



## The historical snags and triumphs of the Uganda Joint Christian Council (UJCC) in monitoring national elections in Uganda between 1963 and 2016

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### ABSTRACT

The Uganda Joint Christian Council (UJCC) was established in 1963, and its founding member Christian churches included the Protestants under Archbishop Leslie Brown, the Catholics under Archbishop Joseph Kiwanuka, and the Orthodox under Archbishop Theodros Nankyama. According to the Kampala Archdiocese Archives, UJCC was established with a number of objectives, which include, among others, that of enhancing democratic institutions in Uganda. The United Nations Universal Declaration of Human Rights (UNUDHR), established on December 10, 1948, also encouraged UJCC. UNUDHR advances the people's right to democratic elections and voting. It goes on to assert that election monitoring groups, ranging from local to party monitors, assist respective governments to hold free and fair elections. In this regard, UJCC widened its focus on promoting democracy and good governance. Since the latter can hardly be realized without holding national elections, UJCC embarked on the noble work of monitoring national elections in Uganda between 1994 and 2016. According to the Office of the High Commissioner for Human Rights (OHCHR), election observation is a valuable gizmo for supporting the quality and integrity of elections. It further states that election observers/monitors help build public confidence in the honesty of the electoral process. As a religiously founded organization, politically, UJCC has been at the forefront of monitoring the national elections in Uganda, viz., from the pulpit to politics. This position is because UJCC wanted to promote people's right to democratic elections and voting. Similarly, election monitoring promotes democratic elections as an essential element for sustainable democratic governments in a country. From its inception in 1963 up to 2016, UJCC experienced various challenges and achievements during the course of enhancing democracy in Uganda. Therefore, this article presents the snags and triumphs that UJCC experienced prior to and during the process of monitoring national elections in Uganda. The study was guided by the behavioral theory and the rational choice theory. This is because these theories correspond with the issue of election monitoring. Similarly, both theories encompass the rationality aspect in decision-making used by the individuals or agencies that are monitoring elections. Conclusively, the investigation of this article has historically echoed the concern of national elections monitoring in Uganda, with special reference to the experience of UJCC as an ecumenical body. The article has mirrored how the management of the electoral process in Uganda has been enriched to some extent, owing to the role of UJCC in the monitoring of national elections. UJCC and other monitoring agencies are recommended to develop a methodology and tools for monitoring the hurried government demarcation of the new districts and constituencies, especially as the national elections are looming. UJCC ought to outwardly and courageously caution the government/EC against the issue of creating ghost polling stations. Finally, UJCC Church members are encouraged to desist from the issue of government patronage and vote buying if they are to improve their mandate of election monitoring.

**Keywords:** Democracy, Democratic Elections, Election Monitoring Groups, Free and Fair Elections, Human Rights, Good Governance, Snags, Sustainable Democratic Government, Triumphs, UJCC

### I. INTRODUCTION

The second Vatican Council which started in 1962 provided the background for the formation of UJCC. Yves (1979) emphasises that among the first local application of the principles emanating from the Second Vatican Council, was that of encouraging Catholics worldwide to cooperate with other Christians. Therefore, UJCC is considered to be a brain child of the Second Vatican Council. The latter dealt with many international issues and among which was that of emphasising unity (ecumenism) among believers, an impetus given by the efforts of Pope John XXIII who summoned the second Vatican Council. However, there were a number of Christian Councils that had been convened in many parts of the world, viz, Zimbabwe Catholic Bishops Conference (ZCBC), the Evangelical Fellowship of Zimbabwe (EFZ),

though Uganda's Council; (UJCC), was probably the first of its kind in world history, to be composed of a combination of the Catholic and Anglican Churches.<sup>1</sup>

It should be emphasised that ecumenically, UJCC is strictly composed of the Protestant Church, the Catholic and the Orthodox Churches. UJCC as an ecumenical organisation has been monitoring national elections in Uganda from 1994-2016. According to the Constitution of Uganda, it is the duty of every citizen of Uganda of eighteen years and above, to register as a voter for public elections and referenda.<sup>2</sup> Similarly, the OHCHR/United Nations Human Rights Office (UNHRO) states that the right to take part in the conduct of public affairs, including the right to vote and to stand for elections is at the core of democratic governments.<sup>3</sup> In that regard, UJCC in monitoring national elections had an interest of enhancing peoples' political rights, reflected in their ability to participate in the civil and political life of the society and state without fear of discrimination. Therefore, it can be deduced that UJCC members pursue policies and programmes that promote the dignity and rights of all people living in Uganda. Human Rights, Democracy and Good Governance, Citizen Participation for Transparent and accountable governance as an objective of UJCC, gave this NGO (UJCC), a mandate and responsibility of participating in the monitoring and observation of national elections in Uganda from 1994.

According to research, it has been established that UJCC has experienced various challenges hitherto and during the course of election monitoring in Uganda. Fortunately, however, UJCC has been in position to overcome some of the hiccups. This enabled UJCC to make some recommendations, which the Electoral Commission and the government applied for the betterment of the electoral process in Uganda. In that regard therefore, UJCC has made a meaningful contribution (achievements) towards the overall improvement of the quality of elections in Uganda, though to a smaller extent. The following analysis thus, presents the snags and triumphs that UJCC experienced formerly and during the progression of monitoring national elections in Uganda.

## II. THEORITICAL FRAMEWORK

The favourite theories used by this study was that of the Behavioural Theory and the Rational Choice Theory. The advantage of these theories is that they both relate with the issue of election monitoring. Correspondingly, both theories incorporate the rationality aspect in decision-making used by the individuals or agencies that are monitoring elections. Adam Smith basing on the Rational Choice Theory states that, individuals use rational calculations to make rational choices and achieve outcomes that are aligned with their own interests.<sup>4</sup> It was also noted that, the rational choice approach to politics asserts that individuals have preferences out of the available choice alternatives. The theory contends that individuals use their self-interests to make choices that will provide them with the greatest benefit. The theory continues to assert that people weigh up their opinions and make the choice they think will help them. When the Rational Choice Theory is connected to monitoring elections, this generally begins with consideration of the choice of an individual's decision-making, in terms of selecting the monitors/observers, the agencies and NGOs that are monitoring elections. Similarly, according to Shodhganga, the Rational Choice Theory provides a straight forward and powerful defence of political democracy. The theory assumes that NGOs and political actors are fully rational.<sup>5</sup>

## III. METHODOLOGY

This study employs a qualitative, historical-descriptive methodology to examine the problems and accomplishments of the Uganda Joint Christian Council (UJCC) in overseeing national elections from 1963 to 2016. Data was gathered through thorough document analysis, encompassing official reports, election observation records, legislative Hansards, and historical documents pertinent to UJCC activities. Furthermore, key informant interviews were performed with a purposive sample of 36 individuals, comprising former UJCC officials, top religious leaders, election officials, and legislative members engaged in election oversight. The informants were chosen due to their direct engagement and comprehensive understanding of UJCC's work over the years. The data obtained from interviews and papers was methodically examined and thematically analysed to discern patterns, milestones, and contextual factors influencing UJCC's election monitoring initiatives. This method facilitated a sophisticated comprehension of the socio-political and theological variables influencing UJCC's operations. The conclusions are corroborated by secondary

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<sup>1</sup> Yves Tourigny W, *So abundant a Harvest*. Great Britain, 168-172 (1979)

<sup>2</sup> The Constitution of the Republic of Uganda as at (15<sup>th</sup>-February-2006) With Constitution (Amendment) Act 2015 Attached, Article 59 (2) at 59

<sup>3</sup> The UN Human Rights Committee's [General Comment No. 25](#) (Paragraph 1)

<sup>4</sup> Adam Smith A. (1776). *An inquiry into the nature and causes of the wealth of nations*. (Book I, Chapter II).

<sup>5</sup> Shodhganga, (2007), On line Library Shodhganga.confliabnet.ac.in>handle, [www.researchgate.net](http://www.researchgate.net)>publication

sources, such as scholarly articles, official documents, and reports from international organisations, to provide contextual depth. This methodology enables a comprehensive reconstruction of UJCC's historical trajectory, highlighting the internal and external forces that influenced its achievements and failures within Uganda's political context.

## IV. FINDINGS & DISCUSSION

### 4.1 Challenges Encountered by UJCC between 1994-2016

It should be noted that UJCC as any other organization, inevitably experienced some problems from the period of its initial stages, up to its evolvement into a strong and united ecumenical organization, with the capacity of monitoring the national elections in Uganda 1994-2016. The following presentation provides the challenges experienced by UJCC, prior and during the course of executing its mandate of monitoring national elections during the period 1963 to 2016.

UJCC as a newly established religious umbrella body of different Christian denominations, encountered various setbacks and challenges during its first decades of existence. These challenges were reflected in the skirmish relationship that had previously existed between the Catholics and the Protestants since their inception in Uganda, the extensive political repression characterized by the regimes of Obote I, Amin, Obote II, among other factors. These factors hindered the smooth running of UJCC and rendered it less effective in the political arena of monitoring the national elections especially before 1994.

The process of establishing an independent Uganda by the British Protectorate government necessitated the formation of political parties. Tourigny (1979) and Karugire (1980) assert that, the quasi-political Christian parties of the old Protestants and Catholics were galvanized into Political Parties (Uganda People's Congress – UPC, formed in 1960, for the Anglicans and Democratic Party – DP, formed in 1954, for the Catholics), which put Uganda's history to another level of integrating politics and Christianity.<sup>6</sup> Thus, in the emerging nation, these hostilities defined the mind-set of Ugandans. This situation explains why this period was characterized by bitterness, rivalries and antagonism among Christians who belonged to the above political parties at the time. Historians argue that the struggle for power on the eve of Uganda's independence in 1962, was a replay of the 1888 - 1892 events of the inter-religious wars in Buganda. The colonial events saw the ascendancy of the Anglican party to power, and an increase in political and social marginalization of the Catholic party, and the alleged harassment of the Catholics by the Anglican-dominated government. The ghost of religious rivalry had continued to rear its head, during the process of establishing an independent Uganda. Only that at the time it was not articulated theologically, though this remained an issue within the Church circles. Rather, it was animated widely in the social-political division between Protestants and Catholics.<sup>7</sup> Such colonial hiccups were ostensibly still harbored by the Christian groups, and continued to embitter the relationship between the Catholics and Protestants, to the extent of delaying UJCC's commencement of election monitoring before 1994.

When the issue of schools is considered, Mudoola (1993) and Tourigny (1979) note that it became part of school system because schools' establishment proceeded along similar lines. This was in such a way that both the Anglicans and Catholics founded their respective schools by taking converts from their Churches<sup>8</sup>. The problem that arose from this arrangement at the local level, was the inconveniences of having learners walk several miles to attend schools owned and operated by their religious affiliations. Accordingly, such rivalries and mutual hostilities were contradictory and a real challenge that deemed the credibility of the Gospel teaching, viz, John 17: 20 - 23 and 1st Corinthians 1:10-17 which emphasizes unity among Christians.<sup>9</sup> Therefore, leaders of the Anglican, Roman Catholic and Orthodox Churches under UJCC might have failed to undertake the task of election monitoring before 1994, due to the previous contentions and mutual aggressions that were still harboured.

UJCC was formed majorly to promote unity and to inculcate the principal of Christian Brotherhood, which knows no discrimination basing on colour, race, status and religion. The major hurdle facing the leaders of member Churches of UJCC, was how to best forget the former disparities which had promoted antagonism for 84 years. They instead had to work together more closely so as to build the future of an independent Uganda. The main objective ahead of UJCC was to help the member Churches make their joint contribution to the building of the young Ugandan nation, by healing the wounds of the historical divisions that had cropped up at the inception of Christianity in Uganda as already noted. Churches, therefore, had to embark on the issue of trailing along the trend of promoting "unity in

<sup>6</sup> Karugire S.R, *A Political History of Uganda*. London; Heinemann Educational Books, 159-162 (1980)

<sup>7</sup> Yves *supra* note 4, at 42-45; Karugire *supra* note 7 at 68-71.

<sup>8</sup> Mudoola, D. M., *Religion, Ethnicity and Politics in Uganda*. Kampala: Fountain Publishers Ltd, 29-33 (1993); Yves *supra* note 4, at 118-124.

<sup>9</sup> UJCC, *Golden Jubilee, Peaceful co-existence is possible*, 2 (2013).

diversity", which was a great challenge for them. The dynamics of sustaining UJCC in its early stages from 1963 onwards required Churches to carefully and prudently pursue the era of working in divisions, yet with tolerance.<sup>10</sup> This could have hampered and fraught the operation of UJCC especially with regards to election monitoring and observation.

According to one of the respondents, it was noted that from the time of UJCC's inception in 1963 up to 1979, there were no elections held in Uganda, which became a big challenge. Therefore, UJCC's role in monitoring the national elections cannot be cited anywhere during that period. However, the nature of political situations which entailed dictatorship of the governments of Milton Obote and Idi Amin presented a number of challenges to the Church leaders of UJCC. A case in point was when Idi Amin assassinated Archbishop Janan Luwum in February 1977. In such a situation where the lives of religious leaders were at stake, UJCC could hardly rear its head in the Ugandan political arena, by enhancing democracy, where there were no organized elections.<sup>11</sup> Therefore, UJCC got a challenge of remaining dormant during that politically treacherous period.

In most specific examples, when Obote I's regime is considered, it never provided a level ground to UJCC which was still young at the time, to operate smoothly. To the members of UJCC, this was a period of caution and of carefully consolidating themselves firmly, in a newly established ecumenical organization. According to Mutibwa (1992), Obote made a threatening statement in January-1964, in his home-town of Lira. Accordingly, Obote advocated for a one-party and a socialist state for Uganda. In August 1964, Obote went ahead to dissolve the UPC/ KY alliance and dismissed the KY members from the government and from ministerial posts<sup>12</sup>. In a similar development, by 1966 King Muteesa II was seriously being confronted by Obote. Such confrontation culminated into the 1966 crisis when Obote attacked the king's palace, forcing him to flee to exile in England. Obote went ahead to abolish the 1962 Constitution, established his own, generally known as the "Pigeon hole" Constitution. Obote went on to place Buganda under a State of Emergency. According to Mudoola (1993) and Mutibwa (1992), by 1969 Obote had established a One-Party State system (UPC) over Uganda. Obote had also brought in an ideological document referred to as; *The Common Man's Charter and National Service Proposals*.<sup>13</sup> The latter implied a "Move to the Left" or what was called establishing Uganda as a Socialist/ Communist State (in connection with the Soviet Union of Russia). Such a government under Obote, with Socialist tendencies, was well known for disrespecting Religion and the existence of God. Therefore, such was the slippery and subtle environment that the members of UJCC had to delicately trail in at the time. This explains why during Obote I's regime, UJCC was in a state of oblivion, and therefore, made no progress as far as monitoring and enhancing democracy in an independent Uganda is concerned.

Other challenges experienced by UJCC, were during Idi Amin's regime from 1971-1979. One of the respondents stated that;

*"During the initial period of Amin's regime, he portrayed himself as an impartial God-fearing religious man. He was like an ecumenical mediator who would see that there was religious tolerance in the country. In so doing, he wanted to be contrary to the former president Obote, who was believed to have suffocated too much the religious matters. Obote had not given the Moslem and Catholic religions their expected due, in the way he organized his government system. Yet when Amin came on the scene, he masqueraded to be neutral and cooperative with all Ugandans irrespective of their religion. However, he later started taking sides with the Muslims as opposed to the Christians, which became a big challenge to UJCC."*<sup>14</sup>

In relation to the above, according to Kasozi (1999) and Mutibwa (1992), Amin created the Department of Religious Affairs in the country. He went ahead to create the Ugandan Supreme Council and gave Moslems twelve acres of land in Old Kampala, to construct a Mosque and the headquarters of the Uganda Moslem Supreme Council. To create an image that he was neutral to the other major religions (of the Protestants and Catholics), Amin donated his monthly salary to build the Uganda Martyrs' shrine at Namugongo. Amin also donated a Mercedes Benz to each of the above religious leaders; Protestants, Catholics and Moslems.<sup>15</sup> However, the above religious developments were carried out during the initial phase of Amin's regime. Amin later shifted ground as time went on, which was a huge challenge to the members of UJCC. Amin eventually declared himself the Chief Khadr of the Moslems in Uganda, although he was neither versed with Islam nor was he Pious.<sup>16</sup> With time, Amin began to favour the Moslems in a manner to align

<sup>10</sup> UJCC, *Commemoration Magazine of the 45<sup>th</sup> Anniversally, Growing and serving together*, 8 (2008)

<sup>11</sup> A respondent interviewed 23<sup>rd</sup>-March-2020 at Nsambya Catholic Parish.

<sup>12</sup> Mutibwa P. *Uganda since independence: A story of Unfulfilled Hopes*. Kampala: Fountain Publishers Ltd. 34 (1992) \_Obote had used the KY Parliamentarians to get his party into power and now that their presence tended to weaken, rather than strengthen the government, it was time for them to be disposed of.

<sup>13</sup> Mutibwa P. *id* at 69-71; Mudoola *supra* note 13 at 24-25.

<sup>14</sup> A respondent interviewed 10<sup>th</sup>- August-2020 at Mmengo.

<sup>15</sup> Kasozi, A. K, *The Social Origins of Violence in Uganda*. Kampala: Fountain Publishers Ltd, 107-110 (1999); Mutibwa *supra* note 13 at 85-87.

<sup>16</sup> *Id* at 107-111; No one except Amin could speak on behalf of Uganda's Moslems.



Uganda's foreign policy with Islamic states like Libya. According to one of the respondents, it was noted that Amin instituted attacks on Christian leaders for minute issues. He continued to show his dissatisfaction with Christians by expelling, for example, 58 White Missionaries from Uganda, especially in the Catholic and Protestant Churches. Between 1973 and 1978, a number of high-ranking Christians including the Clergy were killed.<sup>17</sup> That brutal action was a great challenge that halted the activities of the UJCC in fronting democracy in Uganda for some time.

As illustrated by the preceding paragraph, the challenges faced by members of UJCC during Amin's reign of terror and military regime in Uganda were incredible. Generally, Amin's government was characterized by state-inspired violence, terror, political instability, human rights violation, horrendous killings, disappearances, torture and prolonged detention without trial. The victims of such a regime included; Archbishop Janan Luwum, Chief Justice Benedicto Kiwanuka, Dr. Ssembeguya, Rev. Fr. Kiggundu Clement (editor of MUNNO Newspaper publication), Brigadier Okoya, Kakuhikire (Lieutenant Colonel), and Byagagaire Justice, among others. Consequently, professionals, politicians, religious leaders like Bishop Kivengyere Festo, and a number of foreign Catholic Priests had to flee the country for the safety of their lives.<sup>18</sup> All these dreadful happenings at the time, hampered the operation system of UJCC and greatly affected its objective of enhancing democracy in the politics of Uganda.

In another development, Amin abolished all the other religious groups in Uganda like the Seventh Day Adventists, Orthodox and Born-Again Christians/Pentecostal Churches. Amin wanted uniformity in religion and could not understand religious groups that differed from the main Church of Uganda, the Roman Catholic Church or the main Sunni sect of Islam (as interpreted by the Uganda Muslim Supreme Council).<sup>19</sup> So, for that matter, UJCC being founded by the Protestant, Catholic and Orthodox Churches, had been somehow dismantled since one of the founder religions, (the Orthodox), was among the abolished religions. This was another big challenge to UJCC that hampered it from participating in the politics of being an overseer of democracy in Uganda via election monitoring before 1994. When the period between 1980 and 1986 is considered, one of the respondents noted that;

*“The national elections were handled only once in Uganda and that was in 1980. This period indicated that UJCC was not vibrant in monitoring and enhancing democracy in Uganda as expected and never featured in the monitoring of the 1980 national elections. This was obviously due to the previous challenges that the members of UJCC experienced during the regimes of Amin and Obote 1, which for example ended up expelling some of the foreign clergy members and also killing some of UJCC's prominent Christians and clergy. The implication was that by 1980, UJCC member Churches had not properly sorted themselves out, to the level of enhancing democracy, through election monitoring.”*<sup>20</sup>

Just like the previous periods, the above extract brings out the fact that expulsions and killing of the prominent members of the Christian faith continued during the period 1980 and 1986. According to *Uganda Times*, Cardinal Emmanuel Nsubuga as one of the Church leaders and a member Church of UJCC called all Ugandans in an Independence Anniversary Message of 1980, to look ahead with optimism and determination despite the sufferings they and the Church in Uganda were being subjected to. The Cardinal stressed that things which Ugandans had resented in the past 18 years (from 1962), were to be used as the spring-board for a better tomorrow. “Let us begin putting together the broken pieces, so that we can create a Mosaic of peace, love, security and prosperity for all citizens. Our differences in Religion, Political Parties and tribes are an enrichment for the Nation and not a Problem,” Cardinal Nsubuga said. He added that each Ugandan should seek to build a free, prosperous and happy nation where all are law-abiding and God-fearing. The Cardinal prayed that the year's anniversary of independence would make Ugandans look ahead in future with courage, knowing that they are of the same origin and destination.<sup>21</sup> According to the above statement, the Cardinal acknowledged that the UJCC Church members had witnessed various challenges in the past. The Cardinal also encouraged UJCC members to rise from the state of oblivion they had been plunged by challenges projected for a long time. UJCC members were instead encouraged to begin taking an active role in the political development of Uganda via enhancing democracy, as it had been agreed upon according to the objectives of UJCC's establishment.

It can be said that among the challenges faced by UJCC members before 1994 and stalled them to augment democracy, was that they lacked the required experience as far as monitoring and observing the national elections was concerned. It should be noted that the first elections in Uganda which were in 1958 and those that followed in 1961 and 1962 respectively, had no foreign or local observers. Yet according to one of the objectives of UJCC (acting as an overseer of democracy in an independent Uganda) especially in election monitoring, something in connection to that, would have been done already at least before 1994. It should be accentuated that when the 1980 elections occurred, the

<sup>17</sup> A certain Politician, *Interviewed* 12<sup>th</sup>-September-2021.

<sup>18</sup> Kasozi *supra* note 16 at 110; Mutibwa *supra* note 13 at 86-87.

<sup>19</sup> Kasozi *Id* at 110-111 – Amin's terrorism and maladministration had succeeded in alienating many Ugandans including Christians who had not initially minded having a Moslem Amin as their leader.

<sup>20</sup> Noted from a respondent *interviewed* 9<sup>th</sup>-September-2020.

<sup>21</sup> UGANDA TIMES (News Paper), 11<sup>th</sup>- October-1980.



Commonwealth Observation Group (COG) which was extraneous, turned up for the first time in the history of Uganda, to monitor and observe those elections. From that action of COG, UJCC got the experience of practically witnessing how elections are monitored. Hitherto 1980, UJCC had a challenge of ingenuousness and naivety of monitoring national elections in Uganda.

Additional challenges faced by UJCC concern the issue of considerable diversity in individual religious' position, during the course of monitoring national elections in Uganda. According to Henni and Ssentongo (2017), it is reflected that during the first decades of UJCC's establishment, there were incompatible relationships between the Catholics and Protestants, which seem to have persisted in one dimension or another <sup>22</sup>Due to the difference of the respective religious positions, some of the religious leaders expected financial support from the ruling regime. It is purported that this is molded by the position of religious leaders in the networks of patronage from the incumbent governments. In this way, possibly because some UJCC member Churches expected to get some funding from the government. This influenced them to be hesitant in challenging the undemocratic trends of the government during the period of election monitoring. Such undemocratic tendencies like stuffing of ballot papers, rigging of elections, among others, have been shown to be rampant in Uganda's national elections and the electoral process at large. This therefore becomes a challenge towards UJCC's role of promoting democracy and good government, via monitoring of the national elections in Uganda.

Among the challenges of UJCC was that of the financial support. One of the respondents, stated that;

*"UJCC for a long time had enjoyed the funding from foreign sponsors in USA and Europe. A case in point was particularly during the 2016 national elections when UJCC got fewer funds or no funds at all from the former sponsors, because of its LGBTQI/anti-gay tendencies which possibly were opposed to the sponsors in USA and Europe. Consequently, UJCC carried out the mission of the 2016 election monitoring all alone and with financial constraints, since the income from its internal financial resources is considered to be insufficient. It is highly doubted whether UJCC would be in position to monitor the future national elections due to the issue of financial constraints."*<sup>23</sup>

As argued by the above respondent, lack of sufficient finances at times limited the scope of UJCC's mandate. UJCC was unable to send more numbers of election observers across the country, due to financial challenges especially during the 2016 elections. Again, the above extract alludes to the fact that relying on sponsorships by foreign bodies and countries, threatened to curtail the working independence of the UJCC, because by way of that funding, UJCC is also expected to adhere to conditions set by the donors.

Similarly, another challenge experienced by UJCC was that of being dissented by the other CSOs with which they used to monitor national elections. It should be remembered that due to the complexity of election monitoring role, UJCC had formed a consortium of election monitoring groups in the names of CEJOCU, NEMGroup and DEMGroup respectively, from 1994 to 2011. However, by 2016, none of the above consortiums was still in operation with UJCC, as far as monitoring of the national elections is concerned. According to one of the respondents;

*"The CSOs that used to monitor elections with UJCC, had become partisan and inclined very much to the financial influence from the government. In the same trend, some of those CSOs were not ready to disassociate themselves from their sponsors of USA and Europe, in the way UJCC had done."*<sup>24</sup>

Therefore, the issue of desertion by its allies was another hiccup, since the above CSOs could not continue operating with UJCC, which is a non-partisan faith-based CSO. This consequently incapacitated UJCC in as far as getting enough election observers is concerned.

Vote-buying among the religious men and women in Uganda by some politicians was considered as another challenge to some members of UJCC. According to Henni Alava and Spire Ssentongo (2017), this is likely to occur at the local council and parliamentary levels. Aspiring candidates had the tendency to hand out money and other contributions during some religious events organised by Churches. Therefore, it became difficult for some clergy to keep an independent political stand under the influence of hand-outs or donations from politicians.<sup>25</sup> Consequently, the non-partisan stand of UJCC sometimes becomes compromised during the monitoring of national elections, due to the issue of vote-buying. The issue of having few monitors and poll watchers was another challenge experienced by UJCC in the course of monitoring and observing of the national elections in Uganda. One member of the Ecumenical Joint Action Committees (EJACs), had this to say;

*"The national polling stations during elections are numerous as compared to the monitors provided by UJCC. This problem is possibly caused by the government which keeps on creating new districts when the*

<sup>22</sup> Henni Alava and Jimy Spire Ssentongo, *Religious depoliticization in Uganda's 2016 elections*. Informal UK Limited, trading as Taylor and Francis 682-683 (2017).

<sup>23</sup> Noted from a former UJCC election monitor, interviewed 12<sup>th</sup>-July-2020 at Nsambya

<sup>24</sup> Noted from one of the respondents interviewed 18<sup>th</sup>-January-2020 at Mulago

<sup>25</sup> Henni Alava and Jimy Spire Ssentongo *supra* note 23 at 687.

*national elections are nearing. The monitors and poll watchers supplied by UJCC during national election monitoring in most cases cover only three quarters or even less, of the national polling centres.*<sup>26</sup>

In line with the above, it can be concluded that although UJCC in solving the above problem liaises with other monitoring groups, and gets in touch with the findings in other polling stations national wide, at times UJCC lacks the physical touch with what exactly takes place at those centres.

According to one of the group discussions, it was noted that the establishment of the Inter Religious Council (IRC) in 2000, can be considered as another challenge to UJCC. IRC is composed of all religious groups in Uganda including the Moslems. Accordingly, it was noted that since President Museveni had restored freedom of worship, another faith-based organisation which encompassed all religions had to be put in place. This was due to the fact that UJCC was only composed of the three Christian religions as already noted, and was not willing to admit other religions like the Pentecostals and the Moslems. It should be noted that IRC is also composed of the member Churches of UJCC. This is like a contradiction and a challenge to UJCC, since what is done by UJCC is more or less the same as what IRC does.<sup>27</sup> Therefore, it is like IRC is a replica of UJCC and on top of that, IRC has various religious groups in Uganda, which obviously has become a competitor to UJCC.

It can be remarked that UJCC experienced another challenge of unpopularity among the populace of Uganda, despite the commendable and noble job it was carrying out in Uganda. According to the same group discussion, it was noted that UJCC regularly works in collaboration with the media, especially in the areas of the press briefs, press releases, in the coverage of UJCC activities and events, television talk shows and radio talk shows. Accordingly, it was noted that there were no noticeable efforts to bring UJCC face to face with the populace especially in the period scope of this study.<sup>28</sup> Therefore, the election monitoring role of UJCC and the Reports and Recommendations made after monitoring of the national elections, (in the interest of enhancing democracy and good governance in Uganda), have largely not been known by the public, since only a few of Ugandans have access to the above media channels.

During the course of monitoring the national elections in Uganda between 1994 and 2016, UJCC has come up with reports and recommendations. The latter has been addressed to the election stake holders like the EC and the government, among others. However, UJCC has faced a challenge in that, of all its recommendations, according to this research, only 39% has been implemented by the government. The implication is that, majority of what UJCC recommended were ignored by the EC and government in particular. It is the government and EC with the full authority and mandate of effecting the UJCC recommendations, which would democratise the electoral process. However, UJCC lacks the proactive mandate for this cause, yet such UJCC recommendations would help the EC and the government of Uganda, to abide by the national and international democratic standards of organising national elections.

#### **4.2 Achievements of UJCC's National Election Monitoring Role**

Despite the above challenges and snags encountered by UJCC during the course of undertaking the noble task and mandate of election monitoring in Uganda, it managed to triumph with some significant accomplishments. It has been witnessed that, every after monitoring the national elections, UJCC and other CSOs have come up with recommendations. The latter have been presented and addressed to the election stakeholders like the EC and Parliament of Uganda. Therefore, the following chapter focuses on the achievements of UJCC and the progressive recommendations made after monitoring the national elections that have proved to be significant to the level of being implemented by the government of Uganda and the EC.

This section fostered the achievements of UJCC during its election monitoring role. The section promoted the democratic principles and good governance in Uganda, as advanced by UJCC. During the hectic and tedious course of monitoring national elections in Uganda, there is no doubt that UJCC has significantly registered a number of accomplishments and thus needs to be applauded.

According to research, it can be asserted that to a lesser extent, viz, with an estimate of (39%), UJCC has been successful in improving the process of managing and organising the national elections in Uganda. This is due to the fact that some of the recommendations made by UJCC have been significantly implemented and utilised by the stakeholders, particularly by the government and the EC in the process of organising the national elections in the country.

It ought to be renowned that UJCC has also accrued a lot of experience from monitoring international elections. This is due to the fact that UJCC operated in partnership with All African Council of Churches (AACC) and Fellowship of Christian Council and Churches in Great Lakes and Horn of Africa (FECCLAHA), among others, during the course of monitoring elections in other countries like Zambia, Zimbabwe, Kenya and Tanzania among others.<sup>29</sup> Such an accumulated experience favoured UJCC and qualified it to be efficacious in promoting a number of attainments, depicted

<sup>26</sup> From one of the EJACs and former UJCC election monitor, *interviewed* 11<sup>th</sup>-January-2020 at Nsambya.

<sup>27</sup> During a Group discussion 28<sup>th</sup>-November-2020 at Lubaga.

<sup>28</sup> During a Group discussion 28<sup>th</sup>-November-2020 at Lubaga.

<sup>29</sup> Karugire, *supra* note 7.

in the recommendations of the election monitoring reports. Therefore, in that respective UJCC ought to be commended for such a reputation of being recognised internationally, as far as election monitoring is concerned. Its achievements have so far transcended the borders of Uganda.

One of the most significant recommendations ever made by UJCC in the course of monitoring national elections in Uganda was that, the Parliament should consult civil society during the formation of electoral laws.<sup>30</sup> This recommendation has been put into action by Members of Parliament, who are also crucial stakeholders of the national elections in Uganda. The MPs have in the process of meeting their respective constituents, consulted them on what should be done with the electoral laws. These consultations have to some extent helped in the improvement and making better the national election's environment in Uganda.

Another recommendation of UJCC, and which is related to the first one above, was that Parliament should review and amend electoral laws, to address the loopholes and weaknesses that existed in them as highlighted by UJCC. Among the gaps that were exposed by UJCC, was that of easing the transfer of voters to other locations (especially women who were transferred as an after marriage).<sup>31</sup> This proposal was actually reflected in the electoral laws which were amended and operated since the 2011 elections to date. The Parliament was therefore, responsive to the UJCC and its recommendations.

UJCC also recommended that the EC ought to continuously update and maintain the voters register as the law stipulates.<sup>32</sup> This recommendation was implemented in such a way that prior to the elections, the EC normally provides an opportunity to sensitise and encourage citizens, to crosscheck and update their names in the voters' register of their respective polling stations. This proposal of UJCC has ensured that every willing voter in Uganda, participates in the democratic development and exercises their democratic right to choose their leaders, hence, very few voters in Uganda if any, are disfranchised.

To ensure that the preceding recommendation was effective, UJCC recommended the EC to collaborate with the Population Secretariat and National Bureau of Statistics (NBS) in updating the voters' register.<sup>33</sup> This is done in such a way that the EC updates the national voters' register in reference to the data provided by the Population Secretariat and the NBS. This approach has ensured efficiency in the voter data and register management through timely and collaborative engagement.

Concerning the actual process of casting the vote, UJCC recommended that, in order to eliminate the possibilities of irregular voting, the EC should use transparent ballot boxes.<sup>34</sup> This recommendation has actually been implemented since the 2006 elections. Transparent ballot boxes have been used during a couple of recent elections covered by UJCC, and are being used in every other election in all the polling stations in Uganda. The importance of such transparent boxes is and has been that of discouraging election rigging, especially in connection to ballot stuffing, as was the case before, when black metallic boxes were used. UJCC should therefore be credited with this development in the management of transparent, free and fair elections in Uganda.

UJCC recommended the use and revision of the Results Declaration Form (RDF). It should be remembered that the original RDF provided space for entry of polled results in figures only.<sup>35</sup> This meant that there was no space provided for the polled result figures in words. Such means of capturing the above results in figures only, had a risk of being exploited to the advantage of one candidate against the others. This could be reflected especially during the transmission of the election results to the tallying centre. Due to the efforts of UJCC, this changed beginning with the 2016 elections and instead the RDF has both the space for figures and words.

Still on casting the vote and the voting equipment and materials, UJCC recommended that the number of ballot boxes supplied should always tally with the number of polling stations in each respective district.<sup>36</sup> This particular recommendation has been applied by the EC, according to how the monitors of UJCC have followed it up during the course of monitoring. For instance, in the 2011 elections, UJCC noted that there were almost no complaints related to shortage of ballot boxes in any of the polling stations in the country as was in the last elections.

The EC was reminded of the crucial factor of organising both the Presidential and Parliamentary elections on the same day. In particular, UJCC noted that this was advantageous in a way that it would reduce the expenses incurred by the EC, by the government and by both the international and national monitors and observers.<sup>37</sup> This was actually implemented since the 2006 elections where the Presidential and Parliamentary candidates were elected on the same

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<sup>30</sup> UJCC Recommendations of the monitored 2001 national elections.

<sup>31</sup> UJCC Recommendations, *supra* note 31.

<sup>32</sup> UJCC Recommendations, *supra* note 31.

<sup>33</sup> *Id*

<sup>34</sup> *Id*

<sup>35</sup> UJCC Recommendations of the monitored 2016 national elections.

<sup>36</sup> UJCC Recommendations *supra* note 31.

<sup>37</sup> *Id*.

day, and not on separate dates as the case was during the 1996 and 2001 elections. In other words, UJCC should be commended for its role in ensuring cost-effective elections that save not only money, but also time and other resources.

Among the recommendations of UJCC was that of the government and all stakeholders to ensure respect for and promotion of the participation of women and other marginalised groups in the national elections and politics in Uganda.<sup>38</sup> This recommendation was similarly implemented by the government of President Museveni. This fact is reflected in the increased number of women and the disabled MPs in the Ugandan Parliament, especially after the 2016 national elections. In the same respect, a good number of women were encouraged to stand as MPs and Presidential candidates in some of the recent elections in Uganda. For instance, because of this, some women like Miria Kalule Obote (during the 2006 national elections) and Betty Namisango Kamywa (during the 2011 national elections), have taken the opportunity to stand as Presidential candidates during the national elections in Uganda.

On another level, UJCC recommended that since Parliament of Uganda has the mandate to debate the Constitutional Amendment Bill 2005, conflicting articles in the Constitution ought to have been considered for repeal. For example, articles that infringe on the freedom of association vis-à-vis the operation of political parties were singled out.<sup>39</sup> This was actually done by way of reinstating freedom of association and the operation of political parties, as reflected in Several Constitutional Amendments. This is a major achievement of UJCC to the extent that human rights and freedoms are fundamental features of democracy, which UJCC set out to contribute to.

To enable registration of voters to take place at the various polling stations in their proximity across the country, UJCC recommended that adequate funding should be given to the EC to operationalize this.<sup>40</sup> This was not the case previously. Consequently, this recommendation of the UJCC was actually considered in that, the EC was given reasonable funding by the government of Uganda. This actually enabled it to carry out voters' registration at the various centres in propinquity of the voters, country wide during the 2016 elections. This saved voters time and transport costs while registering voters. It also ensured that services of the EC were brought closer to the people, and that voters familiarize with the stations in which they are to vote.

As noted in the foregoing paragraph, insufficient funds previously hampered the operations of the EC. As part of their many recommendations regarding finances, UJCC recommended that the remuneration of the registration officials to be revised, be equivalent to the work done.<sup>41</sup> UJCC noted that previously, officials registering voters received a meagre payment. However, following the recommendations made by UJCC, and according to the research undertaken during the registration of voters in preparation for the 2016 and 2021 national elections, registration officials in the polling stations were paid a reasonable amount of income as compared to the situation before.

According to the UJCC recommendations during the 2005 referendum, it was suggested and recommended that there ought to be a Braille for the blind to enable them register to vote.<sup>42</sup> This was actually put into consideration in that the blind can now vote with the help of the Braille, which was not the case before the UJCC's recommendations. UJCC, therefore, as noted earlier, has contributed to ensuring that no voter (be it a blind), in Uganda is disenfranchised.

In some districts like Masaka, tax officials used to demand for the taxes at the sites of the registration centres. Consequently, during the 2005 referendum, UJCC recommended that the EC should be strict with what is done at the registration centres, since such acts by the tax officials could end up discouraging tax defaulters from participating in the registration exercise.<sup>43</sup> This observation was rectified in that, such incidents of demanding taxes along the polling stations have never featured anywhere else in Uganda, since the Masaka incident.

To further enshrine the principle of openness and fairness in the management of elections in Uganda, UJCC recommended the availing copies of the voters register and number of registered voters per polling station, to all political party candidates and other stakeholders including observers.<sup>44</sup> To a greater extent, this recommendation has been implemented, due to the fact that since the 2006 elections, some of the contesting candidates have been given the voters' register of the voters in their respective local areas. This is particularly true to the various registered political parties and other interested groups. This recommendation of the UJCC has helped to increase the confidence of the electorate and other stakeholders in the work of the EC, particularly in regards to voter registration.

UJCC also suggested and recommended the issue of publicising the list of the polling stations in the country in the print media.<sup>45</sup> This publication was deemed necessary to get rid of the confusion that marred previous elections as far as voting stations was concerned. This has been applied in that, during the 2006 elections, newspapers like *New*

<sup>38</sup> *Id.*

<sup>39</sup> UJCC Recommendations after monitoring the 2005 Referendum.

<sup>40</sup> UJCC Recommendations *supra* note 40.

<sup>41</sup> UJCC Recommendations *supra* note 40

<sup>42</sup> UJCC Recommendations *supra* note 40

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

*Vision*<sup>46</sup> have reflected the print of polling stations country wide. Consequently, this has helped all citizens, to make a proper follow up of the respective polling stations in their locality, and to be sure of where to cast their vote.

Openness as reflected in availing information to all stakeholders is another hallmark for free and fair elections. In this regard, UJCC recommended that the EC should regularly brief the media and election observers to keep them abreast of the electoral process.<sup>47</sup> This was implemented in that since 2006, the EC has been carrying out the briefing of the various accredited election observation groups and the media, especially when the elections are nearing. This has helped the above election observation organisations, to be well versed with the procedures from the EC to be followed. It has also helped in providing timely responses to questions raised by these groups on various occurrences and actions of the EC. This approach has gone a long way in providing checks and balances to the work of the EC, and therefore, raising the confidence of Ugandans in their electoral body.

The EC was recommended to allow UJCC, to contribute to the legislation that would govern the elections, the Code of Conduct for political parties and regularly meet representatives of the EC and other stake holders, to discuss issues that they observe during the course of elections.<sup>48</sup> This was done as recommended by UJCC in that since 2006, every after monitoring the national elections, UJCC is free to meet the EC and other election stakeholders, and brief them on how they complied with the expectations of the national and international election standards. This helps the EC/government to carry out self-evaluation for the betterment of the future elections.

In the elections that UJCC monitored earlier, it observed that the period provided for a petitioner to file a petition contesting election result, to file a petition, collect evidence, carry out an effective investigation, compile information from different sources, and submit them to the court was too short (10 days). In this regard, UJCC recommended that, a period of at least 30 days be given within which to file a petition, and that the decision on the petition should be made within 45 days. This would enable the petitioners have ample time to collect the necessary evidence and file documents relating to the petition.<sup>49</sup> Accordingly, that recommendation was considered in 2006 and the duration was raised from 10 days to 15 days. Then the 45 days were considered as recommended and it is the legal procedure followed in case there is any contesting Presidential candidate in particular, who wants to petition the election results released by the EC. To this end, UJCC has been instrumental in helping the aggrieved candidates to have ample time to seek lawful or legal redress of their grievances instead of resorting to violence and aggression.

In the same perspective, following the 104 (1 and 3) Articles of the Constitution and the Election Act of 2005, it would give the judges enough time to refer to the Constitutional Court matters, which may require the latter's interpretation. On the above issues, the UJCC Report recommended that, they call for a review by Parliament and amendment of the sections of the law highlighted above. This also implied that the time limit within which an elected President is to be sworn in has to be reviewed and amended accordingly.<sup>50</sup> Currently, the situation is thus as per the recommendation of UJCC.

Accruing from the challenges witnessed in voting among various vulnerable groups, the government was urged by UJCC, to amend the election laws in the interest of giving priority to breastfeeding mothers, pregnant women, persons with disabilities and the elderly during voting. UJCC in particular recommended that these groups be allowed to vote as soon as they appear at the polling station.<sup>51</sup> This recommendation has been put into action whereby from 2006, the above categories of people have been given priority during the voting exercise. The significance of this is that, UJCC has contributed to increased turnout of voters during Uganda's national elections. This is because previously, the groups cited above had abstained from the vote due to the challenges posed by their situations, and their inability to stay for longer hours at the polling stations.

It was also recommended that the EC should prioritize the procurement of adequate biometric registration equipment, for the future General elections. Every registration centre, regardless of the number, to get a biometric registration equipment.<sup>52</sup> Therefore, this meant that the Treasury had to release sufficient funds for this purpose. This suggestion has been put into consideration by the EC, in that in 2011, biometric registration equipment have been provided to almost all polling stations nationwide.

Another key recommendation by UJCC was that of the EC to identify a mechanism to allow individuals who turn 18 years of age prior to the Election Day to vote.<sup>53</sup> This recommendation by UJCC was also implemented, due to the fact that National Identity Cards were provided to the youth, who were in schools around 2017 from S.3 to S.6, and

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<sup>46</sup> NEW VISION 18<sup>th</sup>-February-2006.

<sup>47</sup> UJCC Recommendations *supra* note 40.

<sup>48</sup> UJCC Recommendations of the monitored 2006 national elections.

<sup>49</sup> UJCC Recommendations *supra* note 49.

<sup>50</sup> UJCC Recommendations *supra* note 49.

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

those cards were among the prerequisites for voting. It should be noted that by the election period that followed the 2016 elections, the above categorisation of people, had no hindrance for voting, since they had been registered and ready with the National Identity Cards.

UJCC went on to recommend that the new technology; Election Transmission System (ETS), which would have quicker and more transparent way of transmitting results from districts, to the national tally centre needed to be worked upon.<sup>54</sup> That recommendation has been implemented due to the fact that from the 2021 elections, the new technology of ETS is in operation and is used for transmitting election results to the national tally centre. The International Donors were urged by UJCC in 2011 to support the democratisation process in Uganda through financial, political and diplomatic channels.<sup>55</sup> This recommendation is in the progress of being implemented since there are many international Donor Groups from the USA and Europe who have been giving sponsorship to the election monitoring groups including UJCC itself, in the interest of advancing democratic institutions in Uganda. UJCC in 2016 recommended that a copy of the Declaration Results Form (DRF), be given to every accredited election observer present at the polling stations, during the counting of votes.<sup>56</sup> To some extent, this recommendation has been done since some observers of respective election monitoring groups including UJCC, have been accorded the DRF. However, there are some of them that do miss these forms, due to some election irregularities that might be inevitable.

Similarly, a standard form for filing complaints pertaining to the validity or non-validity of a ballot paper rejected, during vote counting was recommended to be prepared by the EC.<sup>57</sup> This filled form has been witnessed, among the forms from the EC that are provided to the election observers after being accredited. These forms are considered as part of the tools used by the monitors during the course of election monitoring. UJCC in 2016 recommended that the EC should stock the above-mentioned forms in sufficient quantity at every polling stations. This in return must be availed to the candidates' agents or voters who may wish to file a complaint. Such forms have been utilised during the 2021 elections. The forms do not only portray the EC as accountable body, but also improves that professionalism of the elections body.

UJCC has not just made recommendations for others to implement but has also participated in the implementation of those recommendations. According to the activities of UJCC in connection to election monitoring, UJCC has carried out civic empowerment of the citizens to participate in the governance processes and monitor government programmes for their own benefit. According to a group discussion, citizens reflect this empowerment in the way the elected MPs are accountable for the development of their respective areas. This implies that the elected MPs have to take the responsibility of being resourceful, as far as influencing the government policies or donors from abroad is concerned. This helps to promote certain developmental projects in their respective local areas. Consequently, the citizens' capacity to influence government policies and programmes via through MPs have been built and enhanced. In the same way, the culture of respect for human rights, observance of the rule of law and adherence to the principle of Constitutionalism, have been promoted and upheld among some citizens, due to the civic education programme of UJCC.<sup>58</sup> However, it should be noted that there are some areas in the country, where UJCC's civic education programme has not reached.

UJCC presented election evaluation reports which were very crucial and were beneficiary used by some people in the country to alleviate them of some challenges. One of the respondents stated that;

“The Reports made by UJCC after the monitoring and observation of the national elections, have been referred to, by some candidates who tend to contest the election results in the law courts. This has been reflected in the presented evidence of what was reflected in the UJCC election monitoring reports that have normally depended upon by some contesting candidates, when filing petitions against the declared election results, in the law courts. Even the government itself has been referring to the UJCC election monitoring reports, when needed to be evidenced upon, as a support of the government's defence which may be required (via the attorney general and the government's lawyers) in the Law Courts”<sup>59</sup>

UJCC presented Evaluation Reports especially about election monitoring, which Reports were to constitute a Constitution Review Commission. The latter was comprised of representatives from the member Churches and from the Government, and has played a big role in making constitutional amendments about the national elections in Uganda. The respondent went on to say that;

*“UJCC presented the views/recommendations which were necessary for the five Electoral Reform Bills before the legal and Parliamentary Affairs Committee. These included; 1- Presidential Elections*

<sup>54</sup> UJCC Recommendations of the monitored 2011 national elections.

<sup>55</sup> UJCC Recommendations of the monitored 2011 national elections.

<sup>56</sup> UJCC Recommendations *supra* note 36.

<sup>57</sup> UJCC Recommendations *supra* note 36.

<sup>58</sup> A Group discussion *supra* note 28.

<sup>59</sup> Mbonabingi, *Interviewed* 12th-May-2021.

*Amendment Bill, 2- Parliamentary Elections Amendment Bill, 3- Local Governments Amendment Bill, 4- Electoral Commission Amendment Bill, and 5- the Political Parties and Organisations Amendment Bill.*<sup>60</sup>

It should be noted that all those bills listed in the extract above are reflected in the Constitution of Uganda and have been referred to by the aggravated politicians with election grievances. This attests to the undisputable power of the UJCC in influencing positive electoral laws in the country through its election monitoring reports and recommendations.

As a result of its endeavours of being a watch dog to the democratisation process via election monitoring, UJCC has been recognised by the Parliament of Uganda as reflected in the different *Hansards* noted above, which is considered as an achievement. This appeared in the way UJCC has been invited for consultations on some Parliamentary Bills. It has been seen that various laws passed by the Parliament have had an input from UJCC. Such Parliamentary Bills included Domestic Relations Bill, Uganda Peoples Defence Forces-UPDF Act, The Constitutional Amendment Bill 2005, The Domestic Violence Bill, The Telecommunication Interception and Tapping Bill, The Land Amendment Bill 2007, The Education Act 2008 and the EC allowing UJCC to contribute to the legislation governing national elections, among others.<sup>61</sup>

In a similar manner, as regards the *Hansards*, UJCC under the representation of Rev. Fr. Dr. Sylvester Rwomukubwe, (the Executive Secretary by then), was recognised as an important representative of UJCC as an NGO to sign on the *Petition by the Citizen Action for Quality Public Education*. The latter was presented by Hon. Minister Rose Mary Seninde, while the Deputy Speaker then the late Jacob Oulanyah chaired that session.<sup>62</sup> This meant that on the issues of education in Uganda, UJCC's crucial role played in education was recognised and considered for consultation. According to Rev. Mbonabingi, this implied that UJCC made a significant contribution to the above petition, and is thus ascribed.

In line with UJCC being recognised by the Parliament, it has had at least two staff members being attached to the Parliament. The work of those two staff members is to monitor the proceeding and liaise with the members of Parliament on the agenda of legislation. It should be emphasised that Article 38 (2) of the Constitution of Uganda, provides for every Ugandan with the right of participating in the peaceful activities, in the interest of influencing the government policies via civic organisations like UJCC.<sup>63</sup>

According to the *Hansards*, the Members of the Parliament Committee on Legal and Parliamentary affairs interacted with the participants from Electoral Commission, from the Ministry of Justice and Constitutional Affairs, the UJCC among others, at Jinja Nile Resort on the 17<sup>th</sup> to 18<sup>th</sup>-December-2004. The interaction discussed the international electoral standards and how they could be applied in Uganda.<sup>64</sup> This inferred that UJCC as an election monitoring NGO, was considered paramount in the maintenance of the national and international electoral standards. Therefore, UJCC should be highly credited for their indispensable contribution to the electoral standards of Uganda, as per the above *Hansards*.

In the same regard, the *Hansards* indicate that UJCC has been at the fore front of giving direction to the state, via the Parliament on various issues which can help the Ugandan society. This fact was reflected for instance, by one of the Parliament proceedings where the Deputy Speaker then, Ms Rebecca Alintwala Kadaga reminded the committee members, to attend the evening tea meeting at the archbishop of the Church of Uganda. The meeting was hosted by UJCC and concerned matters on the current political, economic and social direction of the country. Among the topics that were discussed was good governance. This was majorly in connection to the democratic national elections in Uganda.<sup>65</sup>

In another example, and according to the *Hansards* still, during one of the official proceedings of the Parliament, Rev. Kabushenga (a member of UJCC) in his deliberation informed members that when dealing with religious issues, they should refer to the voluntary regulatory bodies like the UJCC and the Uganda Muslim Supreme Council. The session was chaired by the Deputy Speaker Ms Rebecca Alintwala Kadaga. It concerned the issue of forcing Churches to register as NGOs, in order for the government to be able to levy taxes on them. The Parliament was advised to seek the guidance of UJCC and accordingly, UJCC helped them out of such a contentious matter.<sup>66</sup> It can be remarked that to date, the above tax that was proposed to be levied on the Churches has never been enacted and thus UJCC should be

<sup>60</sup> Mbonabingi, *Interviewed* 12th-May-2021.

<sup>61</sup> The *Hansards*, 17<sup>th</sup>-July2012.

<sup>62</sup> The *Hansards*, 17<sup>th</sup>-July2012.

<sup>63</sup> The *Hansards*, 17<sup>th</sup>-July2012.

<sup>64</sup> *Hansards*, Tuesday 14<sup>th</sup>-December-2004, chaired by the Deputy speaker Ms Rebecca Alintwala Kadaga. The workshop was jointly sponsored by the Legislative Support Activity and the National Institute, it took place at Jinja-Uganda.

<sup>65</sup> The *Hansards* of Thursday 11<sup>th</sup>- July-2002.

<sup>66</sup> The *Hansards* on Friday 1<sup>st</sup>-July-2005.



ascribed for that matter. Therefore, the achievements of UJCC have not just been limited to election monitoring, but also in providing advice to government and government institutions about religious-related issues.

According to UJCC, it is noted that in the interest of seeking to increase civil society's engagement and participation in the legislative processes, UJCC embarked on the Parliamentary Liaison.<sup>67</sup> This is a great achievement as far as UJCC is concerned in that, Parliamentary Liaison programme focuses on information gathering and dissemination of Parliamentary proceedings, legislation and other policy documents. This kept UJCC connected to many proceedings of Parliament, and culminated into the creation of space for dialogue on draft legislation on people's views and input, so as to advocate and influence policy and legislative agenda.

In the interest of implementing the above programme of Parliamentary Liaison, UJCC compiled, produced and disseminated to different stakeholders, three sets of Parliamentary Bulletin for the period January-February 2009, March-April 2009 and May-June 2009. That was a commendable accomplishment for UJCC in that the issues covered in the editions of the Parliamentary Bulletin were salient features of the Mortgage Bill 2007, the President's address to Parliament on the State of the Nation, Types and Functions of the various Committees of the Parliament, and the Business in Parliament like motions, resolutions, among others.<sup>68</sup> It should be noted that the Bulletin is a good source of information to the society. By way of the Bulletin, people are notified about what goes on in Parliament and come to understand the Parliamentary processes. It should be reiterated that matters highlighted in the Bulletin provide useful reference materials for the various religious leaders, and other stakeholders (like Christians) who are keen on following the work of Parliament.

UJCC's engagement with Parliament in relation with the above programme of Parliamentary Liaison, also enabled it to contribute to the Mortgage Bill 2006, the International Criminal Court Bill 2006, and the Transfer of Convicted Offenders Bill 2007. According to UJCC, it is noted that UJCC participated in a meeting of the Analysing Board of Parliament, which discussed matters pertaining to the Bills mentioned above. The Board comprised the technical staff from the Directorate of Legislative Council and a department of the Parliament.<sup>69</sup> This was a tremendous achievement to UJCC, for its contribution towards the Bills, to the extent that it has been UJCC which was invited to participate in a follow up meeting on the 8<sup>th</sup>-May-2009, to finalise discussions on those Bills.

UJCC got an opportunity of being invited by the East African Legislative Assembly (EALA) on the 11<sup>th</sup> – February – 2009. This was a great achievement to UJCC in that, it made a written presentation on the East African Community Election Bill 2008, to the Committee on the Legal Rules and Privileges in Arusha Tanzania. According to UJCC, it was noted that UJCC's recommendations were tailored to particular sections of the Bill, and the issues highlighted in the written presentation included;<sup>70</sup>

(i) The Timing of the Bill. This was due to the fact there was a general feeling among the presenters that the Bill was premature.

(ii) Whether the Bill was feasible in light of the issues of sovereignty of the partner states that arise, given the fact that there is no political federation. This was in light of the fact that the Bill sought to conduct Presidential and National Assembly Elections in the Member states, including demarcation of Constituencies.

(iii) How the Bill hoped to consolidate the different political systems of the different states. This arose because the Bill does not address and or seek a reconciliation of the different political systems in the Partner States.

(iv) The issues of constitutionalism, since the Bill sought to put in place constitutional institutions, such as the East African Community Electoral Commission, parallel to the electoral bodies set up by the respective member states.

One of the respondents commented that;

*“Actually, those recommendations of UJCC to the East African Community Bill, 2008 are still in the pipe line. It is assumed that possibly someday in the future, their implementation would be realised.”<sup>71</sup>*

However, UJCC should be commended and credited, for having been considered paramount by the East African Legislative Council, to come and present the above recommendations, which would be useful to the East African Community.

Another achievement of UJCC outside its election monitoring role was that of contributing to the Regulation of the Interception of the Communication Bill 2007 by way of representation on the Information, Communication and Technology (ICT) Committee of Parliament. According to UJCC, it was renowned that the Bill sought to provide for the lawful interception and monitoring of certain communications, in the course of transmission. It was a contentious issue because the Bill had given the Minister too wide powers, which threatened the right to privacy. Accordingly,

<sup>67</sup> UJCC, *Annual Report; Towards a God fearing, Just and Peacefully co-existing Society*. Kampala, 11-12 (2009).

<sup>68</sup> *Id*

<sup>69</sup> UJCC, *supra* note 68.

<sup>70</sup> UJCC, *supra* note 68.

<sup>71</sup> Mbonabingi, *Interviewed* 21<sup>st</sup>- October-2020.



UJCC's concern was highlighted in the memorandum presented to the Committee by UJCC and other stakeholders, who made submissions to the Committee meeting held on the 7<sup>th</sup> – April – 2009.<sup>72</sup>

It was noted that UJCC presented a Memorandum to the parliament's Committee of Tourism, Trade, and Industry, on the Economic Partnership Agreements (EPAs) on the 2<sup>nd</sup> – April – 2009. This was actually an achievement to UJCC in that, it highlighted its concerns on EPAs, and its likely negative impact on trade between developed and developing countries. UJCC's Memorandum also catered for the issue of dumping of goods and marketing of sub-standard products.<sup>73</sup>

Among the achievements of UJCC, was that of conducting a half day consultative meeting at Fairway Hotel in Kampala on the 28<sup>th</sup> – July – 2009, between the MPs and the Faith Based Communities (FBCs). The theme of the meeting was; "strengthening partnership between Parliament and the FBCs" It should be noted that the consultative meeting brought together FBCs including UJCC member Churches, representatives from the Uganda Muslim Supreme Council, the Born-again Faith Federation and the Evangelical fellowship of Uganda.<sup>74</sup> This was considered as an achievement in that, it did not only enhance collaboration between UJCC and the Parliament, but also provided a forum for a face-to-face meeting between the various religious leaders and the MPs. It implied that during that meeting, those FBCs got an opportunity to share their opinions amongst themselves, as it was with the MPs. It should be reiterated that the meeting was a unique experience, and possibly it might have been the first experience to some of the members of the FBCs, as well as the MPs as well.<sup>75</sup>

Therefore, due to the above achievements, UJCC should be highly accredited. Being an ecumenical organisation has not prevented it from rearing its head in the political arena, to the extent of reaching the above endeavours. The successes and accomplishments of UJCC as a Christian ecumenical body have been beneficial, to various categories of people in Uganda. Hence, UJCC has proved to be constructive and instrumental in the politics of Uganda, as far as its election monitoring role is concerned.

## V. CONCLUSION

According to research, it has been renowned that UJCC was the pioneer local NGO to embrace the noble obligation of monitoring national elections in Uganda between 1994 and 2016. UJCC was encouraged to do so basing on one of its objectives of enhancing democratic institutions in Uganda. Similarly, according to the Office of the High Commissioner for Human Rights (OHCHR), UJCC considered election observation as a valuable gismo for supporting the quality and integrity of elections. UJCC noticed that election monitoring would help to build public confidence of Ugandans in the honesty of the electoral process. However, as already noted, UJCC experienced both challenges and achievements in its endeavours to execute its mandate of enhancing democracy and good governance in Uganda, via election monitoring. The challenges considered were those that UJCC experienced in its early stages and basically the recommendations of UJCC which were precluded by the national election stakeholders, viz, the EC and the government of Uganda. Yet the accomplishments reflected those recommendations that were endorsed and applied by the EC and government. UJCC acquired both national and international recognition due to its expertise accrued via monitoring of national elections. A case in point of that acknowledgement was reflected in the *Hansards* noted above. Therefore, the exploration of this Article has historically reflected the issue of national elections monitoring in Uganda, with special reference to the experience of UJCC as an ecumenical body, its snags and triumphs. The Article has reflected how the management of the electoral process in Uganda has been improved to some extent, due to the role of UJCC in the monitoring of national elections.

## VI. RECOMMENDATIONS

Based on the above UJCC's challenges encountered and the achievements reached, UJCC and other election monitoring agencies in Uganda and elsewhere globally are advised and recommended to apply the following skills, to improve their work of election monitoring;

First, UJCC and other monitoring agencies should develop a methodology and tools of monitoring the hurriedly government demarcation of the new districts and constituencies, especially as the national elections are looming. This has proved to be one of the constraints to UJCC and other elections monitoring agencies, as concerns the provision of enough monitors and poll watchers to those newly created districts and constituencies. This therefore calls for UJCC

<sup>72</sup> UJCC *supra* note 68.

<sup>73</sup> *Id.*

<sup>74</sup> *Id* at 13

<sup>75</sup> *Id*



and other election monitoring NGOs to be fore armed, and find a solution to such a challenge, if they are to improve the course of election monitoring in Uganda.

Secondly, UJCC and other election monitoring agencies should improve their work by outwardly and courageously cautioning the government/EC against the issue of creating ghost polling stations. The latter can hardly be identified by the election monitoring agencies, since they are hastily formed just a few days to the national elections, without their knowledge. It is commonly known that such created ghost polling stations promote irregularities like rigging of elections, among others.

Thirdly, UJCC Church members are encouraged to desist from the issue of government patronage and vote-buying, if they are to improve their mandate of election monitoring.

### Declaration of Interest

The authors declare that they do not have any known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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