-participation of the people in the political process, government formation and neglect of moral (ethical) principles in legitimizing the participation process. This study will contribute to solving Uganda's political problems.

3.6.2 Interview guide

The researcher conducted oral interviews with key informant staff from the police, the army, parliament judiciary and Constitutional Affairs Ministry. The interview guide had ten questions. This was intended to supplement the information obtained from community respondents of Nangaabo and Makindye sub-counties for purposes of triangulation. The interviews were guided by an interview schedule to reduce bias and maintain consistency. The interviews were preferred because they give the key informants wide latitude to talk on the subject without limit.

3.6.3 Validity

To ensure validity of research instrument, copies of the draft instruments were pilot tested in two-sub counties in Jinja town council, Jinja district. Jinja was selected because it has more or less similar electoral characteristics with Kampala. This helped to assess the language clarity, ability to tap information needed, acceptability in terms of length and the privacy of the respondents. The researcher further discussed the instruments with the research supervisor, academic staff and other colleagues. At this stage the researcher looked for four
experts to rate the instruments. The results were used to compute the content validity index whose formula is; CVI = K/N

Where by: CVI = Content Validity Index

K= Number of items considered relevant/suitable

N = Number of items considered in the instruments

The researcher attained 0.775. The instruments were therefore deemed valid for the study. The CVI method was preferred since it is the most suitable validity measure for the survey research instruments like questionnaires.

3.7 Procedure

The proposal writing was undertaken after the approval of the research topic was done under the guidance and supervision of the research supervisor. After the proposal had gained acceptance, the instruments for the study were developed with guidance of the supervisor. After they were proven reliable and valid for study and data collection an introduction letter was obtained from the department of social ethics to help the researcher access to the respondents. The researcher personally and physically administered the instruments and took them back after the interview. The key informants were interviewed first on the agreed convenient appointment to them and the suggested venue. Most of the key informant interviews were conducted in the morning and in their offices. No questionnaire was left behind to avoid discussion among the respondents. No research assistants were recruited. Promise of confidentiality was assured, after all, the names of the respondents were not requested, and emphasis was noted that the information was to be treated in aggregate. Appreciation was ensured to respondents after participation.
3.8 Data Analysis and Presentation Techniques.

After data collection, Quantitative data from structured questionnaire and records were be coded using numbers after specific numbers had been identified and categorised representing certain responses. For every questionnaire and item, all the relevant responses were coded for example, yes was coded using (1) and no (2). Thus for the responses of each item at a time was entered in the computer SPSS soft ware package. This was to give the frequency counts of how many respondents said yes to an issue and how many did not. There after these were presented in frequency counts and percentages in tabular form and interpreted according to the themes of the study.

On the other hand, qualitative data from unstructured interviews and oral interviews were analyzed using a master sheet designed according to the themes of the study and data reduction method. Each category of respondents; the Police, Army, Parliament, Judiciary and Constitutional Affairs had a separate designed master sheet. Categorization of possible responses was worked out. A row was designed and responses of every item outlined there in. In front of each response a tally would be drawn every other time such response was encountered in the answered questionnaire that was being analyzed. When one item was finished another one would be handled until all items in the questionnaire were exhausted. There after a summary of the responses of each item contained in the master sheet was interpreted and computed for comparison and reporting purposes. All the answered questionnaires were analysed item after item and the responses recorded. There after the responses were summarized using descriptive terms according to themes of the study using frequency counts and where possible presented in tabular form and percentages.
3.9 Possible limitations and delimitations

- Officials targeted for the study were difficult to find due to various official and non-official engagements, which conflicted with appointments for the purposes of this research. This however, was minimized by rescheduling appointments.

- Further some information was difficult to obtain because of bureaucracy in the Public Service, whereby official information had to be accessed after clearance from Permanent Secretaries or Heads of departments. However this was addressed by the use the letter of Introduction, from Makerere University and clearance from the relevant authorities.

- Similarly some methodological problems were encountered: Some data collection methods adopted for the study had inherent disadvantages. For instance questionnaire and interviews require frequent reminders and triangulation other-wise the respondents would give totally irrelevant information to the subject of study.

- Some secondary data had to be got after written permission and this caused delays. Similarly, some responses in questionnaires and interview guide lacked details on the subject of study. This is because they are made without emotional and intellectual support of the interviewer (Halt 1952, as cited in Mbaga 2000). During the interviews and administration of the questionnaires, consideration was made to extract adequate and relevant information from respondents.

- By the nature of the study, some participants had a tendency to conceal the real and exact information that existed on the practical ground. Some respondents feared to be victimized while the others still had election fear. The researcher therefore had a task of corroborating the responses to attain the relevant information.
CHAPTER FOUR

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

4.0 Introduction

The purpose of the study was to examine the competitive politics and the role of ethical principles in accessing public office in Uganda: a case study of elections held in Nangabo and Makindye Sub-counties, 2001. The main focus of this chapter is to present, analyze and interpret the data that was collected from the field. The presentation is done here below;

4.1 Presentation, Analysis and Interpretation

The study was guided by two research hypotheses i.e.

i. Electoral malpractices are the causes of political instability in Uganda and

ii. The nature of our electoral laws gives rise to moral impropriety in elections.

Data has been presented, analyzed and interpreted research hypothesis by research hypothesis as follows. Percentages were calculated to make the findings easily interpreted. Qualitative descriptions were used to analyze and present the responses from the unstructured questions and interview schedule.

4.1.1 Research Hypothesis One

This was stated as “Electoral malpractices are the causes of political instability in Uganda”. The research hypothesis was answered and tested using the semi-structured questionnaire; and interview schedule. Data about this was obtained from civil society respondents in selected villages in Makindye and Nangabo sub-counties and key informant officials. Items 1, a, b, c, 2, 3, a, c, d, and 4 of the civil society respondents questionnaire and items 1-4 of the key informant
interview schedule were used to answer the research hypothesis. The findings are presented here below.

Table 1: Civil Society responses electoral malpractices and political instability in Uganda

<table>
<thead>
<tr>
<th>PERFORMANCE ITEMS</th>
<th>RATINGS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>F</td>
<td>%</td>
<td>F</td>
</tr>
<tr>
<td>Voted in 2001 local representative elections.</td>
<td>100</td>
<td>83.3</td>
<td>20</td>
</tr>
<tr>
<td>Were you satisfied with results of elections</td>
<td>80</td>
<td>66.7</td>
<td>40</td>
</tr>
<tr>
<td>Were elections free and fair your constituency</td>
<td>90</td>
<td>75</td>
<td>30</td>
</tr>
<tr>
<td>Was there vote rigging in your constituency</td>
<td>64</td>
<td>53.3</td>
<td>56</td>
</tr>
<tr>
<td>Is there need for foreign observers in the elections</td>
<td>62</td>
<td>51.7</td>
<td>58</td>
</tr>
<tr>
<td>Foreign observers access the information they require</td>
<td>69</td>
<td>57.5</td>
<td>51</td>
</tr>
<tr>
<td>Do the monitors enforce their recommendations</td>
<td>20</td>
<td>16.7</td>
<td>100</td>
</tr>
<tr>
<td>Do the people of Uganda vote personalities or issues</td>
<td>95</td>
<td>79</td>
<td>25</td>
</tr>
<tr>
<td>Percentage f_o/Total</td>
<td>59.9</td>
<td>40.1</td>
<td></td>
</tr>
</tbody>
</table>

From table 1 above aggregate percentages were calculated and majority of the civil society respondents 59.9% accepted that electoral malpractice can cause political instability and only 41.1% objected to the idea. It was therefore maintained that “Electoral malpractices are the causes of political instability in Uganda”. This implies that bad electoral laws cause political instability in Uganda.

Individual items were analyzed and interpreted. The interviewed civil society respondents were asked whether they voted in 2001 in the local council
representatives and 83.3% voted while 16.7% never voted. Those who did not vote had either not registered and or were not willing or not committed. When they were asked about whether they were satisfied with the results of the elections 66.7% consented while 33.3% objected to the idea. On whether elections were free and fair 75% consented and 25% objected to the idea. About whether there was vote rigging in the constituency 53.3% agreed and 46.7% disagreed to the idea. They felt there was manipulation and influence peddling by government officials in favor of certain candidates.

In addition the respondents were asked whether there was need for foreign observers and 51.5% realized the need while 48.5% did not appreciate the need. About whether these observers accessed the information they required 57.5% consented while 42.5% objected to the same. However 83.3% mentioned that the observers did not enforce their recommendations at all to the electoral process. Only the minority 16.7% revealed that those foreign observers could enforce their recommendations.

It was also established from the field that Ugandans in the electoral process vote personalities other than issues. This was appreciated by 79% of the interviewed respondents while only 21% were opposed to the idea. This implies that people vote the personalities that have impressed them but not the issues at hand. Similarly the respondents felt that people vote because a person belongs to a certain faction when they may not be even knowing him.

From the unstructured interviews the respondents were asked some of the interferences in the 2001 electoral process and election results and 100/120 mentioned influential government officials convincing the electorate to vote some members against the others, one respondent observed as thus, “Yeah, if you are not favored by big people of the government top brass, you may not win an
election. These top brass guys convince the electorate to drop you and even put in money against you”. Respondent from Makindye Division.

Another 87/120 mentioned ‘mad-slinging’ and negative labeling of certain candidates as anti-development, anti-government and as pro-the-previous regimes that were brutal. It happened in the 2001 electoral process that some candidates were associated with bringing Obote back. This meant one loosing a big number of the electorates”, one respondent from Nangabo Sub County.

Again another 35/120 mentioned earlier planned over registering and consequently over voting. A person would register on more that one polling station and vote in those polling stations, which is against the principle of one man one vote. It was also revealed that some respondents voted more than once in one polling station by proxy and for those who had died.

Another interference revealed by 29/120 respondents was the involvement of the army in the electoral process, which caused intimidation.

The respondents were asked to elaborate what they understood by some one elected on merit and 101/120 respondents mentioned to win an election without any duress and influence in favor of one candidate against the other. Another 93/120 respondents mentioned win an election without rigging.

About why some loser went to court in the 2001 electoral process, all the 120/120 revealed that they felt that the election was rigged, there wasn’t enough fairness and therefore were not satisfied with the whole process. However one respondent commented that the issue of fairness was relative and subjective.

About the role of observers, 120/120 respondents revealed that they were meant to oversee the electoral process. Another 91/120 mentioned that they were meant to report on the electoral process to the international scenes. Again 58/120
mentioned that they were meant to ensure that there is fairness in the electoral process.

From the key informants who included members from the Electoral commission, Ministry of Justice and Constitutional affairs, members of parliament, army and the police, acknowledged that electoral malpractices are the causes for political instability in Uganda. They revealed that moral propriety in the Uganda’s electoral process still deserved. All the informants appreciated presence of numerous complaints during the process of election and after. One key informant remarked as thus, the election process has tremendously improved in Uganda compared to the past. At least now people can elect the person they like. In the past candidates were imposed on the people” army key informant. The key informants were also asked about the forms of immoral practices in elections and these were named as giving the electorate money, voting more than once and political interference by those in government influential positions to hoodwink the electorate to the candidates of their choice. Again using government resources and personal influence was reported.

### 4.1.2 Research Hypotheses Two

This was stated as “. The nature of our electoral laws give rise to moral impropriety in elections .The research hypothesis was answered and tested using the semi-structured questionnaire; and interview schedules. Data about this was obtained from civil society respondents in selected villages in Makindye and Nangabo sub-counties and key informant officials. Items 7a, b, 8, 9a, & d, were used to calculate the percentages.
Table 2: Civil society responses on bad electoral laws and moral impropriety in elections.

<table>
<thead>
<tr>
<th>PERFORMANCE ITEMS</th>
<th>RATINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>F</td>
</tr>
<tr>
<td></td>
<td>%</td>
</tr>
<tr>
<td>Presence of immoral acts in the electoral process of 2001</td>
<td>91</td>
</tr>
<tr>
<td></td>
<td>75.8</td>
</tr>
<tr>
<td>Do you see some lacuna in the Uganda’s electoral law</td>
<td>87</td>
</tr>
<tr>
<td></td>
<td>72.5</td>
</tr>
<tr>
<td>Political issues cause decadence in the morality of election</td>
<td>76</td>
</tr>
<tr>
<td></td>
<td>63.3</td>
</tr>
<tr>
<td>Economic issues cause decadence in the morality of election process</td>
<td>83</td>
</tr>
<tr>
<td></td>
<td>69.2</td>
</tr>
<tr>
<td>Social and cultural process cause decadence in the morality of election process</td>
<td>77</td>
</tr>
<tr>
<td></td>
<td>64.2</td>
</tr>
<tr>
<td>Presence of institution addressing the problem of election immoral practices.</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>68.3</td>
</tr>
<tr>
<td>Is there any effect of institution addressing electoral immoral practices?</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>35</td>
</tr>
<tr>
<td>Percentage f,/Total</td>
<td>64</td>
</tr>
</tbody>
</table>

From table 2 above Aggregate percentages were calculated and majority of the civil society respondents 64% accepted that bad electoral laws could give rise to immoral impropriety in the election process and only 36% were objected to the idea.

This therefore implied that, “Bad electoral laws give rise to immoral impropriety in elections in Uganda”. Majority of the civil society respondents agreed with the assertion that bad electoral laws can give rise to moral impropriety in elections in Uganda.

Individual items were analyzed and interpreted. The respondents were asked whether there was presence of immoral acts in the electoral process and 75.8%
accepted while only 24.2% rejected that idea. The respondents revealed that there was mad slinging, intimidation and cause of fear among the electorate.

When they were asked whether they saw a lacuna in Uganda’s electoral law 72.5% realized them and 27.5% did not realize any lacuna in the electoral law. The respondents felt that the law was not followed at all. Where as some politicians were restricted to certain period to commence the election, those attached to the government would begin early yet using the government resources and machinery.

In addition, the respondents were asked whether political issues caused political malpractices and 63.3% agreed with the idea while 36.7% were objected to it. The respondents realized that it was movement cadres (NRM) against those not in movement.

On the economic issues causing election malpractice 69.2% agreed and 30.8% disagreed. The respondents mentioned that bribing voters was a norm. Some were known to cast the votes simply because they had received some resources. The issue of social and cultural factors, 64.2% appreciated it could cause election malpractice and 35.8% did not appreciate it. Religion and tribe was reported to be a significant factor in addition to the others in the election process.

On whether there was presence of institutions addressing the problem of election malpractice in the country 68.3% acknowledged presence of the same. However majority of the respondents revealed that these had no effect in addressing the election malpractice.

From the unstructured interviews the common immorality in the 2001 elections was revealed as missing in the registers, buying votes and in some places intimidation for voting a particular candidate.
While rating the level of moral principles in the elections today 9/120 rated as very high, while 51/120 rated as high and 43/120 as moderate and 17/120 as low. None of the respondents rated as very low.

About the causes of lack of moral propriety in elections all 120/120 respondents mentioned poverty and greed for material things, again 25/120 mentioned difference in political ideology. Other issues mentioned were difference in religion, ethnicity and level of education.

The key informants who included members from the electoral commission, ministry of justice and constitutional affairs, members of parliament army and the police, also appreciated that there was immoral practices in the elections. The causes were cited among others as political influence, and meddling, economic benefits and tribalism. All the key informants revealed that greed for power; nepotism and tribalism were among others labeled as the causes of immorality in elections.

About the effects of immoral practices in elections, 8/10 key informants revealed hatred among the electorate dislike for the government that may not offer a solution. It also leads to waste of resources and time in courts of law and at times by re election.

About the attempts in place to address the immorality in elections, 9/10 of the key informants revealed that there was politicization about election rights. Another 8/10 mentioned that foreign observers were allowed to monitors the election process. Again 6/10 mentioned that security is often mounted to full capacity during the election period. Also 5/10 key informants mentioned fairness to quote was guaranteed to all Ugandans and the costs are high on the looser. One key informant remarked as thus, “there is no body that is above the law in case of misconduct in the electoral process. Even the president accepts to go court. This
has been a big measure contributing to morality in the electoral process” respondent Ministry of Justice and constitutional affairs.
The key informants recommended civic education among the entire population as well as civic and moral obligation among the national especially those contesting for the public office.

The organizations involved in the electoral process were observed as NOCEM, Uganda Joint Christian Council, Uganda Human Rights and several others. The respondents revealed that these were involved in providing civic education and monitoring the election process. The key informants revealed that these organizations were doing a commendable job. The electorate in some way had some respect for these organizations although they did not have any authority and power in averting the trends.
CHAPTER FIVE

DISCUSSION CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

Chapter four presented the results of the study as found in the field. This chapter is therefore a discussion of the findings as found in the field. The researcher has discussed the results of each research hypothesis separately and where necessary some literature has been used to make the discussion more authentic. It is on the basis of this discussion that the conclusion and recommendations are premised.

5.1 Discussion

5.1.1 Hypothesis one

This was stated as, Electoral malpractices are the causes for political instability in Uganda”. The hypothesis was answered and the percentage results revealed that electoral malpractices are the causes of political instability. This is true because when people are not given their voting rights because of bad laws they are likely to up rise against the government. However, in the 2001 elections 83.3% of the interviewed respondents voted. Some of those who did not vote had personal attaching business than the effects of the electoral law. However, others revealed intimidation and disgust emanating from the conduct of the process as influence peddling, mad slinging and tarnishing certain candidates’ names in case of depicting a picture of meager hope for the candidates winning the election. The latter findings are in agreement with Katekoko (2002) who cites a lot of influence peddling and involvement of government army principally involved for intimidation and harassment of supporters of certain candidates. The cowards with intimidation may easily withdraw while the diehards resist intimidation and may be arrested consequently denying them their rights to vote and mobilizing for third candidates. It is under this back ground that some of such
people could up rise and begin to mobiles against the current government. It under such circumstance that the NRM in 1981 instituted guerilla warfare to the then UPC government. Like wise the 2001 election forced some Ugandans into exile.

Those who voted had majority 66.7% were satisfied with the results elections. There has been popular belief on world scenes that t Uganda has popular democracy in election of their leaders. Article (1) of the 1995 constitution of the Republic of Uganda emphasizes that power belongs to the people. Democracy is a system under which all citizens have the opportunity to participate in their governance and route to political stability (civic Education and Democracy towards Free and Fair elections 1996 and Beyond). Political stability is popularly viewed in the free and fair participatory electoral process. These findings are in agreement with Ferrel (1966) who noted that regimes are liberal, accommodative and allow people to form institutions of their choice. Similarly (Ssenkumba, (2003) revealed that under the NRM political dispensation, party members were allowed to speak freely and run for office, but only on their own individual merits and not on the platform of their parties. It also organized itself as a movement for unity and change in Uganda and invited prominent political figures of all stripes to participate in a broad-based government The NRM's political philosophy rests on the position that Uganda's political culture is not particularly conducive to a Western-style democratic system built around political parties and periodic elections contested by the parties. Under this pluralistic arrangement may people turn up support their members in the disguise of individual merit while bearing in mind party sentiments.

Normally when people are not satisfied with the results of the elections they try to derive satisfaction using other means. The 1981 bush war was purportedly staged due to the dissatisfaction of the election results. There was overwhelming evidence that gave recognition and cause of those in the bush to fight the
government. This is in line with Kadigido (2002) who contended in a fully convinced manner that countries electioneering processes in part is the cause of political instability in the developing countries. Especially when the election has been characterized by vote rigging and suppression of the opposition loosing parties. This answers the Uganda’s situation in 1981 when the Uganda People’s Congress rigged the election culminating into the country’s political instability for the whole of the early 1980s.

In addition, the field survey results revealed that the 2001 elections were free and fair by 75%. This was attributed to calm and cool proceedings of the elections. The 2001 elections did not have chaos and people suggesting to indulge in anti government situations, as was the case in the 1980 a scenario that created turmoil and brutality in the country. However the 25% of the other respondents did not appreciate that there was a free and fair election process. The later minority’s views were reflected in the election court petitions even to the president of Uganda. Evidence is ascertained in situations where even government Ministers were petitioned and lost petitions like in the case of Kanungu district where Amama Mbabazi who was then a government Minister lost to Garuga Musinguzi.

In addition those minority view are presented by (Larry (ed) (1993) who gives the African experience, that colonialism was an authoritarian and totalitarian system whose legacy was a legislative tradition that ruthlessly clamped down on individual initiative, freedom and liberty. Secondly, it was a non-competitive system, which was geared against the evolution of free and autonomous labor and cooperative unions or professional associations. It is ironical that in its final days, colonialism attempted a programme of institutional transfer through multiparty competitive elections supported by independence constitutions that provided for a host of freedoms. With independence, the parties that ascended to the helm reverted to the very system and practices against which they had fought during
the colonial era; they instituted various forms of monopolistic politics. It is therefore hardly possible to find an African government without the tendencies of clamping down on the opposition.

However, vote ringing cannot be ruled out in an election. It is only the degree that varies. Even in the developed world where ethical and moral standards would most be expected, there are complaints. In spite of the good reports in the 2001 Uganda’s elections by international observers 46.7% of the interviewed civil service society revealed that there was vote rigging. These findings are in agreement with Luthz (2000) who revealed that developing countries still have a long way to attain election on merit especially when the incumbents are involved. The author attributed such occurrences to greed and need to cling on power and even to have a ruling cabinet of sycophants whom the president must support to come to parliament. Even on retirement the incumbent would want to still influence the election and leave in power a friend or relative. This kind of scenario limits entirely morality and total merit in an election.

Respondents still revealed that the electoral process in Uganda still needs foreign observers. This was appreciated by 51.7% and 57.5% who acknowledged that the observers obtained the information they require to premise on so as do their work in the election process in order to call for morality. This is in line with Huntington (1968:10) who noted that for political order to be established, in any system, the creation of political institutions involving and reflecting the moral consensus, mutual interests, principle, tradition myth, purpose or code of behavior is a condition sine qua non. However the practical issue on the ground is that observers’ reports have not had any effective address. It therefore puts a question whether they are necessary apart from providing literature about the exercise. The reports at times bearing evidence of malpractice requiring attention are often shelved.
Related to the above argument, 83.3% of the respondents revealed that the monitors and observers couldn’t enforce their recommendations. The constitution and the interests of the country take precedence. Similarly Kiapi (1989) in Rupesinghe (1989:92) noted that a constitution could also act as a mediator because it is usually a compromise between irreconcilable demands from various sections of the population. It attempts to accommodate as many views, desires, expectations demands as possible. That is why the 1962 constitution was tailored to the circumstances of the country, action as a mediator at the best. It tried to forge a united country from a collection of tribes with varying history, tradition and customary. Non-the less those in power interpret the law in their favor. Government in the developing countries would not easily accept challenge.

Ugandans vote personalities and this was reflected by 79% of the respondents issues these findings are in agreement with Beckman (1990) who argues that Africa's democratic prospects are limited to canters on ethnicity. To this some people of the electorate may elect basing on ethinoregional tendencies.

5.1.2 Hypothesis Two

This was stated as, “The nature of our electoral laws give rise to moral impropriety in elections”.

The hypothesis was tested empirically and the results revealed that bad electoral laws could give rise to impropriety in elections. From the field survey findings 75.8% of the respondents revealed that there was the presence of immoral acts in the electoral process of 2001. This coincides with the Monitor Friday June 26, 2001 which highlighted “Tight security at youth member of parliament; youth poll quotes “we felt compelled to give the subject a more comprehensive, and in depth consideration, not only to ensure that our views were grounded in the history of the country’s elections of representative democracy in Uganda but also
transcend the narrow limits of our experience…” while it is true that campaigns have in the past turned into occasions “for bribing” the electorate, driving them around in the process. This is not a sufficient reason to move a way of the character and integrity of candidate out of his political views; open campaigns are replaced by hidden lobbying, depending on how it is conducted. Campaign may turn into the exercise in the manipulation and disintegration of the electorate or it may have a potential of becoming part of the process of education and ban on political campaigns.

Again 72.5% of the interviewed respondents realized that there was still a lacuna in the Uganda electoral law and process. This is in agreement with the East African March 5-18 2001 under the title, East African Regimes compete to abuse Human Rights Mugambi .K. quotes Ms Binaifer .N. counsel for Human Rights Watch who observed that the Museveni government was trying to win an election by bullying the opposition. She also observed that the electoral playing field was definitely not level. Since the start of the campaigns, the opposition had been threatened with violence, arrests and intimidation by army and police. This is a clear indication of the erosion and lack of respect of the electoral law in Uganda. Such a law that does not protect its citizens in the general elections and does not provide a sense of direction to those vying for electoral power leaves a lot wanting and desired.

A number of factors cause immorality in the election process. To this end 63.3% of the civil society respondents realized that political issues could cause decadence in the electoral process. This is appreciated by Kirunda-Kivejinja’s (1995) observations which are suggestive that obstacles to democracy have little to do with culture or religion (or morals for the matter), and much more to do with the desire of those in power to maintain their position at any cost. This is neither a new phenomenon nor one confined to any particular part of the world.
In relation to the above Ethical conduct is often done away with. It is a principle that the army should never be partisan or speak publicly about political matters. This is punishable by law. According to the East African March 5-11 2001, it was observed that in 2001 presidential and parliamentary elections, the voices of several loyalist officials had grown louder. Even the handed army commander, Major Jeje Odongo who spent most of January insisting that the army would be neutral and officers who campaigned for presidential candidates would be punished, had thrown moderation to the wind and jumped into the fray in the unusual partisan manner on the side of his commander- in- chief. Other officers were also told to help to restore the political status of the incumbent. The presence of the army and the threats they posed tension among the electorate. This was not in line with the professional army’s code of conduct. They are expected to be neutral in politics.

The above situation is a clear reflection that in Uganda Competition in politics does not consider ethical issues. People competing for political power behave in all ways so long as those ways can win them an election. In 2001 elections in Uganda, David Kaiza in the East African March 5-11 reported that many people lost their lives through election violence. Besigye’s team claimed that their supporters were killed including two people in Mbale and eight in Seeta a few kilometers outside the capital on the Kampala-Jinja road. The eight people who died in Seeta were killed when a soldier driving a pick-up rammed into a crowd of Besigye’s supporters who were sweeping the road in readiness for a rally. Arrests and detention of some perceived strong agents of Besigye the strongest opponent to the incumbent was witnessed.

In addition 69.2% of the civil service respondents also realized that economic issues could cause decadence in the electoral process. The key informants equally appreciated this phenomenon of medalling in finances. These findings are in line
with Luthz (2000) who mentioned that merit in election had become too subjective and relative in most developing countries. Bribing the electorate with material things is a common phenomenon. This was very prevalent in the 2001 elections in Uganda where individual voters were given money at the polling day to even voting for them.

Also 64.2% of the respondents’ ad majority of the respondents revealed that social and cultural issues could cause decadence in the morality of the electoral process. (Karugire, 1980) contends that religious faith and cultural boundaries still counted for a great deal and Uganda for little or less. Political frameworks in Uganda emerged against the background of divisions along primordial sentiments ethnicity, region, religions, nationality, and amidst accusation of marginalisation of some religions. These political frameworks never seized control of political life in the country for varied reasons, mostly due to lack of able leadership. Similarly Kirunda-Kivejinja, (1995) further noted that for example, although Obote claimed to be a national leader whose concern was to build national consciousness and eliminate competing local and primordial loyalties, during his second administration political participation was conducted through ethnic (or tribal) units to such a degree that the latter became the basis before political rewards or retribution.

International observation has been a norm in elections. In relation to this 68.3% of the respondents appreciated the presence of institution addressing the problem of election immoral practices. It is often hoped that presence of such international observers call for political players to level and institute morals so that the results of the election win international credit recognition and moral reputation. These findings are in agreement with Huntington (1968:10) who noted that for a political order to be established, in any system, the creation of political institutions involving and reflecting the moral consensus, mutual interests, principle, tradition myth, purpose or code of behavior is a condition sine qua non
Lugira (2001:2) reiterated that constitutionalism provides human checkpoint in as far as fundamental laws and principles, which normally govern the operations of the state. However, Udogu (1997) observed that predatory rulers seek to revamp and consolidate a system of constitution without constitutionalism in which civil society is a zone of limited pluralism functioning as their private estate. Udogo’s observations Cleary point to the absence of moral principles in governance.

However, 65% of the respondents felt that these monitors had no effect addressing electoral immoral practices. They made reports pertaining to the whole exercise. This is entirely because these observers have power of rule of law and authority to enforce their recommendations and findings.
5.2 Conclusions

On the basis of the above discussions the following conclusions were made. The study concluded that electoral malpractices are the causes for political instability in Uganda as the unsatisfied parties begin to organize against the government. The study further concludes that most of the electorate were satisfied with the election results implying that the elections were free and fair. The study also concluded that vote rigging is still prevalent in the Uganda’s electioneering process. The study further concluded that Uganda’s electioneering process still needs foreign observers though they did not enforce their recommendations. The study also concluded that, bad electoral laws give rise to moral impropriety in elections”. There was the presence of immoral acts in the electoral process of 2001 and there is some lacuna in the Uganda’s electoral law Political, economic and Social and cultural issues cause decadence in the morality of election

5.3 Recommendations

On the basis of the above discussions and conclusions the following recommendations were made. The study recommends that there is need for strict observance and respect of the electoral law. The study also recommends that there should be strengthened creation of civic awareness, rights and moral obligations in the electoral process in Uganda. The study recommends the presence of foreign and indigenous observers and monitors in the electoral process of the country.
The study further recommends that monitors and observers recommendations and conclusion of their observations should have consideration in the election process.

5.4 Areas for further research

The study suggested the following areas for further research.

3. The Uganda’s constitution and moral ethics in the electioneering process.

4. The impact of election court petitions on the election impropriety.
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APPENDIX I: Questionnaire

For the civil society respondents
Dear respondent’
You have been selected to participate in the study that seeks your response competitive politics and the fate of ethical principles in accessing public office in Uganda: a case study of elections help in Nangabo and Makindye Sub-counties, 2001

Please respond to all questions as honestly as possible. All information obtained is confidential and for research purposes

SECTION A PERSONAL DATA.
1. Sex
   Male ☐ Female ☐
2. Age………..
3. Religious affiliation
   (a) Anglican ☐
   (b) Roman Catholic ☐
   (c) SDA ☐
   (d) Muslim ☐
   (e) Pentecostal ☐
   (f) Others (specify) ☐
4. Occupation………..
5. Education level
   a) None ☐
   b) Primary ☐
   c) Secondary ☐
   d) Post-Secondary ☐
   e) Degree and above ☐
**Section B**

1. (a) Did you vote in the 2001 local representative?
   1. Yes □
   2. No □

b) Were you satisfied with the results of the election?
   1. Yes □
   2. NO □

c) Were the elections free and fair in your constituency?
   1. Yes □
   2. No □

2. (a). Was there vote rigging in your constituency?
   1. Yes □
   2. No □

b) What kind of interferences were in 2001 electoral process and election results.

……………………………………………………………………………………………………………………………………………………...

3. What do you understand by somebody on merit?

……………………………………………………………………………………………………………………………………………………...

4) Why did some of the losers go to court?

5). (a) Do we need foreign observers? Justify your response.
   1. Yes □
   2. No □

b) What should be the role of observers?_______________________________

c) Do they have access to the information or not?
   1. Yes □
   2. No □

d) Can monitors enforce their recommendations?
   1. Yes □
   2. No □

6). Do the people of Uganda vote personalities or issues? Justify your response.
   1. Personality □
   2. Issues □
7). (a) Are there any immoral acts common in election?
   
      1. Yes □      2. No □

b) If yes mention any four most common immoral acts that happened in the 2001 elections?

   a) Do you see some lacuna in the current Uganda’s electoral law?
      
      Yes □      No □

8). How do you compare the level of moral principles in 2001 election with the previous elections?

   1). Better □       2). Same □       3). Worse □       4). Don’t □

e) Do the following factors listed below in have contribution to decadence of morality in the electoral process?

   Political factors □ Yes □ No

   Economic factors □ Yes □ No

   Social/cultural factors □ Yes □ No

f) Explain how are the factors above have affected the moral behaviour during election process

b) What do you think are the causes of lack of moral property in elections?

9) Is there any institution involved in addressing the problem of immoral practices in the electoral process that you know?

   1Yes □      2 No □

   b) If yes, name them ..............................................................

c) What activities have the above organizations/ institutions/ individuals been involved in, when trying to improve the moral situation? ..............................................................

d) Have their activities had any impact?
      
      Yes □      No □

e) If yes, how? And if no, what have been their shortcomings?

10). What should be done to have moral responsive elections?

.............................................................................................................

Thank you
Appendix II:   Interview guide

For all oral informants

1. How would you define moral propriety in elections?
   b) How do you understand moral propriety?
2. What is the moral situation in the electoral process in Uganda?
3. What are the major forms of immoral practices in elections?
4. What are the causes of immoral practices in elections?
5. What are the effects of immoral elections?
6. Are there any available attempts taken to address immoral practices in the elections?
7. What are the successes and failure of those measures and attempts?
8. What has been the contribution of religion in the solving the moral question in the accessing public office?
9. Can religion solve immorality?
10. In your own opinion what can be done to adequately address the question of moral propriety in elections?

Thank you
Table 3: The validity of research questionnaire

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<tr>
<th>Judge Number</th>
<th>Suitable Items</th>
<th>Unsuitable Items</th>
<th>Total Items</th>
</tr>
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<tr>
<td>1</td>
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<td>3</td>
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<td>Total</td>
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<td>18</td>
<td>80</td>
</tr>
</tbody>
</table>

The validity of the questionnaires was established using the content validity index (CVI)

$$CVI = \frac{\text{Number of items judged suitable /relevant}}{\text{Total number of items being judged}}$$

$$CVI = \frac{62}{80} = 0.775$$

Therefore, CVI > 0.6 and therefore the instruments were considered valid for the study.