

## INDEPENDENT MPS IN THE 10<sup>th</sup> PARLIAMENT: SAME SCRIPT, DIFFERENT CAST

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*“There is more than enough room in my Father's home. If this were not so, would I have told you that I am going to prepare a place for you”? John 14:2*

President of Uganda and Chairman of the National Resistance Movement, Gen Yoweri Museveni<sup>1</sup>

*“They are not bad losers but they did not lose fairly. They do not want to contest as independents without the party chairman knowing the reasons why”.*

Chairman NRM Independent Candidates Coalition, West Budama South MP, Jacob Oboth-Oboth<sup>2</sup>

### **Preamble**

‘Parliament’ obtains from the French word “*parole*”, which means “to speak.” It was the rationale of the Athenian model to have a select few people to represent the bulk of the population in the *Vouli ton Ellinon*, the Parliament of Greece. Centuries later, parliaments have evolved into numerous variants featuring uni-cameral, bi-cameral and tri-cameral chambers; majority and minority sides among others. The emergence of non-aligned members of parliament is a unique development that has found its way even to nascent and struggling democracies. Motivations however might be different. Whereas the decision to run on an independent ticket might be influenced by a principled stance in some cases, it is also sometimes motivated—particularly in infant polities—by short term views.

In Uganda, the phenomenon of independent candidates as well as independent members of parliament should not be viewed from the conventional lenses of internal party democracy and its attendant facets for the singular reason that the absence or lack thereof of these attributes is more of a symptom and not the actual problem.

From the outset, this paper underscores the argument that this is not a legal question that the Supreme or other Courts of Law can resolve; it is a political problem that stems from unresolved and continuing contradictions within the polity. Greek folklore has ably warned us that knots that the law cannot untie shall be undone by the Alexander’s Sword.

We have on our hands an insidious and malignant problem that stems from a deeply personalized political culture. A political culture that has been polluted with transactional practices, selfish mindsets and a political economy set up that does not facilitate progress; this is why this paper

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<sup>1</sup> Comments made at Leadership Retreat for members of the NRM in 2005 at the National Leadership Institute.

<sup>2</sup> Addressing the press in Kampala pertaining the issue of NRM Primaries and Mayoral Elections.

felt it apt to lead off with the two quotations above. They have been cited so as to assist the reader to appreciate the context within which the abysmal performance of Uganda's national assembly is located.

Subconsciously, this exposition is at pains to use certain terminologies such as “political party”, “Opposition”, “ruling party”, “parliament” and “government”. These words presuppose so many things which if interrogated will be found absent in the current shape and form of ‘politics’ in Uganda today.

Political parties which should be institutions that further citizen organization around stated political objectives instead operate towards furthering at best narrow group interests and at worst individual interests. This is how unfortunate notions like “sole candidature” are spawned.

For its part, the Opposition (both founding and new parties) has been hamstrung by the vagaries of operating in a militarized environment that places parties on a collision course with the ruling establishment. Similarly, a few political opposition members and their parties,—in their attempt to articulate alternative policies to the electorate, have been either suffocated, and cannot operate offices with the latitude that political mobilization requires or they are continuously harassed into self-censorship and later cross-overs to the ruling party.

The status of the ruling party militates against the definition or ideal conduct of what a political institution in charge of government should be. Not only has it been almost irreparably fused with the state; it has been largely managed through Kyankwanzi resolutions and party caucus meetings which leave little room for debate. Reports from such meetings have always been criticized for directives to ensure facilitations into whatever matter is at issue, which has always led to a change of mind of many.

Therefore, to the extent that the foregoing words are employed by this article, it will be for colloquial purposes and for the facilitation of the discussion of the matter at hand. It should not represent in a belief that those stated things in fact exist or are credible.

### **Main Submission**

In the first quote, President Museveni was reassuring losers in NRM primary elections against leaving the party or standing as independents because—going by the biblical verse—their father's (read Museveni) house (read NRM) had many rooms (perks and benefits to gain even if they are not occupying mainstream positions); he went ahead and offered lavish monetary and other packages to the aggrieved contestants. This statement was made in 2005 and has since

morphed into standard operating procedure for especially those who unsuccessfully bid for elective office at the level of parliament.

It is no secret that all those who have been unable to successfully vie for elective political office have been rewarded with appointments to ambassadorial, consular, advisory and other Executive positions. Although this article is limited for time and space to give examples which abound, erstwhile presidential advisor Tamale Mirundi repeatedly made allusions to the appeasement purpose and patronizing role that such appointments play.

In the second quotation, parliamentarian Jacob Oboth-Oboth expresses his dissatisfaction with the unfair and shabbily conducted internal electoral process within the NRM but hastens to mend fences with the Patron of the establishment. He, like many others is willing to eat his cake and have it. This kind of unprincipled and spineless disposition is the dominant character of the parliamentarians today. The exception proves the rule.

This duplicity on the part of the ‘victims’ of unfair processes within the ruling elite confirms one thing: independent candidates are one of the many children that have been born to the marriage of convenience between parliament and neo-patrimonial rule.

But all is not lost: independent Members of Parliament are potential anchors between the partisan polarities that characterise the current parliament. The opportunity for passage of bipartisan legislation, enactment of public policies that support the common good, creation of a political culture that nurtures a spirit of nationhood and mitigates the tendency for divisive politics—to name a few represent the potential that the new Parliament represents.

Some of these matters about which Parliament ought to seek collaboration across the aisle include and are not limited to: a national healthcare insurance programme; affordable mass transportation; planned settlements and low cost housing; lower energy tariffs as a means to spurring production; functional transport infrastructure, a favourable taxation regime that is designed to encourage local production and protect infant industries against foreign and harmful competition as well as a revamped and holistic education curriculum/system that prepares Uganda’s largely youthful human resource corps for a changing regional and international labour market.

These are issues about which there should not be partisan squabbling and/or disagreement. These should be irreducible minimums that unite the entire House. Independent Members of Parliament would be the midwives for the delivery of such a people-centred legislative agenda.

Unfortunately, for a fifty three year old country whose democratization process has been disrupted by varying episodes of military rule, this lack of a grounded political culture or ethos is not surprising.

It is very different from the pattern in progressive societies and developed democracies where independent candidates are the result of shifting voting patterns of the electorate, a major policy disagreement between a member and their party or where a political party expels its member. The former happened when the ruling NRM expelled four of its members leading to the ‘rebel MPs’ saga.

This proposition is alive to the fact that the practice of running as independents for similar and other reasons is not limited to the incumbent regime.

It has been reported in several Opposition parties and has had a debilitating effect on the image of the Opposition as being no different a set of leaders from the status quo. Within the founding fathers’ parties (Uganda People’s Congress and the Democratic Party) as well as the Forum for Democratic Change, there has been a spate of members breaking ranks with their parties for reasons ranging from electoral block calculations, disputed primaries elections, ethnic/religious rivalry, exclusion from political contest by arbitrary decisions of party secretariats and lately, the emergence of new dynamics and a unique contender for the presidency, Amama Mbabazi, who has in more ways than one upset the apple cart.

As a means of steering clear of this fate that seems to stalk political parties once out of state powers, the pitch must be made for internal democracy within political parties, tolerance for alternative opinion and a leadership within political parties and parliament itself that appreciates and respects diversity in all its forms.

In the case of the electorate which seemed to favour independents, this is best explained as a protest vote against perceived or real unfairness as well as a general groundswell for change especially within the minds of new and young voters. As was the case with previous electoral cycles, there has been a high turn-over rate at the parliamentary level and the entry of numerous Independent MPs. It explains the rush between parties in parliament that are vying for the cooperation of these Independent minds so as to better argue their positions on the floor of parliament.

### **The Last Word**

This paper concludes giving a reasoned opinion to show that notwithstanding the myriad reasons for the phenomenon of independent contestants, regardless of the number of seats they have managed to hold in the 10<sup>th</sup> Parliament—whether or not they belong to a political party—there will be no major change in the role, power and/or influence of the heavily emasculated institution called Parliament. The silver lining here is the promising prospects that the presence of

Independent MPs portend for rigorous debate on all matters pertaining to the House's legislative agenda.

Parliament possesses the muscle to fight for its independence and redeem itself from the prevailing public perception that it is beholden to the objectives of the Executive. Without a recalibration of its role in the polity, Parliament may not be able to hold its constitutionally entrenched mandated position as a lead participant in the ebb and flow of Uganda's politics.

For as long as the political economy of Uganda remains anchored on neo-patrimonial moorings, all formal institutions will remain mired in the malaise that afflicts them. The NRM's statement of intent to enter memorandums of understanding with independent candidates, something that was done with previous sittings is a telling sign of the direction that the tenth Parliament is going to take. Without a rooted foundation in any given ideology, ethos or practice, political parties just like parliament, remain vehicles for the propagation of narrow interests as opposed to issues of the common good.

Throughout the lobbying and other interactions with civil society organizations across the broad spectrum of non-state actors in Uganda on legislative matters such as petroleum (and the related public finance) law, the Universal Primary Education capitation grant, proposed increments to the healthcare budget and electoral reforms, parliamentarians on either side of the aisle could not muster a majority to enact these laws in a manner that was mindful of the common good.

The cardinal sin of the removal of term limits has spawned a much more catastrophic chain of events whose effects have been much more harmful than was earlier predicted.

The questions and issues raised in the foregoing are of an existential nature to Uganda's existence as we know it. No effort should be spared in curing this defect in our political system's architecture. Indeed this merits an examination of the political economy but that is beyond the scope of this paper.

Towards a remedy, the entire polity needs an overhaul that recasts the foundations and anchors Uganda on a set of shared national values, a defined political ethos and practice that propagates accommodation, genuine patriotism and decency in our politics and enjoins leaders—be they parliamentarians or serve in the Executive or the Judiciary to govern in a more enlightened fashion. The problem is much more pervasive than we think. The impasse cannot be undone by the Independent Members of one or many parties alone; initiatives such as the National Consultation on Free and Fair Elections provide the necessary beacons to direct the country, her citizens and institutions on a reconstructive path towards a society of shared opportunities,

productivity and dignity for all citizens, lest the incoming House will be a case of the same script; albeit with a different cast.