

1962
Uganda Elections
by
B. Kiwanuka,

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See also 905.10

UGANDA ELECTIONS - 1962.

by

B.K.M. KIWANUKA

Former Prime Minister of Uganda.

→ On the 28th of April, 1962, I vacated the official residence of the Prime Minister of Uganda and took up residence at No. 4 Mabua Road (Kololo), Kampala. A day before, following a Resolution passed by my Cabinet, I had written to His Excellency, Sir Walter Coutts, Governor of Uganda, informing him that my Government was resigning with effect from the 30th of April, 1962.

These events followed my Party's defeat at the elections which took place on the 25th of April, 1962, in which we are said to have been able to secure only 24 seats as against U.P.C.'s 37 seats and the Lukiiko's 21. The Democratic Party has not agreed and will never agree that this was a genuine defeat, and that was why when I issued my after-the-elections statement I included a passage which read:

"We were fighting not only the U.P.C. as a political Party at the elections, but also many other forces which were not known to the ordinary person."

What, then, were these "other forces"? These were three:

- CHURCH a) The Church of England.
- COLONY b) The British Government as represented by the Colonial Office.
- CIVIL SER.C) The expatriate Civil Service of my Government working under a channel known as the Governor's Office.

The story is a sad one. Some of the things I am about to relate will appear to many not to be true, but they all are and I shall proceed to prove them by quoting from authoritative sources. I shall show that :

a) the former Archbishop of Canterbury, Lord Fisher of Lambeth, wrote a "Note" to certain members of the London Constitutional Conference urging them to accept _____ plea that she should be allowed to have indirect elections through the Lukiiko;

b) the whole membership of my Cabinet once sought an interview with the Governor of Uganda, Sir Walter Coutts, and expressed to him in person our fears and doubts about the person who held the post of Supervisor of Elections and asked the Governor (who had the power under an Order-in-Council to appoint such an officer) to relieve that person of the duties of supervision of elections and appoint another in his place;

c) the Governor later talked to me and stated that he was not going to disregard the views of the Cabinet; BUT a week later he wrote me a Minute saying that he had changed his mind and was not going to remove Mr. Peagram from the office of Supervisor of Elections;

d) thereafter the Cabinet met and took a decision to advise the Governor officially that Mr. Peagram should be removed from that office, and that the Secretary of State should be informed of our view;

e) although the Secretary of State was informed of this decision almost immediately by the then Deputy-Governor, Mr. C.

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Powell-Cotton, the Secretary of State never communicated an answer to my Government on the subject either at the material time or later and the Governor himself just chose not to budge an inch.

All these things did happen and did, in my view, have a lot of bearing on what happened on the 25th of April, 1962.

But why did these things happen? To understand the background to this I must take you a little into the history of Buganda, dating as far back as the 1880's. After the arrival of Mr. Stanley in Uganda in 1874 and later of Mr. Mackay, the Anglican Evangelist, came the White Fathers, Roman Catholics, in 1879. King Mutesa I, who was ruling the Kingdom of Buganda when these Missionaries arrived died in 1884. The Missionaries had great respect for King Mutesa I and he proved a very wise ruler. But after his death his son, King Mwanga, had some doubts as to whether those White people meant well for his Kingdom. They, on their part, realising the danger arising out of the King's doubts as to their good intentions, began to devote most of their time to devising schemes which would bring him to their side. But each group wanted him to go to its side. Naturally the King became worried and he cultivated a hatred for both of the two groups. The result was that the King decided to kill those of his subjects who had been converted to Christianity and to banish the White people (Missionaries) who were seducing his subjects. The Baganda Martyrs died between 1886-88. In 1897 the British captured Mwanga and banished him to the Schecheles Islands where he died seven years later.

During this short reign of King Mwanga several wars had been fought amongst his subjects: the Christians as a body fought the Moslems, and later the Christians themselves fought each other. The purpose of the fight between the Protestants and the Catholics is not established, but the result was that the country was divided into two big portions, one going to the Protestants and the other to the Catholics.

By 1900, Buganda had been divided into 20 counties (locally known as Sazas), each of the warring groups taking 10 counties.

The two Christian groups had Sir Apollo Kagga and Stanslaus Mugwanya for leaders. Sir Apollo led the Protestants and Mugwanya the Catholics. The Buganda Agreement of that year names Sir Apollo as the Katikiro (Prime Minister) of Buganda and Mugwanya as the Omulamuzi (Chief Justice). But for fear that injustice might be done by one of the leaders to the followers of the other, the Omulamuzi was also named Katikiro and the Katikiro named Omulamuzi. This was obviously an unsatisfactory arrangement but it was thought to be the best solution at the time. The intention was to make the two leaders equal both in power and in influence and so stop rivalry between them. This intention would have been fulfilled had it not been for two factors which had not been foreseen. The first was that the young Prince of Buganda who had become King on the deposition of his father had been baptized by a Protestant Missionary, and the Protestant side claimed him (the King) as belonging to their side. The second was that during the share-out of the 20 counties the Moslem community was forgotten completely. On their return from exile they claimed a portion of the land where to stay. Sir Apollo rejected their claim outright but Mugwanya, fearing an outbreak of fresh disorder, gave them two of the Catholic Counties, leaving only eight for the Catholics. The position remains thus to this day.

This weakened the position of the Catholics and in 1920, when Mugwanya threatened to resign his office in protest against Sir Apollo's insistence on sitting in his capacity as Chief Justice, as a judge together with Mugwanya when Mugwanya was trying a case involving a friend (or brother-in-law?) of Sir Apollo, the British sided with Sir Apollo and Mugwanya resigned. His successor in office

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Claim: 2 Muslim Counties given by Catholic leaders

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was not as strong as Mugwanya and he could not, therefore, stand up to Sir Apollo. From then on, Sir Apollo assumed the mantle of an undisputed leader of the whole country and the Catholics lost all rights to unrestricted access to the Kabaka (King).

Catholics loose to Kabaka

The effect of this was that all leading posts in Buganda Administration were given to Protestants, and the Catholics were given second-rate jobs only. This was still the position when in 1956 the formation of the Democratic Party was officially announced with Mr. Matayo Mugwanya, a Catholic and a former Chief Justice of Buganda, as its President-General. Mugwanya is a direct grandson of the former leader of the Catholics and in him the Protestant community saw a threat to their entrenched position. This same person had in 1955 tried to become Katikiro of Buganda upon the implementation of the 1955 agreement which provided that appointment to that office was to be made by the Kabaka only after the person in question had been chosen by secret ballot by members of the Lukiiko (Parliament). Mugwanya lost the election by three votes. When later in retired life, in a bye-election in 1956, he was elected as a representative of the people of Mawokota County to the Lukiiko under the Great Lukiiko (Election of Representatives) Law, 1953, the Kabaka declined to approve his name and this barred his entry into the Lukiiko until the dissolution of that Lukiiko at the end of 1958. A case was filed in Uganda's High Court in which Mugwanya sought an Order of Mandamus directing the Katikiro of Buganda, who was required to do so under the Electoral Law, to submit the name to the Kabaka for appointment. The Katikiro in a sworn affidavit claimed that he had already submitted the name to the Kabaka for appointment but that the Kabaka had not yet chosen to appoint Mugwanya as a member. As I have said, the Kabaka totally refused to appoint and the matter remained so until the end of 1958, when the Lukiiko was dissolved.

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M's Elect to Katik.

This matter puzzled many people in Buganda who started asking themselves whether the common man had any rights in Buganda! Meanwhile, experts were devising means of destroying the Democratic Party. The most effective one they found was to label the Party as a Catholic Party. In all seriousness I can say here and now that the Democratic Party is NOT and has never been a 'Catholic' Party. I am not prepared to assert, however, that many of its supporters are not Catholics. But you could call that a coincidence. There has never been a plan to enrol all Catholics into this Party or, conversely, to exclude all non-Catholics from entry into it. One could say with all justification that the Uganda People's Congress is supported by more Protestants than Catholics, but no one says that the U.P.C. is a 'Protestant' Party. The reason for this is that all newspaper owners in the country are Protestants, and when it comes to taking sides there is no doubt they almost always tend to stick to their own side. (There are, of course, Catholic-owned newspapers, but they are all owned by the Missions and their influence on non-Catholics is quite negligible)

DP ≠ Catholic Party

This propoganda had proved so effective that when in 1958 I was elected President-General of the Party there was almost no Protestant of any eminence to count on in the Party. Let me point out here at the outset that I was not in Uganda when the Party was formed and I only joined it in 1958 shortly before the General Meeting at which I was elected President-General. I joined it because when at that time I decided to take part in our country's political life this was the only Party which any decent person at the time could join. The only other national Party, the Uganda National Congress, had spoiled itself by the serious quarrels which often took place among its leaders, by the absence of any published policy statement, and by the establishment of an office in Cairo through which Congress used to make contact with the Communist blocs of the East. As a matter of fact, Mr. John Kalegezi, Congress Representative in the Cairo office, died in a plane disaster when he was on his way to Moscow to attend the famous Powers trial, and it was because of a

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dispute over this Office in Cairo that Congress was finally split into two: those who supported the Cairo Office and those who did not. Mr. Musazi, who was then President-General of the Party, objected to the continuance of the Office, but he was opposed by the other members of the Executive and the result was that he dismissed them all. The did not accept Musazi's authority to dismiss them and they, in turn, dismissed him from the leadership, which he had held since the formation of the Party six years before. The men he had dismissed included Party Chairman Joseph William Kiwanuka; Party Treasurer-General, Dr. B. Kununuka; Committee members A. Milton Obote, Abubakar K. Mayanja, and others who were less significant. Several of these members met in Mbale a few days afterwards and elected Mr. A. Milton Obote as the new President-General of that faction of the Uganda National Congress.

To come again to the main story. As soon as I took office as President-General of the Party, I started to attack publicly those who were spreading this unfounded propaganda against the Party. I spoke at various centres, including places such as Buddo College, Gayaza High School, Makerere College. The result was that many prominent Protestants joined the Party and, with them, we did all we could to destroy that wicked propaganda against the Party. We did this because we were convinced that a Party cannot survive on one religion alone in a country such as ours; and, besides, it is not good to base one's political thought on one's religion because, once this is done, the person concerned will not stop there but will cultivate a tendency to religious intolerance. The Party's motto was 'Truth and Justice', and religious intolerance was incompatible with our principles. So, together with those new men in the Party, we worked as hard as possible to destroy that idea created by the propaganda of our opponents, that we were a religious organisation, so that by the time we went to the polls in 1961 our work was more than half done. But although we had done this good work and had convinced many an ordinary man that we meant well for him, whether he was a pagan, a Moslem, a Protestant or a Catholic, those people at Mengo who were interested in this religious rivalry still confided to their friends that, so long as a Catholic remained the leader of the Party, the whole Party to them was still a Catholic Party, and they swore that they would oppose that Party as long as that cause remained. These people still oppose us and Kabaka Yekka as a party was formed to enable them to achieve their end.

Opposition to us, then, was, and still is, based on religious as opposed to purely political considerations. This opposition starts at Mengo and spreads to all those now involved in it. We have done nothing as a party that other parties haven't done, and yet we alone are singled out as the only enemies of Mengo. In the following pages I shall endeavour to prove this.

WHY WE REGISTERED IN BUGANDA AND VOTED IN 1961.

To the eye of the ordinary man in Buganda, the reason why we are hated by Mengo is because we defied the Lukiiiko in registering ourselves and voting in 1961. To some of us who are Baganda the decision to defy the Lukiiiko's Resolution was not an easy one to make. For me as Leader of the Party I found I had no alternative but to urge all my followers to register and vote. Not to do so was considered to be the same as deliberately stepping on live dynamite. Here was Mr. Obote, the Leader of the U.P.C., parading the countryside, preaching the desirability of having direct elections throughout the country. The 'Uganda Argus' of the 23rd July, 1960, reports Mr. Obote as having said:

"The U.P.C. would hold the Protectorate Government wholly responsible in the event of failure to hold elections in any part of the country.

"The Party deplored the registration of electors in Kam-

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pala being postponed. It called upon the Protectorate Government to reinstate the arrangements for registering electors."

Earlier on he had been reported as having said that his party had passed a resolution to the effect that "Elections should be held throughout the country next February in conformity with the country-wide demand for democratic and representative control of the legislature."

Apart altogether from Mr. Obote, we had the Secretary of State for the Colonies in London speaking through the Governor of Uganda, Sir Frederick Crawford, urging the people of Buganda to go and register themselves. When the Lukiiko objected that it was improper to start registration in Buganda while talks between the Secretary of State and the Lukiiko's Constitutional Committee were still going on, the Governor of Uganda replied that "the Baganda had a legal right to register and vote in elections and said that many thousands of them had already registered". ('The Times,' 4th October, 1960). When the Lukiiko urged the people to intimidate those who registered, the Protectorate Government answered by enacting the "Election (Prevention of Intimidation) Ordinance, 1960." When the Lukiiko passed a Resolution opposing this Bill before it became law, saying that it (the Lukiiko) saw "in this Bill nothing short of communist practices being exercised by the Protectorate Government on the Kabaka's subjects," the Governor merely pointed out that, "the Ordinance applies to elections as a whole. No one in Buganda or anywhere else in the Protectorate has anything to fear from this ordinance provided he does not attempt by intimidation to interfere with the right of the individual to take part in elections."

That was the situation. All authority was against those who resisted those elections and abstention by us as a party would have given a very easy victory to the U.P.C. who would have used the opportunity to destroy our party by repressive measures as soon as a chance presented itself. Nor do I think we were the only people to feel apprehensive about U.P.C.'s victory. The Kings, too, were in for trouble. The Leader of that party, Mr. A. Milton Obote, the present Prime Minister, at the time I write had declared in London after attending a Conference in London with the Secretary of State about Uganda's constitutional progress following the publication of the Wild Committee Report, that "The days for Kings are over in Uganda." (See 'Intelligence Digest'.)

It was therefore our bounden duty to register, vote and try as hard as possible to form the first African Government in order to save ourselves and the Kingdoms. People at Mengo may feel hostility about the Democratic Party, but I am sure many of those people would not be what they are today if it had not been for our doing what we did in 1960-61. As I see things, there would never have arisen the necessity for the present unholy alliance between U.P.C. and Kabaka-Yekka. If the D.P. in Buganda had refrained from participating in the elections whilst the U.P.C. took part, the Party, apart from being beaten, would have suffered a great deal in morale amongst its followers and many of them would have turned to U.P.C. for leadership because then the U.P.C. would have emerged as the only nationalist movement which was fighting reactionaries and wishing to establish "democratic and representative control of the legislature." The effect of this would be, if this is not a repetition, to leave the U.P.C. as the only effective political party in the country, with everybody in the country at their mercy. This is what we wanted to prevent.

THE LUKIIKO'S PLEA FOR INDIRECT ELECTIONS.

The fact of our having formed the first African Government of Uganda was not particularly pleasing to those people at Mengo who always considered us to be their enemies. They saw in this fact

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their total defeat. The question then arose of how to get us out. I have been informed that the idea of indirect elections through the Lukiiko was given to them by a sympathizer in England! It was reckoned that the right to indirect elections by the Lukiiko would give to that body virtual control of Uganda politics. In the first place, they - the pundits of political witchcraft - argued that it would be easier by making use of the Kabaka's name for the people at Mengo to influence the 80 members of the Lukiiko entitled to vote in their election of the 21 Buganda members of the National Assembly than would be the case if it were required to influence the whole electorate in Buganda. Secondly, if those representatives knew that they were elected under the patronage of the Kabaka, it would again be very simple by the use of his name to control their activities in the Assembly; and if this happened, they concluded, the Lukiiko's desire to control Uganda politics would be fulfilled.

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As things have turned out, the pundits have been proved right, and this situation will continue as long as one party does not secure a clear majority of members in the House coming from outside Buganda. However, the idea of indirect elections through the Lukiiko appeared very attractive, and although the Lukiiko had publicly declared that the Kabaka's Government would give no evidence to the Munster Commission, occasion was found by these clever men to tell the Commission that if the concession were to be granted to Buganda, then Buganda would agree to take part in the Constitutional Conference which was to consider their recommendations later in the year in London. As everyone knows by now, the Commission agreed with Mengo and a recommendation was made under para. 123 in the following terms:

"OPTIONAL INDIRECT ELECTIONS TO THE NATIONAL ASSEMBLY. If direct election to the Lukiiko could be secured, there would be a case for allowing the Lukiiko to act, if it so wished, as an electoral college for electing Buganda's representatives in the National Assembly. Although this would in theory be a retrograde step, it would be a great advance on the present position, in which the Buganda Government opposes representation of every kind. We have to find some sort of bridge across the gulf between tribalism and democracy. Any device which will provide this is of great importance at the present point in time, whatever shortcomings it may have in the opinion of purists."

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Read: Majority
Politics

This recommendation created a lot of stir among Uganda politicians. It was cutting across everything that we had been fighting for all along. How can you deprive two million people living in Buganda of their right to vote for their representatives in the country's National Assembly? This question was very difficult to answer. What support was Mengo likely to get from Uganda's politicians who would be attending the Conference? The pundits were consulted again. "How do we get round these politicians, who are not likely to agree with their recommendation?" "The answer is very simple," the pundits replied. "Use the old Roman principle of 'Divide et impera. Divide the politicians by promising one group to give them the benefit of this recommendation which will look to them to be an important factor in their struggle to get a majority in the Assembly and therefore to form a Government, and they will support you; and as for the Secretary of State, tell him that this is a condition sine qua non

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This advice was followed to the letter. Obote was approached. He looked at the prospects. They were good. He agreed. "All principles must be dropped if thereby we can be enabled to form the next Government of Uganda," he said to himself. Here it is good to remember that Mr. Obote had been a signatory to the Report of the Wild Committee which recommended:

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"42. In all these circumstances, we make the following recommendations in the interests of the unity of Uganda

and in accordance with the wishes of the very great majority of the people of Uganda:-

- |(i) that direct elections should be held in all parts of the country on the next occasion;
- "(ii) that no option should be offered of the alternative of indirect elections."

THE LONDON CONSTITUTIONAL CONFERENCE.

On the 30th of September, 1961, Mr. Macleod, the Secretary of State for the Colonies, as chairman of the Conference, introduced to the Conference Paper No. U.C.C.(61) 13 para. 4 of which contained a provision that Buganda could, if she chose, return her representatives to the National Assembly through indirect elections. When my turn to speak came I said, among other things, that:

→ "Indirect elections were inconsistent with stable government and would put an end to Party Politics. One party might gain thirty-six seats and the other twenty-five in a general election. It would not be known how the twenty-one members representing Buganda would vote, and it would be possible for them to side with the party which had gained twenty-five seats, so that the country would be governed by the minority party. And even then the government would be at the mercy of the Buganda representatives.

"In the past blood had been shed for the principle of one man, one vote. In Uganda that principle had been implemented. Now it was proposed to disfranchise the people of Buganda. Direct elections to the National Assembly would have no effect on the Kabaka's position or on the traditions of Buganda whose people had in any case not been consulted. He said that there was no legal or moral obligation on the Secretary of State to support this proposal which was in direct conflict with the principles of democracy.

"The chairman had spoken of compromise but he would like to ask on what do we compromise now? Every District Council was against this proposal for indirect elections. He then invited reference to paragraph 123 of the Munster Report on page 47 paragraph 2. The principle that the chiefs and nominated members should have no place in the Lukiiko had been quite definitely stated. The Watts Commission had recommended that if there was going to be stability in the country the chiefs should leave the Lukiiko. However, it was now proposed to increase the number of nominated members to twelve. Speaking on behalf of the progressive element in Buganda MR.KIWANUKA said that it would be a great disappointment if anything less than full democratic elections were agreed to. Speaking for the elected government of Uganda he must say that he and his party would not - and no African nationalist could - support the present proposals."

Mr. Obote also spoke and among the things he said the following quotation is material here:

"He thought that the proposal had been formulated in the light of the prevailing position in Buganda. It was vital that the people of Buganda should recognise the Central Government. In his view, it would be better that this should be achieved through indirect elections than that the present situation should continue."

Many other people spoke and, according to the Chairman's own account, the majority spoke against the proposal. The Chairman is reported to have said that:

"He was prepared to take full account of the views that had been expressed but in the case of a division of opinion he

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must take the final decision. He noted that there was substantial disagreement on the proposals in paragraphs 4-8 of Document U.C.C. (61) 13, but confirmed that it was the intention of Her Majesty's Government to conclude an Agreement on the lines of those proposals with the Kabaka, Chiefs and people of Buganda."

Majority

Mr. Macleod's statement was a great blow to many of us. We had gone to the Conference with the idea that decisions were to be taken following the opinion of the majority of members. But here was the Chairman telling us that he was going to use dictatorial methods to achieve what the Conference had rejected.

When we adjourned that day I made up my mind not to participate further in the Conference if the Chairman was going to behave like that throughout. To me it appeared that there was no need to go on with the Conference if the Secretary of State could decide things by himself in that manner. I called a meeting of my delegation and we agreed to walk out if, when we resumed on the 2nd of October, 1961, the Chairman persisted that the matter of indirect elections by the Lukiiko had been finally decided by him despite that "substantial" opposition to it from the members of the Conference.

When we resumed on the 2nd October, 1961, the Chairman called upon me to speak first. This is what is reported in the minutes as having been said by me:

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"The Chief Minister (MR. KIWANUKA) said that he and his delegation found it very difficult to participate in the Conference since they did not believe that the proceedings were being conducted in a proper manner. He had come to the Conference with an open mind in an effort to aid the formulation of a new constitution for Uganda, only to find that decisions had now been reached on some important issues between the Secretary of State and the Buganda delegation the terms of which were to be imposed on Uganda no matter what representations were made by the other delegates to the Conference. Throughout the Conference the Secretary of State had favoured the wishes of the Kabaka of Buganda - the interests of the Rulers of the other Kingdoms had not been given similar respect. He instanced that although the Busoga people had been told at a previous Conference in Entebbe that certain matters which particularly affected them would be left for discussion at the London Conference, they now found that decisions had been taken without reference to the Busoga representatives."

Motive for walking out →

After several of my supporters had also spoken we walked out. The following day the Secretary of State asked me to go and see him. I did and he said to me that he would agree to treat the subject of dispute as not having been finally decided and he would re-introduce the matter for general discussion at a later stage if I would agree to go back with my delegation to the Conference and participate in the remaining business. I agreed. The reason for my walking out was basically because of the dictatorial method of the Secretary of State in his handling of the disputed matter of indirect elections. I knew that the majority of the members had spoken against it and that if it could be left to the Conference for decision it could not pass. Everyone realised that this method of indirect elections was a calculated device to get the Democratic Party out of office. Even the supporters of the U.P.C. resented this underhand means of dealing with a political opponent. The whole of our student body in England joined us in protesting against this move by the Mengo-U.P.C. We saw in it the end of our freedom in Uganda. People would all be subservient to Mengo and no expression of independent opinion would be possible after the implementation of this indirect election method. Therefore we decided to fight the move to the last man.

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But whilst we were waiting for the matter to come back again to the Conference, something extraordinary happened. The Most Reverend Archbishop Lord Fisher of Lambeth decided to intervene. On the 2nd of October, 1961, he wrote to me a personal letter which read as follows:

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FROM THE MOST REVEREND ARCHBISHOP LORD FISHER OF LAMBETH,
TUDOR COTTAGE, HOUND STREET, SHERBORNE, DORSET.

October 2nd, 1961.

My dear Mr. Kiwanuka,

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Living now far from London, I know only what I read in the papers - and I have just read in today's Daily Telegraph the report on its last page of the Uganda talks. Supposing that the report is fairly accurate, dare I venture to say a word? You know that I speak out of a great devotion to Uganda and a great respect for you. My fear at the beginning was that the Kabaka and his ministers would refuse to cooperate but they agreed to come in and appear to have come to an agreement with Mr. Macleod as to the internal affairs of Buganda.

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Now, it appears that you are saying "No" - I read that you told the Conference that "you would accept nothing less than" your own terms about elections in Buganda.

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Whenever any political leader says that kind of thing in any country or in any dispute I know he is wrong or at least unwise. It means "I will have my own way and nothing less" - and that is always a denial of brotherhood.

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I see that the point at which you stick is about the way in which Buganda elections should be made to the Lukiko and to the Uganda Legislature. But if I dare say so, if you thus try to dictate about Buganda's internal affairs, you are putting yourself into the same position as Sir Roy Welensky! Though N. Rhodesia is a member of the Federation, he as Prime Minister of the Federation, is not responsible for its internal affairs. Yet he is insisting on having his own way in the fixing of the constitution of N. Rhodesia. I have been telling Sir Roy that he is in the wrong. It seems to me that you are putting yourself into his position. As Chief Minister, you are not responsible for how Buganda shall run its own internal electoral affairs, even though Buganda is in a kind of Federal relationship to Uganda. It really distresses me to find you falling into the same error as Sir Roy Welensky! and anyhow for the sake of Uganda, nobody must insist on his own terms. Unity cannot be achieved by non co-operation. All must agree even when it is to his own hurt.

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Please forgive me for saying this. But I do so desperately care for the good of the whole of Uganda. I tried hard when I was in Uganda to persuade the Kabaka and his ministers to be ready to co-operate at a time when they were saying "No" loudly and insistently. I feel I must try to persuade you now that you are saying No, to co-operate, to go faster and farther than you want to go in a spirit of fellowship and trust.

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In any case I hope you will be patient with me and believe that I only want to help if there is any help that it is in my power to give.

Yours very sincerely and affectionately,

Fisher of Lambeth.

I received this letter on the 4th October and on the 5th I sent him a reply in the following language:

5th October, 1961.

(B)

Your Grace,

It was most kind of you to write to me about my dispute with Mr. Macleod regarding the question of indirect election in Buganda for members of the Uganda National Assembly. I like your forthrightness and I shall be quite frank with you.

Implication, for
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one again;
subjugated the
will of the
people to
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did not
properly reflect
a corresponding
consistency.

Much of what Your Grace has written appears to have been based on a misapprehension of the facts. You say that I have said "I shall accept nothing less than my own terms about elections in Buganda". Now as a quotation, this is wrong. I never said anything of the kind either at Conference or anywhere else. "Elections in Buganda" can mean two things: They could be elections to the Buganda Lukiko or elections to the National Assembly. I was talking about the latter. Your Grace appears not to have appreciated the point at issue for you say: "I see that the point at which you stick is about the way in which Buganda elections should be made to the Lukiko and the Uganda Legislature", and then you proceeded to say that I "thus tried to dictate about Buganda's internal affairs", and lastly you compare me to Sir Roy Welensky! Your Grace could not be further from the truth.

There are three issues here: Firstly, I am not, as I have said before, concerned about the way in which elections should be made to the Buganda Lukiko. I agree that this is the internal affair of Buganda and that it must be left to the Lukiko to decide. Secondly, elections to the Uganda Legislature are not an internal affair of Buganda, just as the elections in Wales, or in Northern Ireland, for members of the House of Commons are not an internal affair of Wales or of Northern Ireland, but a National affair of the United Kingdom as a whole. Sir Roy Welensky was talking about affairs concerning Northern Rhodesian elections to the Northern Rhodesian Assembly and not elections in Northern Rhodesia to the Federal Parliament of the Central Africa Federation. Please mark the difference. I am talking about elections in Buganda but to our National Assembly.

Thirdly, you say that I dictated. With respect, I did nothing of the kind; if anything, it was your friend Mr. Macleod who dictated to the Conference and that was one of the complaints that I raised before I walked out of the Conference. The reason why I walked out was not because, as you suggest in your letter, the Conference would not accept my line, but rather because Mr. Macleod, having been defeated, or to use another term, having failed to carry his point, resorted to such methods as "I have already agreed with Buganda on this particular point and am not prepared to change what has already been agreed. I am going to impose it." It was this kind of language that I resented. For Your Grace's information the majority of the people supported me on this question of indirect elections, that is to say, that they did not favour one method of election to the National Assembly in one part of the country and another method in another part of the same country. So much for what appears to have been a misapprehension of the facts.

Motive for
Walking out:
Imposition

Now as to the basic issue. I want Your Grace to understand that the dispute on this point is not a light matter. It concerns basic human rights of a citizen in his country in a democracy. One of the most cherished principles of democracy is that each citizen who qualifies should have the right to cast a vote at election time when his government is being elected.

Majority

Democracy

Will of the
People, which
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Majority

At the present time the people of Buganda have this right to vote. What is being proposed is to disenfranchise the whole population, African and non-African, living in Buganda for reasons which are not publicly stated.

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Now if Your Grace still maintains that I as a Leader of Uganda should sanction this to be done for the sake of placating the Lukiko of Buganda I would like to ask Your Grace whether you yourself as a Leader of Christians - would sanction, for the sake of placating somebody or a body of persons, an infringement of a known basic Christian principle. Let me cite some examples: One of the principal beliefs in the Christian Faith is that every Christian must believe that Christ was God. Your Grace knows very well that this is the basis of our Faith. Anybody who does not believe it has no right to be called a Christian. Now as I said, can you, as Archbishop, a servant of Christ, and a teacher of His followers, agree, for the sake of pleasing a powerful friend of yours to preach publicly, or to suffer anyone under you and in your charge to teach others that Jesus was really the Son of Joseph and Mary according to the flesh (God forbid) and had no divinity in Him as Moslems say? Or, to give you another example, would you be prepared as a Leader of Christians just because you want to placate a certain group of people, to sanction those people, if they were Christians, to marry in your church at any given one time more than one woman, if this were to result in some temporal peace in your part of the world? I am sure St. Paul would not and you would not either.

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If then, I am right in my argument here, as I am sure I am, will you not now agree that when I refuse to compromise on this issue of direct elections, a matter which is considered by me, and I am sure Your Grace also, to be a cardinal principle in a democracy, I do no more than Your Grace would have done if you found yourself in a position which called for a compromise on one of the most fundamental or, to use the same expression again, cardinal principles in our Christian Faith, as for instance, the two examples I have cited above? One man one vote in one's own country to a citizen is the basic principle on which modern man has built his democracy. When the Greeks taught the world the value of a Government chosen by the people themselves, and when Abraham Lincoln coined the phrase of "a Government of the people chosen by the people for the People" they were all referring to the same thing that every citizen must be free to participate in a universal manner in the choosing of those who are to form the Government of his country.

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Since you say that your Grace is prepared to help if there is any help that it is in your power to give, may I ask you to help by answering a few questions for me please:

Firstly, can you say, Your Grace, whether or not you agree with what I have said above, i.e. about the right of every citizen to participate in the choice of the Government of his country? If you do not, can you please say why?

Secondly, if you agree with me, can you tell me why you think that in Uganda, the Baganda and other citizens living there should be denied this right at our next General Election?

Thirdly, are you aware that it was this same Mr. Sempa together with Mr. Kintu who in 1955, here in London, asked and pressed the then Colonial Secretary, Mr. Alan Lennox Boyd, that the people of Buganda must be allowed to elect directly their representatives in Uganda's Legislative Council, and that this point had become a breaking point in the negotiations which led to the signing of the 1955 Agreement? Does Your Grace remember the part you played in this matter at the time, or do you not?

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1955 Agreement
Direct Elections

(May I say here that I was a student in this country at the time and have personal knowledge of almost all that happened between 1953 and 1955). Do you know, or have you forgotten, that following this pressure by Buganda a section was inserted in the 1955 Agreement which says that there should be direct elections in Buganda in 1961 if that method would not have been introduced earlier (vide article 7 (iii)).

Fourthly, following what I have just said above, why do you think that Mr. Sempa and Mr. Kintu and Your Grace who supports them are now justified in pressing once again, even unto the point of breaking the present negotiations, that the right to vote should be withdrawn from the Baganda?

Fifthly, do you appreciate that the effect of the policy you advocate will be that I, as a Muganda, at the time of our next election will remain in my house with folded arms when my other friends living outside Buganda will be casting their votes, choosing thereby their (our) next Government? And also that I and my other 20 colleagues who once contested elections in Buganda will this time be excluded from standing as candidates any more and that this has been staged as a very nice way of getting me out of office by those who for reasons best known to themselves, and to Your Grace, since you support them, have taken objection to my becoming Uganda's first Chief Minister?

Sixthly, and lastly, can you, Archbishop, support these wicked moves knowing fully their implications and still feel quite safe in your own conscience?

Majesty
For Kiwanuka,
this was
Moral

Benedicto K. M. Kiwanuka.

The Most Reverend Lord Fisher of Lambeth,
Tudor Cottage,
Hound Street,
Sherborne,
Dorset.

Before I received the Archbishop's letter he read in the newspaper on the morning of the 3rd that I had actually walked out of the Conference. He immediately decided to write a "Note" and send it or copies of it to different people interested in the Conference. He sent a copy to me with a covering letter in the following terms:-

Tuesday, October 3rd, 1961.

" My dear Mr. Kiwanuka,

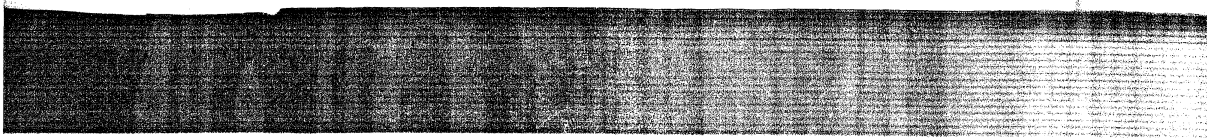
Yesterday I sent you a personal letter: but today newspaper told me that I was too late as the walkout had already taken place. I am so sorry: and of course, others have 'walked out' along with you. Yet out of my love for you all, I had to wonder whether there was anything more I could do. As a result I wrote this little note of which I enclose a copy and am sending it to you and to the Rulers of the four Kingdoms. I am sure there are plenty of political difficulties. But I am yet more sure that wisdom always overcomes difficulties and nothing else can. Indeed this is a faith which I can confidently share with you since we are both servants and followers of Our Lord Jesus Christ. How I wish I was in London to have a talk with you.

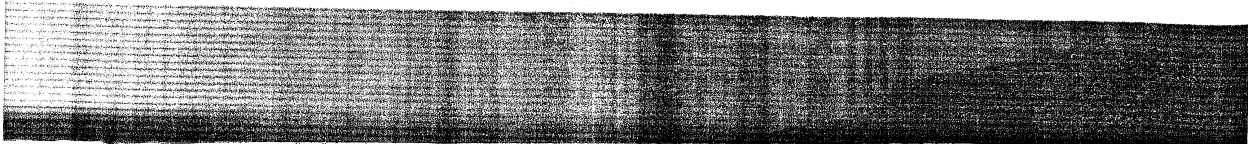
Yours sincerely,

Sgd. Fisher of Lambeth."

The 'Note' which was enclosed is reproduced in its entirety for the information of the reader. It was not dated. It simply began:

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Fisher's "Note":

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Members who walked out

"I write this note as a most sincere friend of Uganda, passionately anxious that its Independence and self-government shall be established on the best and surest foundations. The only sure foundation is an agreement reached in a spirit of unity and trust amongst its leaders. The one fatal thing to any hope of agreement is for anybody to claim a power of Veto against the others.

"When I was last in Uganda I was then greatly distressed by the fact that as it seemed to me, the ministers of the Baganda were trying to impose a Veto, saying that they would only go forward on their own terms. Now my heart sinks when I read in today's paper that Uganda's chief minister, members of his party, the representatives of Toro and Ankole and also members from the Uganda district of Acholi, have walked out of the conference. This is to seek to impose a Veto.

"I am not concerned with particular details over which difficulties arise. A spectator sees most of the game. May I describe the general picture as I see it? Uganda is already and unavoidably at a kind of unity in itself and that of a fundamental importance, because it is predominately a community of Africans. I am thankful to think that neither our own government nor any Europeans have any axe of their own to grind. There are jealousies and rival claims: but they are between the African leaders, and no final difference between them is tolerable. The Colonial Secretary is in the position of referee: players need not agree with the referee, but if they disagree they do not walk off the field: they trust the referee and obey him. May I say that though some people in England may criticise details in the Colonial Secretary's policy, they all agree that he is wholeheartedly trying to be an impartial and just referee and that he is a wise and sympathetic man.

"I thanked God that the representatives of the Baganda had given up their claims to a Veto, and had entered the Conference. I understand that they have now come to a general agreement with the Colonial Secretary along the lines of the Munster agreement. That is fine: and it is at this hopeful stage that the chief minister and other leaders say that they will not discuss further, except on their own terms.

"What is the dispute about? I find that it is about the way in which elections in Buganda for the Lukiko and thence for the Central Legislature should be conducted: and according to the Times, the chief minister has said that it is a principle which is at stake. I have long ago come to realise that in competing systems of electoral procedure there is never any real or abiding principle at stake. The competition is between rival interests. If I may adapt St. Paul's words: "All systems of voting and indeed of government are lawful, but not all of them are expedient or helpful." What is at stake at the moment in the Uganda conference is the principle of unity but a choice of electoral system is not a principle: it is in the right sense of the word a matter of expediency only - what will be the most helpful all round. What will be?

"The whole history both of the people of Buganda and of the rest of Uganda has to be kept in mind: and history demands that special consideration be given to the rights of self-determination of the kingdoms. The proposed settlement of the affairs of Buganda is to come before the full conference in due course: and the full conference will register its decision. No party must claim a right of Veto, though they are free to vote against the final terms. If any are not satisfied with the final decision, the Christian thing is to put up with it, to bear it patiently, to make the best of it and to let time decide whether any changes must be made. That way of behaviour is very unfamiliar nowadays: but it is the only civilised way of behaviour, the only creative and healing way of behaviour, the only Christian thing to do in a settled state.

"At this stage, therefore, continuance of discussion is essential: the proper rights of the kingdoms and especially of Buganda owing to its size and importance must be recognised: and so far as the

St. Paul,
Diverse
Govts, &
Unity

Claim of
History

internal affairs of the Baganda are concerned, they must have their wishes respected provided that they do not interfere unjustifiably with a federated government of Uganda. If I may speak again as a spectator of the game, it is the duty of the referee to see that the desires of the kingdoms are reasonably satisfied and that the interests of the central legislature are not seriously injured. It is not for the chief minister or anyone else, however great their responsibilities, dig in their toes and say that they will not accept a particular decision. It is far more important for Uganda that a decision should be reached and accepted, even if imperfect, than that it should have to be imposed from any quarter.

Christian Argument

"I profoundly believe that the matter before us is not merely a political matter, though it is one; it is fundamentally a religious problem and a Christian problem. Christians surely in Uganda know ought to know how to overcome the political difficulties by a mixture of commonsense and charity. If it is out of a deep Christian concern that I venture to send this note to some of my friends engaged in the negotiations.

Fisher of Lambeth."

The Archbishop in his covering letter to me reminded me that I was a servant and a follower of Our Lord Jesus Christ! I wish he had reminded Mr. Macleod of this fact. I did not need any reminder about the point. I was acting as a good Christian. It was Mr. Macleod, Mr. Obote and the whole of the Buganda delegation who were acting in a most un-Christian manner. Mr. Macleod himself had encouraged electors in Buganda to defy the Lukiiko. He had said that he would regard those representatives returned in Buganda as true representatives, (however small the number of people who would have elected them. When I myself met him in June after the E.A. Common Services Conference in London and talked to him about the danger contained in that recommendation concerning indirect elections through the Lukiiko, he assured me that he would side with me on that point at the Conference but he was now abandoning me altogether on that very point. He did not try to visualise what would happen to those people in Buganda who on his assurance had come forward and registered and voted in defiance of the Lukiiko, (but he was now siding with those people who had always opposed his progressive measures and who had sworn that they would punish all those people who had sided against them over the question of voting in 1961. Was that to act as a good Christian? And what about Mr. Obote? Had he not encouraged the small number of followers he had in Buganda to go and register and eventually to vote for his candidates? Was Mr. Kakonge, his Party's Secretary-General, not elected in one of the constituencies in Buganda, and was this gentleman not still a member of the Legislative Council? Why then was Mr. Obote saying in public that the elections in Buganda in 1961 were unsatisfactory? And if elections were unsatisfactory why not merely advocate fresh elections but not go to the extent of abandoning all principle and advocating indirect elections? And what about Mr. Kintu, the Katikiro of Buganda and his friend Mr. Sempa who were heading the Buganda delegation to the Conference? Were they not the same people who in 1955 had insisted more than anybody else that the people of Buganda should be given the right to elect their representatives to the Legislative Council directly and caused the following sub-paragraph to be inserted in para. 7 of the Buganda Agreement of that year?

Takes the "Christian" character & inverts it
Siding w/ the powerful

Kintu Sempa

"(3) Notwithstanding the provisions of paragraph (2) of this article a system of direct elections for the Representative Members of the Legislative Council who represent Buganda shall be introduced in the year 1961 if such system has not been introduced earlier."

Was it not strange, then, that these very people were now seeking to change that method and also to punish those who had done no more than to follow what they had laid down as the law of the land?

The old Archbishop little knew what would be the consequences of the granting by the Secretary of State of that indirect election method.

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to Mengo. The Archbishop did not know that the followers of those people he was struggling so much to help would murder in cold blood men who they knew were followers of their opponents and their women - now widowed - would be raped by those very men! He did not know that people's crops would be slashed by the followers of his 'friends' just because those people were my followers. He did not know that Chiefs in Buganda - hitherto known as civil servants - would be enjoined to join a newly formed political party (Kabaka Yekka) and asked to suppress all other political activity in the Kingdom; and that some of those Chiefs would lead battalions of their supporters in a campaign aimed at demolishing their opponents' houses! He did not know that even I would be denied the freedom to resume residence in my own house upon my vacating the official residence of the Prime Minister! Oh God! how right you were when You caused St. Paul to speak to us. How unthinkable it is that an Archbishop, a man who at one time claimed to be Your chief representative in the whole of the United Kingdom could have come out to support the acquisition of a method of election which has resulted in so much misery to many of Your 'other' children!

As you will have gathered, I was perturbed by this 'Note'. I considered it, in the first place, as completely uncalled-for, and in the second place as completely misleading. It was uncalled-for because the matter being dealt with was political and it was for politicians to settle it. There had been in the past so much talk about Church leaders interfering in politics that an Archbishop coming in at this time seemed to me to be totally out of place. Mr. Obote, whom the Archbishop was trying to help albeit indirectly, had declared on Saturday, the 17th of September, 1960, at the General Meeting of his Party held in Kampala that he "wanted to make it clear that the U.P.C. had no interest whatsoever in who was bishop at Namirembe or at Rubaga. It was up to religious-minded people to go and find out who the bishops were.

Obote
Rel.

"I tell the leaders of the Church in Uganda that this is the time for them to take off their hands from politics, that they are in fact playing with an instrument which shall not be in their favour when the nationalists we are building here sits on the"

The report says that the remainder of the sentence was drowned by applause. (Vide 'Uganda Argus' of 19th Sept. 196L at p. 5).

This 'Note' was misleading because, as is shown in my reply, the Archbishop seemed not to have properly grasped the point which was at issue.

On the 10th of October, 1961, I sent him my reply. It read as follows:-

⓪

"Your Grace,

I have just finished reading the copy of your "note" which you sent to all the Rulers from Uganda and to me. It is a pity you wrote before you received my long letter which I wrote to you in answer to yours of the 1st instant. I say it is a pity because I am sure Your Grace would not have repeated the mistakes you made in your earlier letter if you had seen my letter before you wrote this "note".

It distresses me a great deal to see that Your Grace could embark on writing about a matter of this magnitude in such confusion of mind. It appears to me once again that Your Grace is not well informed about these matters on which you are so keen to write. In your earlier letter, you said that I was interfering in Buganda's internal affairs when I attempted to say something about "the manner in which representatives from Buganda to the National Assembly should be elected" and you likened me to Sir Roy Welensky, who you said was interfering in the internal affairs of Northern Rhodesia. I said in my answer to you that the "manner of election" of representatives from Buganda to the National Assembly is not an "internal" affair of Buganda just as the manner of election of M.P.s from Northern Ireland or from Scotland is not an internal affair of Northern

Ireland or of Scotland but of the U.K. as a whole. Sir Roy Welensky was talking about elections in Northern Rhodesia to the Northern Rhodesian Parliament and not to the Federal Parliament and he may have been wrong, but I am not talking about elections to the Buganda Lukiko but to our National Assembly. I think the difference is plain.

Talking about "interference": you start your last paragraph by the words, "I profoundly believe that the matter before us". Your Grace and who else? I did not know you were a member of our Conference! I thought the matter was outside your province. You yourself say that no "Europeans have any axe of their own to grind". Let us accept this, but, then, why do you take up all this time of yours writing these "notes", particularly when, as I have said before, you show utter ignorance about what you write. Take for instance the following:

- With
ignorance*
- (1) You say, "I am not concerned with particular details over which difficulties arise". Yet you proceed to give advice intended to resolve the "difficulties". How can you solve these difficulties if you are not concerned with their details?
 - (2) You say that no "Europeans have any axe of their own to grind". How do you know? And who gave you this role of spokesman for all Europeans?
 - (3) You say "there are jealousies and rival claims". Yes, but "jealousies" about what and who claims what?
 - (4) "The competition is between rival interests". What are these "interests"? Can the Lukiko as a body, or any other individual justifiably claim an "interest" in the manner in which I, as an individual, cast my vote? If you say yes, can you tell me how the Lukiko came to acquire the right to that claim?
 - (5) You say that "history demands that special consideration be given to the rights of self determination of the kingdoms". Agreed, but I believe Your Grace will be aware, as I have already reminded you in my earlier letter, that this "special consideration" was given to Buganda in 1955 and she decided that she would have direct elections for her members in the National Assembly in 1956 if not earlier. Does Your Grace support the view that Buganda's position entitles her to have no settled policy concerning this matter?
 - (6) You speak about "kingdoms". (Do you know that the other kingdoms were not treated at this Conference in any way becoming Kingdoms at all? Are you aware that in 1958 the "kingdom" of Toro refused "direct elections" but that the Protectorate Government overruled this decision and elections were held in that "kingdom"?)
 - (7) You say that "the full conference will register its decision" and that after this "no party must claim a right of Veto". It appears that at the time when you jotted these words down you had assumed, although quite wrongly, that the majority opinion of the Conference was in favour of indirect elections in Buganda. This, as I say, was not the case, and please note that I did not walk out because I was defeated over this issue at Conference. It was Mr. Macleod who was defeated over the issue of the High Court for Buganda and indirect elections. The majority were against them. Now according to your theory ought not Mr. Macleod to have desisted from his stand? It was this refusal on his part to bend to the majority opinion that caused me to walk out. Probably you will now write to Mr. Macleod asking him to respect the majority opinion over these two issues.
 - (8) Your adaptation of St. Paul is most unfortunate, especially when it comes from a person such as Your Grace. According to you, when a system of voting which is lawful proves inexpedient then you turn to that which is unlawful but expedient. In the same way, when the lawful system of marriage of one man to one woman proves inexpedient to some people you will sanction turning to a more expedient system preached by Mohammed: of marrying up to 4

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and divorcing at will. How wonderful! I am glad you are preaching this to me!

Benedicto K.M. Kiwanuka.

The Most Reverend Archbishop Lord Fisher of Lambeth,
Tudor Cottage,
Hound Street,
Sherborne,
Dorset.

The whole of my argument was centred on one point and one point only, and that was: Why was it necessary at this late hour in our political development to change our method of election, and only in Buganda? Was this just? Was it proper? Was it decent to do so? Was it manly? Or was it wicked? I wanted the Archbishop to answer, but he did not.

A few days after I received this "Note" I went to the Colonial Office and saw Mr. Macleod. I asked him: 'Do you know that there is an organised campaign by Church leaders here who are working against me and my Party?' Mr. Macleod denied any knowledge of the existence of such a thing. He said that even if there was such an organisation he himself and the Government were little influenced by Bishops in England. Let me say here that my purpose in seeing Mr. Macleod and telling him about this rumour of an organised campaign was not to get an admission from him that he was being influenced by the Bishops but solely to let him know that there were such forces in London working against me and that he also should know about it. But I can readily admit that I have no evidence to show that Mr. Macleod's decision was influenced in any way by the former Archbishop of Canterbury, Lord Fisher of Lambeth; only I am convinced that his efforts helped a great deal to change the opinion of members about the question at issue. You would be surprised to see that men such as Mr. Bikangaga, who had previously spoken against the proposal in the first place, changed their minds when we came to reconsider the issue at the end of the Conference business.

On the 6th October, 1961, the Archbishop of Canterbury had written me another letter, which was in answer to my first letter to him. In this letter he denied that he was a supporter of Mr. Kintu or Mr. Sempa. It reads as follows:-

Oct. 6, 1961.

"My dear Benedicto,

If I may venture as a friend so to address you. It was very good of you to write at such length when you have so much upon you. Your letter makes me wish again that I was in London so that we could talk these matters over properly. Letters so easily put things a bit wrong! My concern is not at all directly with political arguments, but with the temper of mind in which they are handled. You set out very fairly the arguments on which your case rests: but I will not pursue them. It is what you rightly call the basic issue with which you and I are concerned.

May I say that you must not suggest that I 'support' Mr. Kintu or Mr. Sempa. If I do, it is only in the same way that I should wish always to support you. The Lukiko and its ministers had been worse than foolish to declare independence and to say that they would not negotiate - and I told some of them so very clearly. When they altered the temper of their minds, I was greatly relieved. If anybody 'walks out', I am always sure that he has got something a bit twisted in his temper of mind, that is why I wrote to you. I have always felt that the desire to agree should be so strong in us as to keep us talking together at all costs - even when

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such things as electoral votes or systems are under discussion and even especially then. For really there is no system of election or of voting that can claim to be divinely ordered. It is a matter of the best available system. In the example which you gave of a challenge to basic Christian principle, you and I would of course always be on the same side. But in electoral systems, one must work for that which is reasonably fair all round and which errs, if it errs at all, on the side of generosity to existing rights.

The Munster Commission recognised that Buganda has certain old and well established rights as a Kingdom. The Central Legislature must as generously as possible adjust itself to the requirements of that situation: it must have that temper of mind. You are right to press your point of view, but not too far, not to the point of walking out, not to the point of a breakdown. The great thing is to get a constitution settled so that independence can go forward.

I know you are a Muganda! You see and feel acutely the possible rights and abuses: but for that very reason you should be specially careful to allow to Buganda all that impartial judges like the Colonial Secretary think it necessary to allow. That is betraying no principle; it is being just and generous even to your own hurt. In that temper of mind I am sure the Conference can come to a reasonable conclusion which all should accept. Not perfect, of course: liable to abuse. Everything is that. What does the future exist for except to allow men to improve on and correct what was amiss in the work of their predecessors!! All I desire is that you should bear such things as these in mind. Thank you so much - and I do pray that you will all both perceive and know what the Holy Spirit would have you do together for God - and that He will give you all grace to do them.

Yours very sincerely,

Sgd. Fisher of Lambeth,
Archbishop.

This letter is couched in very persuasive language. But it was not persuasive language that I wanted: I wanted the basic argument for the principle of indirect election being introduced in one region of Uganda on the eve as it were of Uganda's independence. The Archbishop's basic argument rested on this, that in electoral systems we should take that which is the best available. He admitted that he foresaw risks and abuses; nevertheless he advised me to accept it. This I could not do. But in any case, who said that that method was the best available? And 'available' where? I have already indicated that in 1955 the Baganda asked that they should have direct elections in Buganda for members going to the Legislative Council, now known as the National Assembly; I have also shown that the Wild Committee composed mainly of Africans from Uganda had recommended a year before that we should have direct elections throughout Uganda and that "no option should be offered of the alternative of indirect elections"; the Hunter Commission who recommended this method admitted that it would be "a retrograde step". Who, then, called it the best available method?

Majority Catholic (No, it was not the best system available as far as the people of Uganda as a whole were concerned. It was rather the best method through which the people at Mengo could be assisted to achieve their aim, i.e. to get the Democratic Party out of office simply because it was labelled 'Catholic'.) This was appeasement. But Hitler and Mussolini could not have risen to those heights from where they unleashed the most devastating war mankind has known had the League of Nations, which in our case is the Colonial Office, behaved differently. The Archbishop might have overheard the League's argument in those days: 'Hitler is very powerful these days. To upset his plans might cause him to declare war on us all. Let him take that bit of territory and he will be satisfied. In any case, Austria cannot claim that it was "divinely ordered" that she should always be an independent State'.

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The whole of Lord Munster's argument in his Report about Buganda is in that form. The former Archbishop of Canterbury goes further and says that as long as a matter is not by "divine ordination" you can go back on it as you wish whoever is to be hurt in the process, if thereby you will get your own way. Even if it is a mistake? Yes, he answers, others will correct it in their time. "What does the future exist for except to allow men to improve on and correct what was amiss in the work of their predecessors!" he preaches. This is the teaching of a one-time Oxford scholar who turned to religion and attained the highest office in his faith. "In worldly matters," he cries, "you can hurt your neighbour intentionally as long as you get your own way"!!! What a shame!

An innocent girl when approached by a wicked man is puzzled by his most persuasive tongue. If she is weak she gives in. But afterwards when she is found to be with child and her seducer has fled away, the world laughs at her. There is no question of the best available system of behaviour in such matters. You've got to resist to the end. If you give in, you do so at your own risk, and this is what the Archbishop wanted me to do. No, (the Democratic Party refused to play the role of the weak girl. It is true we were overpowered. But that is different. We were dealing with people among whom principle no longer counts. The name of the Holy Spirit is invoked as a means to achieve perverse ends!

What is it that has emerged as the practical result of the indirect elections system being introduced into Buganda? The whole of our liberty is gone. (In Buganda now you must belong to the Kabaka-Yekka Party or you are the enemy of the Kabaka; and if you are the enemy of the Kabaka you should be tried for treason and executed! As simple as that. The whole country is now run under mob rule. That is why houses are demolished in broad day-light; crops slashed; men butchered like sheep; women raped; priests tied up and beaten; people threatened in every possible way without hearing any kind of murmur from the Government at Mengo. This is so because in the National Assembly we in Buganda do not have one single person whom we can truly call our representative since we did not play any part in the process whereby the so-called representatives from Buganda went to that Assembly. It is in this Assembly that grievances of this kind should be aired. But who will do it for us now? Can you expect men elected by the Lukiiko at Mengo to criticise the Government established by the same Lukiiko at Mengo? This would be to expect too much.

It is true the Central Government Police Force is very active and they have helped a great deal. But for how long will this continue? And even at present, are there no circumstances where the Central Government Police will not be able to interfere? Take for example the case of a man who is arrested by Buganda Police under native customary law and is already before a Buganda Court. Anybody can be arrested under this pretext, and the Courts can keep one in prison for weeks by refusing to release one on bail and by adjourning the case will on as many occasions as the Court sees fit. How can the Central Government Police rescue such a person? This is where we in Buganda are today, and this is where the British, after 70 years of their rule here, want to leave us. These are the same people who came here preaching the brotherhood of man, the freedom of the individual and the freedom of religion. Back home, in their country, they proudly teach their children:

"Men must know of a surety what they may and what they may not do. The law must be impartial, administered impartially by fearless and independent judges, and there must be no distinction of persons or classes, or of colour, race or creed. Judges may interpret the law, but the supreme law-maker must be the High Court of Parliament. And for this reason: that the members of the House of Commons are freely elected by the people as their representatives, and are virtually the supreme voice in the making of the laws by

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which the people are governed, together with the Crown and the Lords spiritual and temporal.

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"This democratic system of government is far from perfect. But it is the best system that has yet been devised, although based on majority rule, for making the citizen feel that he plays an important part in the shaping of the laws by which he must abide, and makes him the more willing to be a law-abiding citizen.

"It is this conception of individual freedom, protected and upheld by law, that invades every part of the British way of life. It is quite true to say that British people have still a great passion for liberty, which can be seen, for example, in the immediate outcry if there is reason to believe that there has been a miscarriage of justice, either in the administration of the criminal law, or in events outside the courts.

"At the time of the Glorious Revolution of 1688, which resulted in the Bill of Rights, and the Act of Settlement of 1701, which established the independence of the judges as one of the great safeguards of liberty, it was this same conception of freedom under the law that was the dynamic force. It was the same then as now.

"If the affairs of the citizen's life are to be regulated in any way by outside authority, then it must not be an arbitrary authority, it must not depend on the whim of caprice of any individual, however high his place may be in the State. It must be an authority governed and controlled by law; and the citizen must at all times have free access to the Queen's courts to see that the laws affecting his life are faithfully and impartially administered.

Lord Birkett in "Freedom in a Democracy" - Modern World Series; p. 21.

In Britain the members of the House of Commons are "freely elected by the people as their representatives". In Buganda the British are establishing a system shortly before they leave whereby the so-called representatives of the people in the National Assembly (the equivalent of the House of Commons) are not only not "freely" elected but also NOT "elected" by the people at all, but chosen for them by 80 men assembled in one room! This, today, in 1962!!

"Freedom of religion", and yet these people in the name of religion resorted to the most sinister system of indirect elections in order to get their opponents out of office and they have enlisted the services of an Archbishop to cool their chief opponent down by engaging him in arguments which are best suited for a place in a treatise on Theology but which are completely hollow when analysed through a political microscope.

As it will be quite apparent by this time to the reader I refused that to be cooled down and I have refused up to this day and I shall ever refuse.

The day my delegation and I walked out of the Conference the Secretary of State wrote to me a letter in the following language:

"Colonial Office,
Great Smith Street,
London, S.W.1.

2nd October, 1961.

"Personal

My dear Chief Minister,

I am so glad we are meeting tomorrow at 9 o'clock at Lancaster House.

I don't want to go over the unhappy events of today, except to say that I understand fully your anxieties. I am sure you will realise that we have now passed from the discussion of the Buganda Agreement and are taking up the other matters on the constitutional paper, and we will

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have to follow this with consideration of law and order, finance and
 then the lost counties, and, finally, the all-important question of the
 timing of elections and future constitutional status. In all this I
 feel that you and your party have an invaluable part to play, and I
 hope very much that, having made the firm protest today and reserved
 your position completely in relation to the Buganda Agreement, you will
 feel able with your Party to play the part in these important matters
 which I am sure ought to be played by a Chief Minister and delegation
 from a party which forms the basis of the Government in Uganda.

Sincerely yours,

Sgd. Ian Macleod.

The Hon. B.K.M. Kiwanuka."

But all the same I refused to be moved. It was not until Mr. Macleod
 promised me the following morning that he would bring back the question
 of indirect elections for discussion by the Conference that I agreed to
 go back to the Conference. What happened then is well known. Mr. Mac-
 leod waited until all the business was over and then he re-introduced
 the disputed subject. I spoke against it and my other friends did, but
 this time, probably owing to the efforts of the Archbishop 'friend' of
 mine, some people who had originally spoken against the proposal changed
 their opinion and said they would hesitatingly allow the system to work
 if this was the only means of getting Buganda to play with the rest of
 the country, but, they added, only as a temporary measure. Of course,
 this is what Mengo wanted: to get the Democratic Party out of office
 this time and then see to it that it did not come back again. And this
 is what they are doing now. Haven't Kabaka Yekka Leaders declared
 openly that their aim is to destroy the Democratic Party not only in
 Buganda but throughout Uganda? And why "to destroy"? There is no
 other reason, in my way of thinking, than the one I have given which is
 based on our history rather than on anything else. You have got to
 know our history in order to understand Mengo behaviour.

On the 12th of October, 3 days after the Conference had ended, the
 Archbishop wrote me another letter thanking me for having gone back to
 the Conference and for having said at the end that it was to a certain
 extent successful. I am not quoting this letter because it is no longer
 relevant to the story, but part of the last sentence of that letter is
 worth showing. He said in that line: "God prosper you all in the
 days to come....." God prosper me in the days to come! These are
 the days he was talking about, but I am out of office; I have no con-
 stituency; and I have no vote in a General Election of my country!

BUGANDA ELECTIONS, 1962. - 22 Feb. - Lukiiko Elections

I did not return to Uganda immediately after the London Conference.
 Instead I made a trip to the United States of America at the invitation
 of the State Department. It was a four-day visit but I managed to
 see the President, Mr. J.F. Kennedy, his State Department Secretary
 Dean Rusk, and many other leading personalities there. On my last day
 I visited the United Nations in New York and made a brief speech to
 the Fourth Committee. (This is the Trusteeship Committee of the U.N.O.)

On my way back I stopped in London to call on the new Secretary of
 State, Mr. R. Maudling. This was Friday the 20th of October, 1961. On
 the following Monday, a few minutes after I had sat in my office at
 Entebbe, the telephone on the line which connects the Prime Minister's
 office directly to Government House rang: "The Governor here, Ben.
 Welcome back. Have you got a moment? I would like to have a word with
 you." That was Sir Frederick Crawford, then Governor of Uganda.
 Five minutes later he was saying to me at Government House:

"I have just been talking to the Kabaka. He was in an agitated
 mood. He wants the elections for the new Lukiiko to be held as soon
 as possible."

"Well, Sir Frederick," I answered. "I suppose we shall have to
 make some regulations to govern those elections before they can take
 place."

"Oh yes, I agree," rejoined the Governor. "My purpose in telling you this was merely to let you know that the matter was one of urgency. I think we ought to get that Lukiiko dissolved and have a new one before those people change their minds about the new Agreement."

I said I agreed and left.

I started to consult my friends as to what we did not want to happen during those elections. There was one thing which was dreaded by every one I spoke to and that was the handling of those elections by Chiefs. It was therefore agreed that we should prevent them from taking any part in these elections by Regulations under the Elections Ordinance of the Central Government. Our intention was not to try to cheat Buganda Government at election time, but it was the reverse: we wanted to prevent the Buganda Government from cheating us. The Governor asked for a few days to consult the Kabaka's Government, but time was against Sir Frederick - he had been asked by Ian Macleod, Her Majesty's Principal Secretary of State for the Colonies, to quit the Governorship of Uganda. The reasons are best known to Mr. Macleod and Sir Frederick.

On the 31st of October, 1961, Sir Frederick was welcomed at the New Bulange, Mengo, by H.H. the Kabaka of Buganda, and after an exchange of speeches inside the Bulange, Sir Frederick performed his last big act as Governor of Uganda by signing the new Buganda Agreement. Some time after 9 o'clock on the morning of the 5th of November, 1961, Sir Frederick, who had packed his goods the night before, personally taking the wheel of his newly purchased Mercedes-Benz, drove himself out of Uganda taking the Nairobi route.

Sir Walter Coutts, a former Chief Secretary to the Kenya Government, our new Governor, arrived on the 18th of November, 1961, and he assumed the office of Governor immediately. He asked to see me as soon as possible and we arranged to meet the following morning at 10 a.m. This was Sunday. What were my main worries, if any, in my Government? he asked.

"The Civil Service".

I told the Governor that since our formation of the first African Government it seemed as if we, the elected Ministers, and the Civil Servants were engaged in a game of tug-of-war, the Civil Servants pulling on one side and ourselves pulling on the other. He asked me to repeat this at our next meeting of the Council of Ministers, as it was then called. I did so on the following Tuesday, which was the day for such meetings and my story was supported by my colleagues. We had been given wrong advice over certain matters by our Civil Service Officials; some of us had been advised to make statements in the House (Leg-Council) which were not based on facts, and this sort of thing subjected us to long attacks from the Opposition side which, somehow or other, had been able to find out the truth about the statements. Our Cabinet (Council of Ministers) decisions would be known to members of the Opposition long before we ourselves were able to communicate them to our own friends, and this also was a source of great embarrassment to us. No, the situation was really bad. The Governor seemed not to like it also and he promised to do all he could to help.

Sometime during this period Mr. R.C. PEAGRAM, a junior official in the Office of the Chief Minister, who had been acting as Clerk to the Council of Ministers, was appointed by the Governor under Sec. 10 of the 1957

Ordinance to be Supervisor of Elections. At that time, constitutionally, the Governor could make such appointments without my advice and he did so on this occasion. On learning about it, I approached him and said that I was not in favour of that appointment: that office had been Supervisor of Elections in the 1961 elections and had not behaved well as far as my information went. To me he seemed biased against the Democratic Party, and I quoted instances to him in order to show why I was of that opinion.

In Bunyoro one of the U.P.C.'s candidates presented a cheque in lieu of cash on Nomination Day. The Asst. Returning Officer there accepted it and the candidate's nomination was approved. On the same day in Lango one of my Party's candidates had a break-down while driving to the place where nominations were taking place in his constituency. He was helped by a friend in another car to the place, but unfortunately

Chiefs as pulling Agents

31-Oct - '61 New Bug Agreement

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lling y he had left his money in cash in his own car. He accordingly presented a cheque to the Asst. Returning Officer, begging him to accept it in the circumstances. The Officer refused, pointing out that the Ordinance required cash and a cheque was not cash. His nomination, therefore, was not accepted and the U.P.C. candidate passed unopposed. In my own case, my opponent had not been registered as a voter and, according to the law, such a person could not stand as a candidate for election to the Legislative Council. When he arrived at the Nomination Centre the Asst. Returning Officer pointed this out to him and he sent him away. The man drove 15 miles away to find the Returning Officer of that region and beg him to put him on the Register of Voters so as to enable him to stand as a candidate. This was contrary to the regulations governing the elections, which provided that in order to be able to stand as a candidate the would-be candidate must be on the Register of Voters at least a day before Nomination Day. No Returning Officer had power to override this provision. But my opponent nevertheless was registered on that day and the Returning Officer of Masaka gave him a chit to take to the Asst. Returning Officer in question to enable this man to be nominated - and he was nominated. These cases had been brought to the attention of Mr. Peagram but he had not acted. He did not file Election Petitions because (a) in my own case I was the elected candidate; (b) in the Bunyoro case the matter was not discovered until after the time had expired for petitions; (c) in Lango there was no ground for complaint. I mention these cases to show what the spirit was in these matters as far as officials were concerned: where we were in the wrong the law was enforced against us; where the U.P.C. were in the wrong the provisions of the law were lifted and the Party helped. These things we resented and I told the Governor that I did not want such things to happen again, particularly when the Government was called my Government. The Governor promised to look into the matter.

Before this time the question had arisen of under what Ministry Mr. Peagram was to work as Supervisor of Elections. Formerly this Department was under the Chief Secretary, and I had taken over the Chief Secretary's Office. Moreover, I was the person who decided what was to be done by whom as far as elected ministers were concerned. The three official Ministers were the Attorney-General, the Minister of Finance and the Minister for Security and External Relations. None of these three Ministers could claim to have the Department of Elections under him. So I advised the Governor that the Supervisor of Elections should work under me. Governor Crawford considered the matter and in the end found there was no alternative but to accept. He told me so and said that a notice would be published in the Gazette for the information of the general public. As was his rule he made a note of this in the relevant file. But as I have indicated before, this was the time when Sir Frederick was busy packing his belongings and this particular point was one of those he left unfinished.

After he had left I mentioned the point to Mr. Cartland, the Acting Governor but he said that the matter should wait for the new Governor. When, therefore, Sir Walter Coutts arrived, I lost no time in informing him of that matter. As is usual with Sir Walter he promised to go into it. When I met him a week later and asked him about that point, he said he had found a minute left by Sir Frederick Crawford to the effect that he had agreed that the Supervisor of Elections should work under my Ministry but that he (Sir Walter) was giving the matter further thought.

On the 23rd of January, 1962, the Governor sent me a long minute on the subject of elections, para. 6 of which read:

"The proposal that I should hand over to the leader of one of two parties the conduct of elections which concern everybody is contrary to the accepted principles of democratic government throughout the Commonwealth and which, as I have already noted above, obtain in the United Kingdom."

This finalised the argument.

While the Governor was telling me all these nice things, the Buganda Government was appointing Mr. Abubakar K. Mayanja, Minister of Education in that government and Treasurer-General of the Kabaka-Yekka Party, who was contesting all seats in Buganda, as Chairman of the Elections Committee and Mr. A. Mpanga, Legal Officer to Buganda Government, to be in charge of the elections in Buganda working with Mr. Peagram, our Supervisor of elections.

When these appointments came to my notice I went to the Governor and pointed out to him that according to "the accepted principles of democratic government throughout the Commonwealth" the leader of one of the two parties contesting elections should not be allowed to have the conduct of those elections under him. The Kabaka's Government officially announced some time back that all the Ministers had joined the Kabaka-Yekka Party. All civil servants in the Kabak's Government belonged to it by decree of Mengo and those who refused were told they had better resign. Saza chiefs were holding public meetings in market places preaching the gospel of Kabaka-Yekka. The Kabaka-Yekka Manifesto was produced with the Kabaka's photograph on the front page to mark his support of the Party. In those circumstances I pointed out to the Governor that it was extremely dangerous to allow officers of that Government who had all become party members to run the elections in Buganda. In our own case we had not asked that we should appoint Democratic Party members to run the elections: we had merely said that the Government of the day must somehow be associated with the running of those elections by having the Department of Elections under my Ministry. I was content to leave the whole conduct of the elections to our civil servants. All we wanted was to make sure that the rules we made to govern the conduct of elections were followed.

When the time came for the Governor to reply to my query he said that he was finding it difficult to see how elections could be held in Buganda without allowing Buganda chiefs to be associated with the conduct thereof.

Meanwhile, the Governor's Office had sent proposals to us for consideration regarding these elections. These said that all Divisional Administrative Officers of the Kabaka's Government and all Miruka Chiefs should be appointed Assistant Registration Officers to work with Central Government Officers who would also be appointed to the same rank. "Each registration centre to be manned by the Muluka Chief of the area in which the registration centre is situated and by one Government officer. The Muluka Chief and the Government officer each being separately responsible for accepting applications to register."

When our Council met we rejected these proposals! We felt that to give power to a Muluka Chief to accept or refuse an application to register would be highly dangerous in view of the line the Kabaka's Government was taking in this matter. All known D.P. sympathisers would not be registered. Instead we decided that the role of the Muluka Chiefs should be: (a) to identify the applicants for registration as people living within the area in question, and (b) to witness the fact of the applicant's having been registered as was required by the law. The officers who would do the actual registering should be appointed by Mr. Peagram as employees of the Central Government. We decreed that AT NO TIME AND IN NO CIRCUMSTANCES SHOULD A MULUKA CHIEF do the registering of voters himself. We ordered that Parties should be allowed to appoint agents to attend at registration centres, and that those Party agents should check the register of voters before and after each day's work. By these measures we wanted to make sure that no unauthorised people found their way to the registers because of the expense and labour it would take to get them off.

When registration began, the first report I received was that almost at all centres actual registration was being done by Muluka Chiefs. Upon investigation I was told that Mr. Peagram had appointed them Registration Officers and they were therefore doing that work in their capacity not as Muluka Chiefs but as officers duly appointed by the Supervisor of Elections. In law I had been defeated but what was the position? The position was that Mr. Peagram, a civil servant of the Uganda government, had deliberately decided to get round our decisions

Abu Mayanja
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The question, again, of the role of Chiefs

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by using a loophole in the law. The law allowed the Supervisor of Elections to appoint whoever he chose to be Asst. Registration Officers and he could assign to them any kind of work connected with the registration of voters. So these Muluka Chiefs, having been duly appointed by Mr. Peagram to be Asst. Registration Officers, could not be attacked by anybody as doing something wrong. The fact was pointed out to the Governor but he could do nothing. In fact, no one could do anything.

What followed was that these officers went round the villages with registration books registering people as they saw fit. All that we had intended to achieve by our measures was defeated by this one move of Mr. Peagram. Our Party agents were no longer of any use because they could not know where the chiefs were at times, and even when they knew it became very difficult to follow them around.

At the end of January, 1962, I visited England again. My main duty was to talk to Mr. Maudling, the Secretary of State for the Colonies, about the money for our Compensation Scheme for Expatriate officers of the Civil Service. I used this occasion to tell the Secretary of State about the very unsatisfactory nature of the running of elections in Buganda. I complained bitterly that it was very unfair for chiefs who all belonged to the Kabaka-Yekka Party to be allowed to run those elections when the Democratic Party, the only other Party contesting the elections, had no representative in the affair. Mr. Maudling was going to attend a Cabinet Meeting and he asked Lord Perth to listen to my arguments. In the end Lord Perth decided to enquire from Entebbe as to what the real position was as seen by the Governor of Uganda. The Governor replied assuring the Secretary of State that there was no cause for alarm. He himself (the Governor) was going to take charge of these matters so as to ensure a satisfactory conduct of them. Upon this assurance I issued a statement in London in which I said that I was satisfied that the Buganda elections would be run satisfactorily. I took the Governor's assurance very seriously.

Upon my return to Uganda I found that the situation had gone from bad to worse. Gombolola Chiefs were to be appointed as Asst. Returning Officers at election time and they were to be charged with the duty of collecting ballot boxes at the end of polling. I again saw the Governor and pointed out to him the impropriety of this arrangement. These were people belonging to one Party. They could therefore not be safely entrusted with the job of collecting ballot boxes, especially as this was done at night time and Party agents were not allowed to accompany these officers by riding with them in the same vehicle as carried the boxes. The Governor said that since the Agents could follow these boxes in another car, if they had one, and they cared to do so, he did not see any danger in the arrangement. One other thing I pointed out to him and that was the power of Returning Officers or their assistants to allow or to prevent in case of doubt a person from casting his vote. This power is absolute, i.e. the decision of the Returning Officer is final. The person so prevented may later file an election petition, but what value would that be to him? And what about the inconvenience? These people who belonged to Kabaka-Yekka, I pointed out, could prevent many of our followers from casting their votes and this would involve my Party in very great expenses in filing their petitions; and then only if the money was available in the first place. I asked him to save the situation by asking Mr. Peagram to change those appointments, but the Governor declined to do so because he himself saw nothing wrong in those appointments. In other words, he did not share my anxiety that some misuse of powers could take place at the hands of those officers.

'What else is there to be done?' I asked myself. 'Nothing! the answer came. Yes, nothing. All our efforts had to come to nought. The Governor, the Governor', a voice was calling within me. 'What did he say in Tanganyika?' it continued. Ah! I remembered. I remembered that when we were in Dar es Salaam for the Tanganyika Independence celebrations, a friend of mine, who is an Englishman, came to my hotel, Palm Beach, and told me that he had been alarmed to hear the

Governor of Uganda say that I had no chance of winning the next elections. What facts did he base his judgment on? I answered that it was only wishful thinking on the part of His Excellency; that I was working to win those elections.

I began to feel confused in my own mind. What was it that was going on? Every move on our part to ensure fair play in those elections had been frustrated by the Governor or by Mr. Peagram in one way or another. Were we extremists imagining the impossible? Was the Governor a realist who refused to be alarmed unnecessarily? Was Mr. Peagram doing his best and were we suspecting his every move unwarrantably? What was it? We were in this state of mind when the 22nd of February arrived. People went to the polls. The result? Utter defeat of the Democratic Party. Out of the 68 seats contested the Kabaka Yekka Party got 65, and 3 went to the Democrats.

"I am sorry about the results," the Governor said to me on the telephone the day following the announcement of the results. I declined to talk with him about this subject. I never received any message from Mr. Peagram.

I turned to the Holy Bible for guidance. What had we done? Why should everyone be working against us? At Chapter 11 of St. Paul's Epistle to the Romans I came across Verse 33:

"O the depth of the riches of the wisdom and of the knowledge of God! How incomprehensible are his judgments, and how unsearchable his ways!"

How unsearchable indeed! We were defeated, but was it genuine? Then I remembered another saying: "... for the children of this world are wiser in their generation than the children of light." Indeed they are! But there was another saying against these children:

"You serpents, generation of vipers, how will you flee from the judgment of hell?" and again, "Woe to you, ... because you are like to whited sepulchres, which outwardly appear to men beautiful but within are full of dead men's bones and of all filthiness." (Matt. 23).)

How meaningful were the words in this Holy Book! "The children of this world are wiser in their generation...!" They are wiser indeed for listen to what in fact happened on election day; and bear in mind the words of Sir Walter Coutts, Governor of Uganda, to the Secretary of State, that he would personally ensure a satisfactory conduct of those elections:

- (1) Chiefs would pass between lines of voters and threaten them loudly that if any one of them should vote for the Hoe (D.P. symbol) he would be killed for he would have voted to remove the Kabaka from his throne.
- (2) Parties of women, supporters of Kabaka-Yekka, would be organised and stationed at polling centres. They would cry loudly for everybody present to hear, saying that they much regretted having cast their votes for the D.P. because they feared the consequences and they would beg the Chiefs to forgive them. (This was intended to frighten others who intended to vote for the Hoe symbol).
- (3) At Kyamulibwa, Gomb. Mut. X, Buddu, in Masaka, a Muluka Chief, Mr. A. Galabuzi, entered the polling booth and started to collect ballot papers which had been thrown to the ground and put them into the Kabaka-Yekka box. While he was there voters came in to cast their votes and he urged them to cast them into the box with the Chair symbol.
- (4) Election officials were given keys to the ballot boxes of their areas and a supply of sealing materials, and they had these things when they carried those boxes at the close of polling from polling centres to counting places. In some cases it

(1) I saw myself, with my own eyes, exactly the same thing happening at Kisubi polling centre, below Sario S. S. School.

Y. Torigny, W.F.

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would take these officials as much as three hours to transport Ballot Boxes from a place 3 miles away to the Counting Centre. (The position here was: they had the keys to the boxes; they had the seals; they were alone; and it was night time!)

(5) Certified Registers were not published until the day before polling, i.e. the 21st February. Some candidates did not receive these registers until about 5 p.m. on that day. This made it impossible for them to check whether all their supporters were on the register or not. This resulted in many people's not voting on polling day (22nd February). They did not vote either because (a) their names were actually not on the Register of Voters; or (b) their names were on but the officials told them they were not on; or (c) the names were on but their polling centres were changed from those of last year and the poor people had no means of finding this out. This, of course, applied to people who had voted the previous year and who were known to be D.P. supporters.

(6) A whole newspaper was found in a D.P. candidate's box. The question is: How did it get there?

(7) Names of voters were crossed off the Register by Miruka Chiefs on the pretext that they did not know those people in their areas. But the law was that once a name was entered on the Register the only power by which it could be removed from the Register was that of the Court, and this only after an objection had been successfully filed.

These are but a few selected cases. In order to show how widespread the complaints were, I have decided to publish the whole of the report of these irregularities as it was submitted to me and as I submitted it to the Governor, Sir Walter Coutts, on the 15th March 1962. It will be found at Appendix A.

On the 15th of March, 1962, I sent these complaints up to the Governor with the following Minute:

"Y.E.

I forward herewith 22 pages of irregularities so far reported at my Party Headquarters connected with the recent elections in Buganda:

2. I should be glad to receive Y.E.'s comments and any suggestions as to how you would like this Government to handle this problem.

Sgd. B.K.M. Kiwanuka
Prime Minister. "

It took His Excellency more than two weeks to give his reply. On the 3rd of April, 1962, he wrote to me a long Minute dealing with several matters including this one. On this one he said: "Most of these (irregularities) appear to me to resolve themselves into -

- ? (a) minor offences by individuals;
- ? (b) possible offences by returning officers."

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He said he "thought that the latter might have formed good grounds for election petitions." Who didn't know this? But did His Excellency realise that it required some 400/- (£20) as Court fees to file one election petition, besides money given to lawyers? What would be our Party expenses if we were to file all those petitions? And what about those "minor offences by individuals"? What would be the material use to us of prosecuting them? They had cost us countless votes and we had been defeated. There was one central question I wanted the Governor to answer: Were those Buganda elections satisfactorily conducted? If not, was he prepared to order fresh elections? What report did he give to the Secretary of State in connection with these elections? Was it true that they had been fairly conducted? To my central question I received no answer, nor did I get any to the remaining ones.

Again, besides those "minor offences by individuals" and those

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At Government House we informed His Excellency that we wanted Mr. Peagram to be relieved of his duties as Supervisor of Elections. He asked why and we told him. He promised to consider the matter and we left. A week or so later, on the telephone, the Governor told me that he was not going to disregard the unanimous request of the Cabinet. A few days later, however, he was on the line again:

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This was outrageous. What was wrong with these people? I summoned all my friends and I told them. We decided to meet at Cabinet level and send our decision up to Government House. Accordingly, on the 30th of March, 1962, the Cabinet met and the subject was Mr. Peagram. After our deliberations we agreed that:

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- (a) Mr. Peagram should be removed from the office of Supervisor of elections as the Cabinet had no confidence in him;
 - (b) His Excellency the Governor be informed of the Cabinet's view; and
 - (c) the Secretary of State also be informed of the Cabinet's view.
- We also agreed that we should publish the fact of our dispute with the Governor about Mr. Peagram. On that very day a copy of the minutes of our meeting was sent to the Governor. The following morning I wrote to him as follows:

"Y.E.

MR. PEAGRAM.

Yesterday there was an emergency meeting of the Cabinet to consider the position of Mr. Peagram. A copy of the Minutes was sent to Government House immediately. I understand that Mr. Powell-Cotton did send off to the Secretary of State the information that was relevant. You will find that we decided to publish this decision yesterday but I have not done so because I still feel that this matter should be settled without an appeal being made to the public. I hope that you will agree with the Cabinet and remove Mr. Peagram so as to save the situation.

2. Let me repeat that I attach great seriousness to this matter and I should most earnestly request you not to disregard our views this time.

B.K.M.K.

Prime Minister.

31st March, 1962."

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The main reason why we did not publish the fact of this dispute as we had decided was this: our meeting took place on Friday. At that time the Governor was on holiday at Mombasa. That is why Mr. Powell-Cotton, the Acting Deputy Governor, had to deal with the matter. The Governor was coming back to Entebbe on Sunday, April the 1st. Before we made this matter public we wanted to give the Governor a chance to consider the position himself. I did not want to show publicly that there was such a rift between the Governor and ourselves if I could help it. But unfortunately I myself was going away on a long safari that very Saturday when I wrote the above Minute to the Governor. A few minutes after I had signed it I left for Hoima in Bunyoro on my election campaign, from where I went to the Northern Province where I remained until the evening of Friday, the 6th April. On Saturday, the 7th April, the Cabinet met to consider the Governor's reply which he had written and sent to my office on the 3rd of April in my absence.

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The Governor's Minute was a long one, dealing with many other outstanding points besides this one of Mr. Peagram. Concerning this he said:

"Turning now to the position of Mr. Peagram himself, I agree that I informed you over the telephone that I ought not to disregard the unanimous request of the Cabinet. I did not in fact disregard it and considered the matter very carefully and made enquiries about the movements of other officers. For about a week I took no further action because at that time I was not certain whether or not the elections were going to be held in view of the Cabinet's decision not to advise the issue of the writs. After it became clear that the elections would be held I still had not received from you any clear indication of the allegation of bias which you made against Mr. Peagram. In fact you informed me that the wish of the Cabinet was enough, irrespective apparently of the justice of the case. I took the trouble to read through the pages of statements compiled by your Party regarding the Lukiiiko elections, which appeared to me to concern actions of returning officers and chiefs in Buganda. . . . In default of any evidence I have no reason to doubt either the efficiency or impartiality of Mr. Peagram, and, therefore, see no good reason why he should be removed."

(*) where photos needed etc.

So, the Governor had finally once again declined to play. As you will have seen, my Ministers and I had not wished to appoint a nominee of ours to run the elections. Rather, we had wanted a person in whom the U.P.C. and ourselves had complete confidence. There was absolutely no question of any "justice" of the case for we were not seeking to demote or dismiss Mr. Peagram. This position was a temporary one for Mr. Peagram and had nothing to do with his substantive appointment in the Uganda Civil Service. Why, then, did the Governor refuse to remove him? There was no evidence, he said. But what kind of evidence did he want? Do you need proof that the General himself failed to fire his gun at the appropriate moment before you remove him from his Command if his Army was found unprepared by the enemy or showed slackness in battle in the field? A General's duty is to train his officers and men and prepare them well for battle. Usually if this is not done, the reflection goes back to him and he is removed. No one in authority would listen in such a case to pleas by the General that the training of his officers was the responsibility of his colonels and that that of the men was of his Regimental Sergeant-majors or corporals. General Montgomery did not become Field-Marshal because he fired one hundred shots at the Germans in North Africa. He is famous because of the work of his Eighth Army. And probably the Eighth Army fought so well because of the wonderful strategic planning of General Montgomery. Both things must go together. A leader will not succeed if those he leads are themselves incapable of being led. Conversely, if the leader is bad, those he leads will achieve nothing because of their lack of confidence in the hopelessly inefficient leader they have been forced to work under. Any leader who is not prepared to accept responsibility for the acts of his subordinates is not worth keeping in the job.

History (Etc)

If Mr. Peagram accepted part of the blame for the Returning Officers or their Assistants whom he had appointed, as he ought to do, then our case was proved. Either he had not been careful in his selection of those officers, or he had not instructed them well enough as to what were their duties: what they could do and what they could not. The widespread nature of the irregularities did more than display that this was the case. If, however, Mr. Peagram felt, as the Governor did, that no blame attached to him at all arising out of the acts of his subordinates, our view was that, just as it is with a General who fails to prepare his army well for battle gets removed, so here he also ought to be removed from his work. We as a Government were answerable to the people. The people had no knowledge of Sec. 8 of the Order-in-Council. That Order-in-Council did not specify any particular individual. The wishes of many people in the country were that another person should be appointed. The Government of the day was of that opinion. It was quite clear to everybody that a considerable number of irregularities had occurred during those elections! Why not grant our wish? The Governor's answer that there was no evidence to warrant the request was

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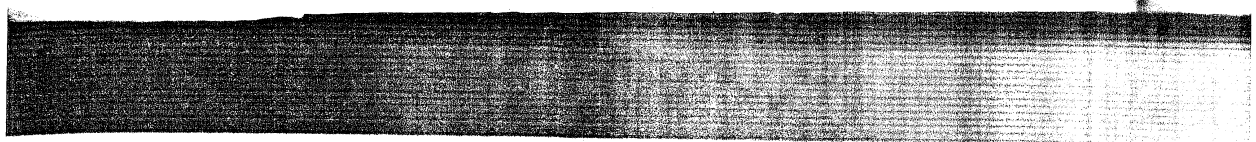
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very unsatisfactory to us; it remains so to this day and we will tell our children that the Governor's view was wrong. But now, what steps were we to take? Should we publish this dispute as we had decided on the 31st of March? The majority opinion was against this now? Why? It was now too late. What good would it achieve? Elections were on our hands within two week's time. The British public would not have had enough time to do any effective work on it. At the time when we made the decision publication was all right. We had three weeks. But the Governor was away and then I disappeared for a whole week. Nobody's fault, we decided, so let us keep quiet about it and hope for the best.

Some other suggestions were made. Couldn't we alter the method of election so as to eliminate any possibility of stealing or adding to the number of ballot papers? The method was a simple one: in the polling booth you place the various symbols of the candidates. The Presiding Officer gives an envelope to a voter who goes into the booth and chooses his symbol. He places the symbol in the envelope and brings it outside where there is a big receptacle and he throws it there. If he puts two symbols in the envelope only one is counted. If he puts in different ones, none is counted. He cannot use two different envelopes because everyone is looking at him when he throws them in. This was a wonderful method: it would cheat neither the U.P.C. nor the Democratic Party. But there was one snag - the method of voting was fixed by law of the National Assembly and we could not alter it without the National Assembly and the Assembly had been dissolved. So we could not use that method.

Any other safeguard to be thought of? Yes. Arising out of the information we had received, we realised that there were many methods through which ballot papers could be either stolen or added to. We wanted to suggest a remedy for each one of these methods.

There were two possible methods of which we had been told at that time: the first was that of forging ballot papers. We were told that a candidate who could manage to get a sample of the ballot papers to be used in his constituency could have copies of them made by a private firm of printers. He could also have a stamp made for him with the same dimensions as the one to be used by the Presiding Officer on polling day. He could then stamp as many of these forged ballot papers as would enable him to beat his opponent and distribute them among his ardent supporters, who would take the papers along with them, in their pockets, when their turn came to go and cast their votes. As each one entered the polling booth with the official ballot paper handed to him by the Presiding Officer, he would empty his pocket containing the forged papers into his friend's box and disappear, looking very innocent as he went out.

But here, we were told, the Presiding Officer must be a party to the conspiracy, otherwise the thing might not work satisfactorily. This is so because at counting time it would be quite clear that the number of votes cast exceeded by far the number of electors who actually turned up as recorded on the register of voters. The Presiding Officer, therefore, must be given a rough idea of the extra votes which might be cast in this manner so that he should cross out on the register a corresponding number of people. Who would go and ask them all whether in fact they went to vote or not, and who would know where all of them were? This was an excellent device. Take this as an example: three hundred people would turn up at Polling Division X to cast their votes and they would in fact do so. At counting time it would be found that the number of votes cast at that place was 450. Anybody complaining about this would be confronted with the Register kept at the time by the Presiding Officer showing that in fact 450, or, say, 500 people had voted because he had marked them so. Meanwhile, he would have torn off so many ballot papers and destroyed them. This may appear to be a very doubtful case to you but we did not want to take any chances. Supposing nobody took the trouble to count the number of voters. This could pass unnoticed. So as a remedy we suggested to the Governor that:

- (a) Party agents should be allowed to check the numbers on ballot papers before polling and after;
- (b) enough copies of the registers should be given to each candi-

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date so that at each Polling Division his agent could count and check on the number of electors. This would enable him to check at counting time whether the number of votes cast tallied with the number of people who presented themselves at the polling centre and actually voted. In this way Presiding officers would be frightened off and would refuse to be a party to any conspiracy as set out above.

The second method of cheating was only possible if Ballot boxes were made in such a way as to make it possible. It was suggested to us that some of the boxes must have been made in such a way that it was possible to open them by unscrewing their bottom part. Should this be the case it would be very easy for an Assistant Returning Officer collecting the boxes at the end of polling to stop somewhere on his way to the constituency headquarters, open box Y, take out a number of ballot papers and put them in box Z. This would avoid the complication of opening the box by breaking the seal and then re-sealing it afterwards, if you had the key and the seals with you. As against this, we suggested that the boxes should be tied up with wires to make it impossible to open them in the manner described above. Secondly, all the boxes should be carefully examined before polling to see whether there were any boxes with screwed bottoms.

We sent up these suggestions to the Governor and on the 6th of April Mr. Powell-Cotton, the Acting Deputy Governor, wrote me the following letter in connection with them:

"Office of the Governor
P.O. Box 122,
ENTEBBE, UGANDA.
6th April, 1962.

"The Hon. B.K.M. Kiwanuka,
Prime Minister of Uganda.

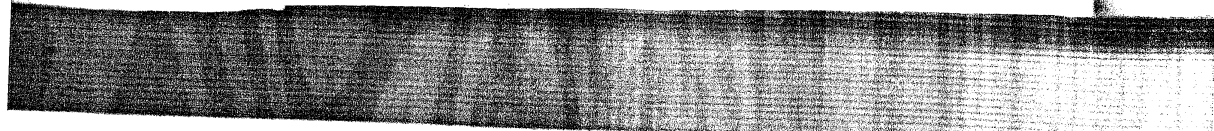
"I have been directed to refer to Cabinet Minute 64 (62) of the 27th March and to inform you that the points raised in this minute have been the subject of careful consideration by the Supervisor of Elections and in this Office. The results of this examination are set out in the following paragraphs to this memorandum.

2. It is considered most improbable that forged ballot papers could be used in the forthcoming elections. The Government Printer has been responsible for the printing of the ballot papers for all constituencies. Each set of papers has been printed on a different coloured paper, and has been provided with a security background of a combination of different colours. These combinations of colours are known only to the Government Printer, and ballot papers have not yet been delivered to Returning Officers. It would be extremely difficult, if not impossible, for any individual or party to arrange for the ballot papers to be copied after they had been delivered to the Returning Officers and before polling day. Furthermore, even if this were possible the security background of each ballot paper contains an arranged fault which is known only to the Government Printer, and it would thus be relatively easy to detect a forged ballot paper even if its general printing was an accurate copy of the general design of the ballot paper in question.

3. In relation to the suggestion that there could be major discrepancies between the number of persons given ballot papers at polling stations, and the number of papers counted in the boxes from each polling station, I would bring to your notice the fact that Presiding Officers have been instructed that polling agents can be told at any station during the day the number of voters to whom ballot papers have been issued. Similarly, at the end of polling day when the ballot papers account is made up, polling agents may be told the details that are entered on these accounts. With an efficient organisation, therefore, it should be possible for the polling agents and the Party organisation in each constituency

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agency to check on the number of ballot papers issued, as against the number counted both for the constituency as a whole and from each polling station. I would also observe that copies of the registers are available to each candidate, and also to political parties, and, in my experience, it has been normal for at least the more efficient of the polling agents to check off voters as they come in to vote. It is, of course, to be expected that there will be some discrepancy between the number of ballot papers issued and the number counted at the end of the day, including spoiled papers, since there is no way of ensuring that every voter who has received a ballot paper will necessarily put it into one or other of the boxes. Under no circumstance, however, should there be more ballot papers in the boxes than the number issued to voters, and any major loss would also be cause for enquiry.

4. All the ballot boxes which will be used in the General Election have been modified so as to render it impossible, or all but impossible for more than one ballot paper to be inserted at a time, or for papers to be shaken out of or removed from the boxes in any other way. It is agreed that it would be an added precaution if the boxes could be wired as described in paragraph 5(b) of the Cabinet minute. Unfortunately they are not designed so that wires could be passed satisfactorily around the boxes and secured at the bottom corner. Furthermore, the wire provided for the purpose of securing the lids of the boxes is already pre-cut into 8" lengths by the manufacturers. In order to wire the box completely it would be necessary to obtain 4" lengths of the same wire, and I understand that this will not be possible in the period remaining before polling day.

5. The construction of the boxes is such that it would be difficult to remove the bottom of the box, quite apart from the time that this would take, without this becoming apparent on examination. The bottoms of the boxes are in fact both nailed and glued, and the breaking of the glue should be apparent when the boxes are checked. I would add that all Returning Officers will be instructed when boxes are opened and the ballot papers counted to examine them carefully in order to try to ensure that none has been tampered with. Finally, as you are aware, polling agents have the right, if they wish, to seal boxes themselves and there will be no objection to the parties arranging for boxes to be wired and sealed in whatever way they wish, but if this course is adopted it is most desirable that the wire should be fixed sufficiently firmly to the box to ensure that it cannot slip and thus give rise to argument on arrival at the constituency headquarters, and prior to the count.

6. I would add that consideration has also been given to the possibility of applying a sealing compound to the joints at the bottom of the boxes between the sides and the bottom. The boxes have, however, already been distributed to constituencies and there are some 7,500 of them required for the General Election. It has therefore been found impracticable to obtain suitable compound in an adequate quantity for issue to the Returning Officers for application to all these boxes.

7. If the Cabinet has any further suggestions to make on this question of rendering the boxes more secure, they will be most carefully considered.

Sgd. C. Powell-Cotton.
Ag. DEPUTY GOVERNOR

I was satisfied about the point of screwable boxes. I also liked his assurance that "under no circumstances... should there be more ballot papers in the boxes than the number issued to voters, and any major loss would also be cause for enquiry." But this could not be detected efficiently unless Polling Agents received copies of registers to use as we had requested. It is true, copies of the registers are available to each candidate and also to the political parties, but each candidate is given only two copies and political parties received only one copy for each constituency. In some constituencies there were as many as twenty polling divisions. We had asked that at each polling division

we should have a copy of the register in respect of that division so that we could check the voters there. Probably the point was not well grasped by Mr. Powell-Cotton.

Para. 7 of the Governor's letter invited more suggestions from us, is any came to mind. We met on the 10th of April and agreed on a number of suggestions. The following day I wrote to the Governor:

"Y.E.

I send you herewith Minutes of yesterday's Cabinet Meeting concerning elections. Some time back the Deputy Governor wrote to me suggesting that if we had any suggestions to make regarding further regulations concerning elections, we should put them to you.

These are some of the points we could think of. There is one, however, which was not thought about at the time and that is, that people who arrive at polling stations before 6 p.m. should be allowed to cast their votes. The position at present is that if a man arrives at 4 or even 2 p.m. and he is not reached by the time it is 6 o'clock, the Presiding Officer closes polling at 6 o'clock, thus denying the right to the other people who have not been reached to vote. I feel that this is wrong, and we should try to correct it this time. I understand it is not the practice in the U.K.

I know there are at the present moment not many spare copies of the Registers, but I would ask that there should be as many spare copies as to allow each Party two registers at each polling division.

Sgd. B.K.M. Kiwanuka,
PRIME MINISTER.

11th April 1962.

The suggestions made were these:

- (a) That officers collecting ballot boxes should declare in advance the routes which they would follow when taking the boxes to constituency headquarters;
- (b) that there should not be more than three officers collecting these boxes in any one constituency;
- (c) that there should be only one person in the vehicle collecting these boxes;
- (d) that these officers should drive at a reasonable speed so as to make the pursuit of them by agents possible;
- (e) that candidates should be allowed to seal the boxes as they saw fit;
- (f) that Agents should have the right to check the number of people who had voted and compare the official register with theirs;
- (g) that where ballot boxes found in boxes at the count exceeded the number of people recorded as having voted, the voting should be declared null and void;
- (h) that Presiding Officers and party agents should have the right to enter the screened compartment if a voter remained there for an unreasonable period;
- (i) that where several ballot papers were found folded together only one of them should be counted as valid;
- (j) that ballot boxes should be stored after polling in rooms with only one door leading into each, and that such rooms should be inspected by party agents before boxes were placed therein;
- (k) that where a whole box contained no ballot paper at all, and the number of ballot papers found in the other box or boxes did not tally with the number of votes cast, i.e. if the number were smaller, then the story given to us that some people might use a certain kind of acid to destroy papers within the box without leaving any trace of this would be

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true; and we suggested that in such a case the whole voting should be declared null and void.

What did we suggest these measures for? The measure in suggestion(a) was intended to thwart those officials who thought that by driving very fast they could get out of sight of the agents following them, and then, by taking an unknown route, could stop somewhere and tamper with the boxes. Unless you knew the route the officer was taking, you could not tell whether he delayed unduly on the way or not, and since these officers had keys to the boxes and a supply of seals, the possibility of anything happening could not be excluded. In suggestion (b) the intention was to make it easy for parties to provide transport to follow every returning officer collecting boxes. It would be easy for a candidate to find 3 cars for this work in his constituency, but it would be difficult to provide more. The intention in suggestions (c), (d), (e) and (f) are straight forward. In (g) we wanted to hit at those with forged ballot papers, and also in (h) because it would take one a long time to put those extra ballot papers in. In (i) we wanted to hit at those who bought ballot papers from would-be voters and then themselves brought them and cast them in the boxes of their friends. Formerly it had been found that many ballot papers had been folded together and this suggested that the whole lot must have been thrown in by one person. In (j) and (k) the intention is straight forward.

Those points, together with the two which I had raised in my covering Minute of the 11th April were all answered together. This is what the Governor said:

"Office of the Governor,
P.O. Box 122,
Entebbe, Uganda.
14th April, 1962.

CSD 31

The Hon. B.K.M. Kiwanuka,
Prime Minister of Uganda,
ENTEBBE

THE GENERAL ELECTION

In His Excellency the Governor's absence in Karamoja I am answering on his behalf your minute to him of the 11th April and Cabinet minute No. 109 on this subject. I think that it will be convenient if I deal with the points which you have raised one by one:

1. Voting hours:

Although polling is normally due to cease at 6 p.m. and experience in elections hitherto has indicated that in most areas this gives more than ample time for all those who wish to vote to have the opportunity to cast their votes, there is provision in the Ordinance for Returning Officers and Assistant Returning Officers to extend the time for good reason. The Supervisor of Elections has already issued an instruction to these officers that they should visit all polling stations during the last hour or two, and that wherever they have reason to think that those waiting to vote may not be able to cast their votes before 6 p.m. they should allow an extension. This will apply, of course, only to persons who arrive at the polling station before 6 o'clock. I would add that the practice in the U.K. is for polling stations to be open between the hours of 7 a.m. and 9 p.m. but that no extensions are allowed after the latter hour.

2. Copies of the Registers:

The practice in this country, as in the U.K., is to issue to each candidate at nomination two copies of the certified registers for the constituency which he is contesting, and each political party is given one free set of the registers for all electoral districts. It should therefore be possible for all candidates' agents to have two sets of the registers applicable to each polling station at the polling station.

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3. The collection of ballot boxes:

I will comment on paragraphs (i) and (2) of Cabinet Minute No. 109 together.

It is considered that it would hardly be practicable for officers collecting ballot boxes to declare in advance the route which they will be following since this is likely to be affected by such considerations as the state of the roads, the weather, and any polling stations in which it may have been necessary to extend the polling hours as explained above. It is, however, agreed that Assistant Returning Officers and Returning Officers themselves will be requested to give such information as they can in advance to candidates relating to their plans for the collection of ballot boxes. Similarly, Assistant Returning Officers will tell polling agents on request at their arrival at each polling station their next destination and the route which they propose to follow. It is normally the duty of Assistant Returning Officers to collect ballot boxes and return them to constituency headquarters. In some constituencies covering a wide area it would not be practicable to restrict the number of officers collecting boxes to three in each constituency. It is most desirable that the boxes should be brought to the place at which the counting is to take place as soon as possible so that the count may proceed the same day, or so that the boxes can be left in safe custody overnight, and the count commence as early as possible the following morning. As I have already stated, however, Returning Officers and Assistant Returning Officers will be prepared to give as much detail as they can of the general arrangements for collection of boxes to candidates on request.

4. The method of collecting ballot boxes and the personnel to be used:

Similarly, I will comment on paragraph (3) and (4) of Cabinet Minute No. 109 together.

Following discussions with both the main political parties, I understand that it was agreed that there should be two persons in the vehicles collecting ballot boxes, and instructions to this effect have already been issued. To cancel these at this late stage would, I am sure, give rise to much discussion, and I feel to considerable suspicion. Moreover, I would suggest that there are practical considerations against the carriage of ballot boxes in a vehicle with only the driver in it. It would be extremely difficult for this officer to deal with any breakdown or mechanical emergency, and at the same time to watch the boxes which have been entrusted to him. Further, while I fully realise that this is a matter of opinion, I suggest that if there is any suspicion that the boxes may have been tampered with, it will be the more difficult for a driver, who has been alone, to satisfy his accusers that he has not, in fact, tampered with the ballot boxes. The instructions issued have proposed that the officer accompanying the Assistant Returning Officer should be, preferably, a policeman, or alternatively a Presiding Officer, Polling Assistant or Chief. As stated above the intention is that the boxes should be collected as quickly as possible, but it is agreed that Assistant Returning Officers should make their route known to Polling Agents and to candidates so far as it may be practicable to do so in advance, and that they should drive at such a speed as to enable those Polling Agents and candidates, who have vehicles, to be able to follow them if they wish. There can be no question of Assistant Returning Officers being required to drive at such a speed as to enable cycles to keep up with them.

5. The sealing of ballot boxes:

This matter is controlled by Section 44 of the Ordinance and it would not be practicable at this time to vary the provisions of this section. You will observe that under Section 44(1) the candidates or their agents may affix their seals to these boxes

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There is no authority in the Ordinance for any other form of safeguard to be adopted, and it is therefore not practicable to permit Polling Agents to safeguard boxes in any way other than by placing wires or a cord round the boxes and sealing them with a recognisable party seal.

5. Records of voters:

I have discussed above the question of the provision of registers at the polling stations and there should be no difficulty in the Polling Agents having at least one register and if they wish two, in order to check those who have voted. The appointment of Polling Agents is controlled by Section 36(1) of the Ordinance and, as you will observe, their sole purpose under this section is to detect "personation". There are no powers under the Ordinance to permit Polling Agents to sign the marked copy of the registers and indeed under Section 50(1) there is a direct prohibition on polling stations' staff divulging anything more than the total number of voters who have applied for ballot papers and have voted. This, of course, they have instructions to do on request.

7. The number of ballot papers as against the number of persons who have voted:

The Ordinance does not grant any power to a Returning Officer to declare voting to be null and void at any polling station. It is, of course, agreed that the number of ballot papers found in the boxes should not exceed the number of people who have voted and I would only comment that any substantial excess would clearly support an election petition to the High Court.

8. Undue delay in voting:

It is the duty of the Presiding Officer who controls the polling station not to delay, and ensure that voters vote as quickly as possible. Presiding Officers have been instructed to be on their guard against voters taking an unreasonable time inside a screened compartment. They are not, however, entitled to enter the screened compartment while a voter is inside, having gone there to vote, since to give them this right might cause doubts upon the secrecy of the poll. In practice this is clearly a matter in which the Presiding Officers must use their discretion, and I have no doubt that they will do all they can to ensure that there is no undue delay in voters casting their votes, and, if necessary, will take appropriate action.

9. Folded ballot papers.

I regret that I do not think that it would be possible, or practicable to adopt the Cabinet's suggestion in paragraph (9) of the Minute. In the first place it is doubtful whether there is legal provision for this as the grounds on which a Returning Officer may reject a vote as invalid are clearly set out in the Ordinance at Section 46. Further, tests have been carried out which have shown conclusively that even when ballot papers are inserted singly into a ballot box folded in two, and the box is subsequently shaken, as is inevitable both when it is sealed and on its journey to the place at which the count is to be held, papers tend to open slightly and to lodge one within the other. It is quite impossible to distinguish between such papers and those which may possibly have been inserted at the same time folded together.

10. Security of ballot boxes:

It is agreed that the ballot boxes should be kept in the most secure store available at the constituency headquarters. The proposals made in paragraph 10 of the Minute have been noted and wherever practicable will be adopted. The arrangements for the security of ballot boxes is a matter under the Ordinance for the Returning Officer and it is the invariable practice for a police guard to be mounted on them after they have been locked into a secure store. Similarly, it is customary for the party agents to be given all reasonable opportunity to satisfy themselves as to the arrangements made for the safe custody of the ballot boxes overnight, and if they wish, themselves to watch the store throughout the night. I am, however, emphasising that the responsibility is that of the Returning Officer and he must act in his discretion, and not

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not necessarily follow the wishes of any candidate or agent.

11. Destruction of ballot papers.

I regret that I am unable to comment on the possibility of destroying papers by pouring acid in a ballot box, and the likelihood of this being applied in this country. I think it most unlikely that ballot papers could be destroyed in this manner without evidence of such destruction being found in the ballot box concerned when it is opened at the count. This circumstance would clearly support any election petition to the High Court which might be lodged. It is again not a matter in which the Returning Officer could take a decision, but in my view it is clearly a matter for the High Court, if, as I would expect, it formed the basis of an election petition.

Sgd. C. Powell-Cotton.
Ag. Deputy-Governor.

That was the last correspondence from the Governor's Office on this subject. We had done all we could to ensure fair play in these elections, but as the reader will have noticed the power to put these measures into practice had been taken away from us by an Order-in-Council and given to the Governor. Sec. 8 of the Order-in-Council in question reads as follows:

"The Governor, acting in his discretion, may give to any electoral officer such directions with respect to the supervision or conduct of an election of an Elected Member of the National Assembly as appear to him to be necessary to ensure the impartial discharge of the functions of that officer and any such officer shall comply with any such directions or cause them to be complied with.

(2) Where any power is conferred on the Governor to appoint a person or to remove a person from an office the functions of which are the general supervision of electoral officers that power shall be exercisable by the Governor acting in his discretion.

(3) In this section 'electoral officer' means a person holding or acting in an office the functions of which involve the supervision or conduct of elections of Elected Members of the National Assembly.

(4) This section shall cease to have any effect on the day upon which the National Assembly first meets after the first General Election of the Elected Members of the Assembly."

For those who are not acquainted with affairs of this kind let me explain what the effect of this Order-in-Council was. The constitutional position in Uganda after the 1st of March, 1962, was that wherever in our laws a power was conferred on the Governor to do a certain thing that power was exercisable only with the advice of the Cabinet or the Prime Minister unless it was specifically stated that the Governor was to exercise such power 'in his discretion.' Where this was the case the Governor exercised the power so conferred without consulting the Cabinet or the Prime Minister. Sec. 3

(1) of our Legislative Council (Elections) Ordinance, 1957, under which the Supervisor of Elections is appointed here merely states that "The Governor shall appoint a Supervisor of Elections and may appoint a Deputy Supervisor of Elections." There is no 'in his discretion' and the effect of that is that during the period of Internal Self-government, Mr. Peagram could not be or remain Supervisor of Elections unless I consented. The Governor knew that I would not consent to keep Mr. Peagram as Supervisor of Elections after the 1st of March. In order to get round this difficulty, then, he asked the Secretary of State to get an Order-in-Council signed by Her Majesty the Queen taking away our powers so that in this election the Governor could do what he liked. My Government would never have employed Mr. Peagram as Supervisor of Elections had the power to appoint this officer not been taken away from us by this Order-in-Council. We would have implemented all those suggestions we made to the Governor to ensure the fair running of the elections, but as you will have seen most of those suggestions were rejected by the Governor for one reason or another.

On the 26th April, 1962, the results of our elections were announced. The Uganda Peoples Congress had received 37 seats as against 22 of the Democratic Party. Two other seats later also went to the Democratic Party

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These were the Toro seats where elections took place after the 25th April. The U.P.C. had won. There was great jubilation, naturally among their supporters. But what had actually happened on that day of elections? Many of the dreadful things which we had feared might happen did in fact happen:

Returning Officers or Assistant R.O.'s were given keys which could open ballot boxes and again seals were allowed to remain in their possession throughout.

Many of them were not followed by party agents because more than three of them were appointed in some constituencies and candidates could not find enough vehicles to accompany each of them. Where it happened, where we failed to accompany the boxes, we cannot tell what did and what did not happen.

Voters who had been present at polling centres before 6 p.m. were sent away at 6 p.m. when Returning Officers closed polling.

Some ballot boxes were kept by chiefs in their houses until morning when they took them up to counting centres.

In one place, Atyak, in Acholi, Northern Province, D.P. supporters had to threaten to beat up the election officials when they attempted to close polling at 6 p.m., thus denying all those people the privilege of casting their votes when they had arrived at the place long before 6 p.m., and here voting continued until about 8 p.m. Why did those officials wish to close down polling at 6 p.m. when all those people were still there? Hadn't we warned the Governor about this point? Had he not assured us that "The Supervisor of Elections has already issued an instruction to these officers that they should visit all polling stations during the last hour or two of voting, and that wherever they have reason to think that those waiting to vote may not be able to cast their votes before 6 p.m. they should allow an extension. Perhaps that instruction had not reached these officers. But, the question was the value of that assurance to us? Mr. Peagram could indeed have issued that instruction and probably had a copy on his file which he could show to everyone who might wish to enquire about it, but what is the use of issuing instructions unless you will make sure that they are received at the other end and that they will be followed? Do you, friend, still doubt our wisdom in complaining, when we did, about the conduct of these elections? Can you say, in view of what happened that these elections were satisfactorily run? We have filed several petitions this time. When they are decided we shall all be able to form a better opinion of what took place on the 25th of April, 1962. But meanwhile I say that the intimate knowledge I have of these matters leads to one conclusion alone and that is that these elections were like those in Buganda in February, a farce and nothing else.

WHY DID IT HAPPEN?

A few days ago, when Mr. William Senteza-Kajubi, a Lecturer at Makerere and an Adviser to me as President-General of the Democratic Party, came to see me here at my invitation I told him about what I was writing. He felt unconvinced and asked me: "But why should all these people do these things to us?"

I then related to him what a White clergyman told one of my supporters at Mukono, Kyaggwe, Buganda, (not knowing him to be such of course). He said that British officials here were against the Democratic Party. The reasons were, in the main, three: Firstly, it is believed among them that the Democratic Party, because of the label of 'Catholic' attached to it by its enemies, will not recognize the Queen as Head of the Church in Uganda. Since the majority of British Officers serving here belong to what we know as the Church of England, they naturally sided with the Party which opposed us, namely, the U.P.C. Secondly, these officials felt that after independence I was likely to favour Western Germany and/or the United States of America in my trade relations rather than Britain. Thirdly, they felt also that I had failed to give them satisfactory guarantees

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about their future here. I told Mr. Kajubi that I had no control over a man's freedom to think and talk as he liked. Those people could talk like that, and from talking like that they could proceed to work against us as, indeed, it was clear they had done. But were those allegations true? True or not true, I told Mr. Kajubi, those people believed such things and that was enough. Hitler and Mussolini thrived on deceit in their time. Russian leaders have managed to do so for longer than the other two gentlemen. When you are desperate you can, if you are weak, resort to deceit to achieve your end. But this cannot be considered to be a permanent solution. People cannot be deceived all the time. It is only possible to deceive them for part of the time. Our opponents were desperate. They wanted to come to power by any means. They were badly organised as a party, and were not capable of reform because of the deep distrust rampant among the ranks of their leaders. Left to themselves in the field fighting against us, they were sure to be beaten hands down. Their advisers, our chief enemies, having realised this, saw that the best way of retrieving the situation for their proteges was to turn people against us by putting about those unfounded charges against our Party and myself.

But, now, what is the truth about those charges? I shall start with the last two, for they are the simplest.

To begin with the third of the three points: here I can only say that nothing but malice can be the motive of anybody who levels this charge against me or my party. Nobody could give better guarantees to the British Civil Servant than the provisions which we accepted under the Compensation Scheme for these officers. The desire to Africanise the Service cannot be said to be confined to the Democratic Party. If anything, one would have expected some expression of gratitude from these officers to us of the Democratic Party for having been successful in obtaining from the British Government the necessary funds to enable this scheme to come into force. Those who will stay after independence we have told that they will have the same (if not better) conditions of service as at present. We definitely said that we would not alter a man's conditions of service before the end of his contract or during his tour as the case may be. What more guarantee could we have given?

As to the second charge: it was wrong to say that I had any pre-conceived ideas about our future trade relationship with foreign countries. Whether we would trade with country X, Y or Z would depend not on personal considerations of an individual but on commercial factors obtaining at the time. It is true the U.P.C. opposed my going to the United States to raise loans there and they also talked a lot about my intention to bring Germans here to work as civil servants. But all this talk was simply idle. I went to America not because I was a member of the Democratic Party. I went there as leader of the Uganda Government to talk with the World Bank officials concerning recommendations which had been made by a commission appointed by that body to consider our economic development. The World Bank was established to help countries such as ours and I can see nothing wrong in borrowing money from it. I also talked with officials of the State Department of the United States Government. But what was wrong with my doing this? Almost all countries in Western Europe go to these people for help. Why not Uganda? If Britain cannot give us the help we require, what are we to do if we are not to go to those who can?

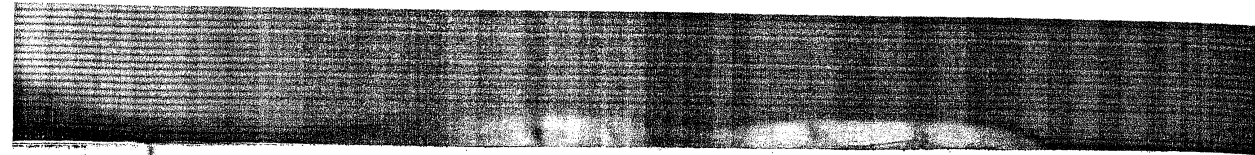
To Germany I have not gone for financial help although it was my idea to go there as soon as possible after the elections if we were returned to power. But I was not going to go there because I did not want to get help from Britain. It was simply because Britain at this time is not in a position to give the kind of help we require. Our association with Britain is so involved that it is not easy or prudent to break it in the way my opponents suggest. Our principle was to get as much help from Britain as she can give, but for the rest to look elsewhere amongst our friendly neighbours, and Germany and the United States were the two outstanding countries which could

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ive help to countries such as ours on more reasonable terms than other countries. There was absolutely no substance in the allegation that I intended to invite Germans to serve here as civil servants. I never knew that there were in Germany such people. The language factor alone would stop many of them from coming even if there were some who would like to. I did not talk about Africanisation by way of joking. If I were to call upon a British Civil servant to quit his job because I wanted to give it to an African, I would give it to an African and nobody else. So the question of inviting Germans or any other foreigners to come and take jobs from our present expatriate staff has never even so much as entered our minds. This of course does not apply to technicians in certain fields of work. But then here we have not talked about Africanising those jobs. But if the holders of those posts left the country before we could get our own people to fill their places, we cannot be told where to get our replacements. We would make our own choice and I see nothing wrong in that either.

(Now we come to the main charge. This, in my view, is the most important reason why many of these officers worked against us. But is the charge substantiated? No. How can it be since in Uganda we have never had a State religion? The headship of the Church of England in England was established by law and the matter has nothing to do with Uganda. Those who belong to the Church of England know who their Head is, just as those who are Roman Catholics or Mohammedans know who their different Heads are. We have never had as one of our aspirations the control of religious beliefs in this country. If anything we strive to establish to the fullest extent religious freedom. I do not think British policy here over the years has aimed at this as its goal. When you consider the manner in which civil service jobs were dished out to members of our different religions, and the manner in which scholarships were awarded to our children in the past, you find that although all along there was talk of freedom of religion, in fact there was no such thing in Uganda. If a man's application for a scholarship could be turned down because of his religion, and a job denied to another for a similar reason, can you say that there is freedom of religion in such a place where these things happen? And yet until, I believe, we took over power here this was the order of the day in Uganda. During our time we dismissed the old Scholarships Selection Committee and appointed another to be in line with our own aspirations. Because of our desire to eliminate all religious bias in the award of scholarships we appointed to that Committee the three Secretaries-General for the three religions here, namely the one for Moslem Schools, the one for Catholic Schools and the one for Protestant Schools. We then appointed four politicians to sit on that Committee, two coming from the Democratic Party and two from the U.P.C. and these were selected in such a way that each of the four Provinces was represented by a politician.

Our political outlook has been one of complete integration. As I have said on several occasions before, the charge that we are a 'catholic' party is completely unfounded. It has been said that I am an ardent Christian, or, to put it more bluntly, Catholic. This may be so, but I am not a bigot. I cherish Christian principles because I am convinced that they are the best for human society. We need not argue this point since I am not engaged in teaching religion here and I am only expressing a personal belief. Let it suffice to say that our principles in the Democratic Party are based on the idea of tolerance and fair play. If my neighbour goes to Church on Saturday instead of on Sunday as myself, what of it, as long as he does not prevent me from going on my own day? These are matters of the soul and each one of us has his own soul to save. There are those whose duty it is to look after the salvation of the souls of others, but I am a politician and on the political battle-field I face all sorts of people: Pagans, Moslems, Hindus, Christians, and any other category of men and women. I ask them to work with me for the good of this country. I want peace, prosperity and stability of government.

The people with whom I am associated in the hierarchy of the Democratic Party are not all pagans, nor are they all simpletons in their own religions. Mr. Stanley Bemba, our Treasurer-General, a Protestant

and one of the most devoted and prominent members of the Democratic Party, performs special functions at his Church on Sundays. The Sheikhs of the Moslem religion who are our members are leading figures in that religion. If anybody, anywhere in Uganda, was working to establish one religion as the religions of Uganda, he must be told at once that he is wasting his time. Conversely, if another was working to exterminate all religions in Uganda so that we may have a religionless society, he also should be told that he is heading for trouble. The people of Uganda love their religions and they will not easily give them up.

About this whole question of religion, my view is that we should stop all these quarrels amongst ourselves. Instead, we should make it our task to struggle jointly for the practical realisation of Christian principles in public life. Non-Christians should have no cause for alarm, and from their behaviour in the past, I have no doubt that they have already shown that they have no fear at all about this; for it is better, even for them, in public life, to have set standards of life than to belong neither here nor there. We shall not interfere with the manner of worship of other religions. But we all: Pagans, Christians, Hindus, Moslems and others must have standards applicable to the majority of us in this society of ours. Many European nations are declining in many aspects of life because they have taken to a life which is led neither by Christian, Moslem, Hindu, Buddhist, nor by any other known principles, but by principles arrived at ad hoc by individuals. As we build Uganda we should try to avoid the mistakes of old nations.

Lack of principle is always a bad thing. British policy here has, in my opinion, failed to a certain extent because of Britain's failure to follow one consistent plan for Uganda. At one time we were one of the happiest colonies in the British Empire. Today we present more complicated problems than many other colonies. The concession to Buganda of the right to indirect elections by the Lukiiko marked the highest degree of political chicanery so far known under imperialism. The present vacillation over the Lost Counties issue is yet another indication of the same thing.

Cardinal Newman

About a hundred years ago an Englishman was writing in England: "We Englishmen like manliness, openness, consistency, truth." Card. Newman ('Apologia' p. 85). But now where is this openness? Where is consistency in policy? Where is truth in ordinary dealings? Where is manliness? Expediency has replaced principle and this has been the cause of all our troubles here. If we are to have democracy, let us have it in full. In British Guiana, in 1953, people were told to vote for the candidates of their choice. The wrong Party was voted into power as a result. What happened? The British Governor suspended the Constitution to prevent the leader of that party from forming a government. In Uganda we are urged to have elections throughout the country. The "wrong" party wins. What happens? Fresh elections are ordered the following year and the method of election is changed in such a way that that party cannot win. Who does not know that the shameful trick of indirect elections was conceded to the Lukiiko in order to deprive the Democratic Party of its 20 seats in Buganda? And now, why all this indecision over the Lost Counties? It is a desire to prevent a crisis in the hocus-pocus alliance between U.P.C. and Kabaka-Yekka. But can Britain grant independence to us in this state of affairs? Does she feel that the whole of Uganda is happy with her dealings in this country at the present moment? Is she herself happy about her own work here in Uganda to-day? I do not think that any of those questions can be answered in the affirmative. Britain will be judged to have been unwise by mankind if she grants independence to Uganda before the Lost Counties issue is finally decided. And, speaking now for the Democratic Party and the silent element of the more law-abiding citizens of Uganda, I say that it will be a gross act of injustice to us all to grant independence to Uganda with the right of indirect elections still in the hands of the Lukiiko of Buganda. This is an instrument with which democracy will be killed in Uganda and it must be withdrawn. We opposed it when it was first suggested; we have opposed it ever since and we mean to oppose it relentlessly until it is killed.

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I have said that Britain will be judged to have been unwise in granting independence to Uganda before she has settled the Lost Counties issue. But this does not mean that history will remain silent on the good work that has been accomplished here in Uganda by British Administrators and their associates during the time of their rule here. When one looks at our hospitals, our schools, our roads, and the general wealth of the African in Uganda as compared to our fellow-African in the neighbouring territories, one cannot fail to get the impression that Britain has done some good work here. Those people who have given of their best by coming to work among and for us here we shall never forget. At times misunderstandings had to occur, but these things happen in any society and they must be forgotten. My present worry is that I see all this good work falling to pieces during these last days because of our present problems if Britain means to withdraw before they are solved.

OUR STANDPOINT.

Since the elections the Democratic Party has been threatened with extinction by our opponents. The U.P.C. have not been as explicit as Kabaka-Yekka. In Buganda Kabaka-Yekka have not stopped at talking they have started, as I have already stated in this story, to kill our followers and to rape our women supporters. These are the acts of barbarians, but in a statement that I issued some time back I demanded that those acts be stopped immediately. The Democratic Party has no intention of running its political warfare by barbaric means, but no one should delude himself that we shall sit back and watch those atrocities being committed on our people and remain quiet. The desperate can only survive by taking desperate means. We are a political party and we shall remain here for ever. No amount of intimidation will shake our determination to remain what we are and to keep the PRINCIPLES we hold. This kind of behaviour on the part of our opponents shows one thing and that is that they are very weak and cannot stand up to us if we work peacefully. They resort to violence to frighten away our followers. But in politics that kind of behaviour never succeeds. In this game the main thing is not to frighten away your opponent's supporters but to convert them to your side. Killing or raping them will not drive them to but only away from you.

In Buganda our opponents have taken advantage of the gullibility of our people and they have used the name of the Kabaka to attract votes to themselves. The poor people believe today that their leaders are fighting for the Kabaka when in fact they are doing nothing of the kind. But the day cannot be too far distant when the Baganda will come to realise that all that is happening to them is mere exploitation of them by ruthless political job-hunters whose only interest is self-aggrandisement. As Mr. Obafemi Awolowo has said in his 'Path to Nigerian Freedom': "That day will be the beginning of sorrow for those who have exploited the credulousness of their fellow men.... The lesson of history is that extremity of deception always produces extremity of disillusionment and reaction." (p. 78)

A lot of imputations have been heaped upon me here in Buganda. My opponents will say that I am the enemy of the Kabaka; I am a dictator; I am the enemy of Buganda as a whole, etc. etc... But all these charges are not true and I am not perturbed. Whenever one proves to be too strong for an opponent, one has to expect fabrication of this nature. Two thousand years ago Our Lord was persecuted by His own people in Judea. They paid no heed to His warning: "Every kingdom divided against itself shall be made desolate; and every city or house divided against itself shall not stand." The Jews killed Him and Judea became a desert. I have told my friends that this internecine strife within Buganda will result in nothing but desolation for Buganda. As for me, I am ready for anything. Following Pandit Nehru of India I have been preaching to my followers: "Imbibe the spirit of invincibility." How, then, can I myself succumb to intimidation? With Booker T. Washington I say, "Nothing ever comes to one, that is worth having, except as a result of hard work." (Up

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from Slavery p. 188). If we want democracy in Uganda we have got to work for it. We should be prepared even for death itself. Buganda plays a very big role in the affairs of Uganda. If there is to be the complete eradication of democracy in Buganda, the disease will spread to the whole of Uganda in no time. Accordingly, those of us who are for ever wedded to the cause of democracy have sworn that we will not flinch from any danger for her sake. As Hitler once said, "A man of real political ability will refuse to be the beadle for a bevy of footling cacklers." The Democratic Party is not a bevy of footling cacklers and I do not intend to turn it into such a body. "D.P." as we are called throughout the country, is an organisation of serious-minded men and women whose sole intention is to do good to all in Uganda and in the world. We shall not rest until our principles have been firmly established both in Buganda and in Uganda. No power under the sun will be able to turn us away from this noble path, for hasn't Gandhi said, "... it is possible for a single individual to defy the might of an unjust empire to save his honour..... and lay the foundation for that empire's fall or regeneration"? If one man can achieve this, how much more can so large a band of people as the Democratic Party? This is the spirit in which we are fighting today. This is the spirit in which we shall ever fight, struggle, and, if necessary die, but, in the end, triumph.

I have already mentioned the problems of the 'Lost Counties' and that of 'Indirect Elections' in Buganda. I consider these to be two very important and dangerous problems which Britain should solve before she withdraws from Uganda. As to the 'Lost Counties' issue: Lord Munster's Commission inquired into this dispute between Buganda and Bunyoro and this is some of what the Report of that Commission says about the dispute -

"244. The 'Lost Counties' form a long-standing source of dispute between Bunyoro and Buganda, attributable partly to the wars of the 1890s and partly, perhaps, to the rough and ready manner in which the administrative districts of the country had to be formed originally. The disputed area comprises the 3 counties of Mubende district (Buyaga, Bugangazzi and Buwekula), parts of the counties of Singo and Bulemezi, and the whole of the counties of Buruli and Bugerere... These are now part of Buganda, and are so defined by the Buganda Agreement, 1900. But formerly they were either part of Bunyoro or subject to her rule, and Bunyoro has never abandoned her claim to recover them."

"248. There is also a distinct danger that the dispute over the 'lost counties' might become a casus belli involving other parts of Uganda. Bunyoro has strong traditional connections with the tribes of the Northern Province, which in general are hostile to Buganda's pretensions. It is possible that the north would support Bunyoro against Buganda and that civil war would result."

"254. We are clearly of opinion that a determined effort should be made, before the end of the Protectorate, to work out a solution for the lost counties dispute on the basis of self-determination, taking account of present facts rather than of past history. This was also the opinion of several important witnesses who were quite impartial. We therefore recommend that there should be a referendum in the two counties where the strength of Bunyoro's claim is unquestionable, and we are inclined to suggest that it should extend to one more county to be chosen by Bunyoro...."

At the London Constitutional Conference which considered Lord Munster's Report last year, the question of the 'lost counties' was left out. The Chairman informed the Conference that the best way of solving the problem was by appointing a separate and independent commission to go into the matter and make recommendations. Later

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that year the Prime Minister of the United Kingdom appointed a Commission of three Privy-Councillors headed by Lord Molson to inquire into this matter and the Commission was asked to make recommendations with a view to arriving at a final settlement. Lord Molson's Report at para. 79 says this:

"We must state plainly that if the appointment of our Commission does not improve matters, it will make them far worse. Our appointment was almost the first recognition by Her Majesty's Government that the Banyoro have a case and that it should be impartially examined. Our report finds that a substantial part of the Banyoro claim is justified. If these claims are not met in the near future, obviously the situation will be far more dangerous than in the past. We proceed therefore to make recommendations as to how the dispute should be settled."

Having said that, they go on to recommend that "Buyaga and Bugangazzi sazas should be transferred to Bunyoro, subject to guarantees of individual rights. We propose that there should be no change in the status of the territory to the east of Mubende District." H.M. Government in the United Kingdom has now studied this Report. Their decision? "It is up to Buganda and Bunyoro to sit together and reach a settlement," they say. Can you believe it? But Buganda has thrown back the ball to Britain. "We will not negotiate with Bunyoro," they have declared and the door is closed finally as far as they are concerned. Where, now, do we go from here? I have always said that this was not 'our' problem to settle. It is quite unfair to regard it so. It is a problem for Britain to settle before she withdraws from here. I must state categorically that no one here in Uganda will ever forgive her if she leaves this big problem on our hands. Our desire here is that on Independence Day we inherit peace and not problems of this magnitude created but not settled by Britain.

Now to the second problem: 'INDIRECT ELECTIONS IN BUGANDA.' As I have already said, this device is an instrument with which the flames of democracy in this country might be finally extinguished. It is completely unfair and grossly inhuman for Britain to propose to withdraw from here, having disenfranchised two million people of Buganda. It is not enough to say that the people of Mengo asked for this system. It is necessary also to justify it. Are we to understand that if any other Local Council were now to object to direct elections and to ask for indirect elections this request would be granted to it? If not, on what basis does Britain grant in perpetuity, as she has done, this privilege to the Lukiiko? If the purpose of this favour was to enable our opponents to get us out of power, the object has been achieved, and let us, therefore, revert to our normal arrangements which will ensure stability of Government in this country. To grant independence in this state of affairs will be to create another casus belli in Uganda. Trouble is bound to come over this issue as we are not prepared to sit back and see our political rights tampered with in this manner any longer. What Britain preaches she must also practise. The struggle against this indirect elections system may cost us much, but we will pay any price for our rights. A representative member represents those people who elected him. At present the 21 members from Buganda represent the Lukiiko. This is a situation which cannot go on much longer.

In conclusion I repeat that if Britain wishes to withdraw from here with honour she must settle the 'Lost Counties' issue immediately; and she must inform Mengo that there shall be no repetition of indirect elections through the Lukiiko in any future elections to the National Assembly. If these two things are not done before the granting of independence to Uganda next October, all the magnificent work that has been done here during the last 70 years of our association with Britain will be destroyed and it will be a big problem for a long time to have peace and stability in this country.

THE END.

APPENDIX.

IV.

IRREGULARITIES IN POLLING IN LUKIIKO ELECTIONS 1962.I. NGOGWE Constituency.

Polling Centre:

Muluka Mut. III, Gomb. Sabaddu at ESSI.

Ignatio Kigudde exposed DP Ballot Box and threatened, "Anaasuula muno mpozzi ng'anagenda ku mwezi", i.e. "Unless you go to the moon you will have it if you vote for the DP."

Witnesses: Silas Kamyuka - Candidate & Polling Agents at Essi.

II. KANGULUMIRA, Bugerere.

a) Polling agents disallowed throughout constituency for first 2 hours
 b) Presiding Officers and assistants urged voters to vote Kabaka Yekka
 c) Presiding Officers guided voters in voting under pretext of blindness.

d) Chiefs threatened to behead those who voted for DP. They were directed to vote for Kabaka Yekka.

Report by George Musisi of Kangulumira.

III. COMBE(i) Sowedi Kasule:

a) Muluka Chief Sabawali, Gomb. Mut. II, Mr. A. Sebagala instructed Mr. Haluna Kalanzi to campaign for Kabaka Yekka at Matugga polling station. Kalanzi passed in between the lines and urged voters to vote for "Chair".

Witnesses: Sowedi Kasule, Petro Salongo & Yozefu Kakande.

(ii) By Petro Lwanga, Kawanga, Kyaddondo:-

a) On 21/2/62 Gombolola Chief organized a public meeting at Kawanga to advise voters on polling.

He threatened at the meeting "to deal harshly with those who would vote for DP." He said they would photograph voters and find out which way they voted.

Witnesses: Petro Lwanga & Y.B. Musoke.

b) On 22/2/62 a mechanic Mayanja of Muluka Mut. I photographed voters in their lines and he did so again outside the polling centre. He then told them that voters would now be identified.

c) Mutongole Chief, Mr. Luya, urged voters to vote Kabaka Yekka.

(iii) Mansana polling station.

By A. Kitaka.

a) Symbol of Kabaka Yekka displayed on cars which came to polling station e.g. those of Kizito, Baker.

b) Chiefs passed between the lines of voters and showed them the "chair" symbol.

c) Presiding Officer guided voters into booth etc. under pretext of blindness.

Report by Luyima (Candidate)

a) Kavule polling station, Luyima found car URE 205 parked with "chair" symbols, Kabaka Yekka flags etc. near the line of voters.

b) Kazo polling station, car UFP 270 parked 20 yards away from station with chair symbols.

c) Kawempe polling station, cars URX 953 and UFY 876 were parked near station with "chair" symbols. These cars were reported to Kawempe Police.

(iv) Report by Lawrence M. Serumaga, Kawempe, Muluka Mumyuka, Gomb. Mut. II Kyaddondo:-

a) Campaign by Batongole Chiefs to all householders admonishing them to vote for Kabaka Yekka - in Chair.

b) Batongole chiefs threatened people that if they cast their ballot papers in box of hoe they would be photographed and after being found out they would be persecuted after elections.

c) Lawrence Serumaga was advised by the Presiding Officer to cast his ballot into the "Kabaka's box" as he was a Muganda.

d) The DP polling agent at Kawempe was sent away.

V.

VI.

IV. KITWE constituency

(i) By Samson Nsubuga.

Polling Centre: Mengo Social Centre.

a) Campaigning by Legal Officer Mr. F. Mpanga in lines on polling day. He urged to vote Kabaka Yekka.

b) Transparent curtain (bugibugi) so that voters could be seen voting. Mutongole chief, Siristini etc. sat facing the curtain.

c) Display of "Chair" symbol within 400 yards from station on Kabaka's car and Mr. Kulubya's car.

d) Batongole chiefs summoned people at night and urged them to vote Kabaka Yekka.

(ii) By Joe M.B. Kasujja-Mulindwa.

a) Mulindwa found Muluka chief in lines at Nsambya Polling Station of voters and urging them to vote for "Namulondo" - the Chair. Mulindwa reported this to Police but no action was taken.

(iii) By M. Sekatawa : White Nile Polling Station.

Sekatawa saw people who had finished voting instructing voters who were in lines as to how they should vote for Kabaka Yekka. Sekatawa complained to the Returning Officer of the area, Mr. Katimbo, but in vain.

Witnesses: Mulindwa, Sentongo & Musoke.

(iv) By F. Mwanje.

Mwanje saw J.W. Kiwanuka inspecting the White Nile Polling Station on 22/2/62. As he did so he passed through the lines and urged voters not to forget the Kabaka and vote for the Chair.

V. MAKINDYE constituency.

(i) Report by Mrs. Y. Mukasa (Candidate).

a) Kisugu (Namuwongo) Polling Station.

Mukasa's agents disallowed until 11:00 a.m. after Mrs. Mukasa protested. Chiefs instructed voters to vote "Kabaka's Chair" when the voters were in lines waiting to cast their ballots.

Mrs. Mukasa expected many votes at Kisugu and as one felt weight of her box with Returning Officer it felt heavy; but on the counting she got only 50 votes. (Mrs. Mukasa has over 1,000 card-holders at Namuwongo). The boxes were removed from the centre at 9.00 p.m. instead of 6.00 p.m. They were kept in room to which the officers - who were Kabaka Yekka members - had keys.

b) Katuso (Gaba) Station.

Mrs. Mukasa has 200 members at Katuso who voted for her; but she received only 20 votes in her box!

c) Chiefs directed voters to vote for Chair in all 9 polling centres of constituency. Mrs. Mukasa protested 7 times and was listened to by Returning Officer, but chiefs just resumed their directives when she left the place.

(ii) By Francis Kasozi, J. Mukibi & K. Balyegira:-
Katuso Polling Centre.

Kasozi & co. saw polling clerk demonstrating K.Y. box to the voters who were waiting in their lines for casting their ballot. The clerk was saying, "This is the Kabaka's box."

(iii) The above i.e. Kasozi & co. were refused to act as polling agents at Katuso until 11.00 after they had protested to the Deputy Gomb. Chief.

VI. MASAJJA polling station.

Report by J. Mukibi. Mr. Mukibi saw the Presiding Officer, Mr. Lubanga, taking the voters into the polling booth and telling them to vote for the chair.

The Muluka Chief used Mr. Ssemanda, S. Lubowa, Waswa Ssalongo, E. Lupiyazitta and Damiano to urge the voters who were in line to

vote for the chair.

XXII WABUSANA.

XII

Report given by Emmanuela Were Party Agent at Muluka Sabaddu.

(i) Batongole Chiefs were responsible for lining up voters at the Polling Station, and when doing so they urged voters to cast their ballots into the box with the chair.

(ii) People who had finished voting returned to the lines and told the voters the position of the chair box inside the polling booth.

(iii) Voters who failed to cast their ballots inside the booth were directed to return to the booth and vote for a box which was told them.

XXIII WABUSANA.

Report given by W. Sebbowa of Muluka Mutuba II, Gombolola Mutuba V Wabusana.

(i) At polling station of Muluka Mutuba II, the chiefs gathered all voters in that area at 4.00 a.m. at the polling station and there they threatened those that wanted to vote for the hoe, saying that they would deal with such people.

(ii) The same chiefs arranged the voters in lines and passed between the lines telling them that their box had the chair symbol on it, and that no one should vote for the hoe.

(iii) The Muluka Chief handpicked old people and Banyankore and took them to vote for the chair.

XXV

MASAKA DISTRICT.XXIV SSESE DIVISION.

(i) About two hundred voters who had registered in 1960 were not allowed to vote on the grounds that they had not been properly transferred and their names did not appear in the registers.

After the compilation of the preliminary registers of voters it was found out that many voters who had registered in 1960 (between 190 and 200 in all) did not see their names in their proper places of residence and approached the Protectorate Agent Masaka. The Protectorate Agent asked them to submit to him these names arranged according to their proper places of residence, so that he could arrange for their transfers. This was done on February 5th and the Agent assured them that the transfers would be made and these names would appear in their proper places. But on 22nd February (Polling Day) the Candidate Mr. Zakaria Ssemukadde received the final register of voters with these names missing. He was given a typewritten list of names from number 57901 on, which included some names of those that had registered in 1960 with numbers from 57915 - 57967. These numbers of the 1960 registers were new and not those that had been given to them on their Registration receipts.

There were also many voters whose names had been transferred to the wrong mirukas and as a result such people were not permitted to vote. Complaints about this were made to Police Constable Number 282. The candidate Mr. Zakaria Ssemukadde complained about this to the Saza Chief Kweba as early as 9.00 a.m. The Saza Chief refused to consider the matter and said that he was satisfied polling was running smoothly.

The Returning Officer, Mr. Ggalabuzi, told the candidate when giving him the final register that if he did not find some names of voters on the register it would not be the fault of the Polling Officials, but of those that had compiled these registers in Masaka.

At Muluka Sabawali, Gombolola Sabaddu, the Returning Officer allowed only two (2) people who had their names missing from the final register to vote when he was satisfied that they had registered in 1960 and that there had not been any complaints or ob-

jections against them. But other people who were in the same category, that is (i.e.) had been registered in 1960 and had not objected to, were not allowed.

(ii) Mr. Moli Musoke of Kagulube, Gombolola Sabaddu, Muluka Mumyuka, was caught by the Police urging voters to vote for the chair as he was holding the symbol of the chair and showing it to them. Thanks to the police.

(iii) The Mutongole Chief of Muluka Sabaddu, Gombolola Sabaddu, Mr. Muguluma, was caught directing voters to vote for the chair and threatening them that he would know which way they voted as he had taken down their numbers. Mr. Muguluma was doing this when he was officially directing the voters into the Polling Station.

When later the Police Officer Number 2983 was asked about these two cases, he admitted that Musoke and Muguluma had been caught infringing the election law but that they were only cautioned and they had been released.

Report given by A.M. Kiggundu, County Leader; A. Ssemakula, AC Secretary, P. K. Ssebowa and Z. Ssemukadde (Candidate).

XXV RAKAI constituency.

Report given by L. Mukasa (Candidate).

(i) Openings into the booth. At Polling Station Number 57, the ballot boxes were placed facing a window and the voters could be clearly seen by people outside the polling booth. When the candidate complained to the Returning Officer about this, the Returning Officer consulted the Presiding Officer at the Station and when the latter agreed that the ballot boxes were exposed and voters could be seen through the window, the Returning Officer decided not to count all the votes from that Station (Muluka Sabagabo, Gombolola Sabagabo). This therefore means that voters in this muluka were denied the right to vote through no fault of their own.

(ii) Ballot papers finished before time. At Polling Station number 62, Muluka Sabawali, Gombolola Sabawali, ballot papers were finished before the end of polling and many voters did not have the chance to vote.

(iii) Ballot papers finished. At another polling station number 65 Gombolola Musale, Muluka Mumyuka, ballot papers were also finished before the end of polling and many voters could not vote.

(iv) Unstamped ballot papers. At Polling Station Number 69, Muluka Musale, Gombolola Musale, all the ballot papers which were given to the voters were unstamped and consequently regarded as spoilt ballots and were not counted. This again was unfortunate for the voters of the whole Muluka - to have their ballots disallowed through no fault of their own.

(v) Voter given a spoilt ballot. At Polling Station Number 60, Muluka Sabaddu, Gombolola Sabawali, a voter was given a spoilt ballot paper by the Presiding Officer (an N.A.C. parson). When the voter asked for another paper, it was not given to him.

(vi) Accompanying of the voters into the booth. At Polling Station Number 46, Muluka Sabawali, Gombolola Mumyuka, the Presiding Officer along with Party Agents accompanied voters into the booth. Some of these voters were blind but others were not. This broke the secrecy of voting and infringed the election law whereby party agents are not allowed to accompany voters into the booth, and whereby non-blind persons are not supposed to be accompanied into the polling booth by anyone.

(vii) At Polling Station Number 48, Muluka Mutuba I, Gombolola Mumyuka, voters were similarly accompanied into the polling booth, but this time the party agent did not accompany them.

(viii) Ballot box broken. At the time of counting, ballot box number 60 of D.P.'s candidate was found with its hinges loosened, leaving a wide opening which easily allowed the votes to be removed from the box.

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When pressed to explain why the box had been broken, the Returning Officer said that that box had fallen down when they were removing another ballot box number 44. No reason was given for the removal of box number 44.

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The Returning Officer was asked to name the person who had brought ballot box number 60, and he replied that it was the Saza Chief, Kamuswaga.

XXXI

When he was asked to state who had kept the keys of the room in which the ballot boxes were stored at night, the Returning Officer said that he had been given one key only and he had kept that key at night. He did not state who had kept the second key of the same room.

The D.P. candidate protested to the Returning Office and suggested that the ballot papers should not be counted before a ruling from the Senior Assistant Registration Officer Masaka had been obtained on the dispute. But this was ignored and counting of ballot papers was carried out.

(ix) No announcement of the results. When the counting of ballot papers for the whole constituency was completed there was no announcement of the results of the counting as stated in circular Reference Number L.E.1, dated 9th February 1962, and written to all candidates in Masaka District by the Senior Assistant Registration Officer in the area, Mr. Venable.

XXXI

XXVI MASAKA constituency.

John Kasumba found Mr. Kiberu, an election official, instructing voters to vote for Kabaka Yekka. A complaint was made to the Police. Mr. Kiberu accompanied woman voter into the booth and he was heard telling her to put her ballot paper into the box of the chair.

Mr. Kiberu also asked the public to urge each other to vote for Kabaka Yekka.

XXVII BUKOTO constituency.

At Kinoni Muluka Sabawali, Kasonko Matiya and Muhamado told the public that the Democratic Party were disturbing the elections and they (Kasonko etc. etc) had been appointed to keep the voters in order.

This was reported to Police Constable Number 6069 or 6063 who said he was not concerned with the appointment.

At the Gombolola Headquarters, Bukoto, the Presiding Officer announced to the public that the list of voters who registered 1960 was completely missing. This made the voters who had registered in 1960 leave the polling station in fear that their names were not included in the final register of voters.

XXXI

XXVIII BUKERI constituency.

(i) Muluka Sabawali, Gombolola Matuba I. Ballot papers were hidden and many people did not vote because they were told that ballot papers were finished. This happened at about 4.00 p.m.

(ii) At Muluka Sabagabo, Gombolola Mutuba I. Voters could be seen when casting their ballots inside the booth by the people outside because there were windows through which it was possible to see what was going on inside the booth.

(iii) When ballot boxes were being opened in order to count ballot papers, a newspaper, 'Uganda Eyogera', was found inside one of the ballot boxes from Bukeri Constituency. Witnesses: the D.P.'s Counting Agents and Government Counting Staff. How did this newspaper get into the box?

XXXI

XXIX KYOTERA Constituency.

About thirty (30) people were not allowed to vote; they were told that their names did not appear on the register. But the truth is that these names appeared on the registers that were available.

The Presiding Officer at Muluka Sabaddu was seen taking three ballot papers from the voters and keeping them on the table.

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the Returning Officer removing that key had brought Chief,

XXX KYABAKUZA constituency.

Muluka Mutaba I. About three hundred people were waiting outside the polling station and many others were still coming when they were told that ballot papers had been finished.

XXXI BUTEGA constituency.

A number of people were not allowed to vote by the Presiding Officer, Mr. Mukibi, at Buweda Polling Station number 54. The following people were told that their names had been crossed out of the register, although the people themselves knew nothing about it:

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|---------------------------------------|-----------|
| 1. Kwata Petero | No. 12076 |
| 2. Sajjabbi Yozefu | 12012 |
| 3. Ddungu Yozefu | 13336 |
| 4. Nakitto Tereza | 13267 |
| 5. Namayanja Elizabeth | 13344 |
| 6. Jjingo Joseph (Po.. Division 4180) | No. 54490 |

XXXII KAGEZI. Muluka Sabagabo Gombolola Sabawali Buddu.

Report by C.M. Lwanga Kiziba, P.O. Box 290, Masaka.

(i) There were two separate curtains used to cover the ballot boxes. They used a bark cloth curtain for the Kabaka Yekka Box and sack for the D.P. ballot box. The bark cloth was used to match with the Kabaka Yekka badges that are normally made of bark cloth.

(ii) When helping voters and showing them the polling booths, the Presiding Officer used to say: "Don't you see the box with the chair there?"

(iii) Whenever the Gombolola Chief came round to have a look at the Polling, he used to say, "Abassaja Bakabaka Mwebare," i.e. 'Kabaka subjects thank you.'

(iv) One of the leaders of Kabaka Yekka, Mr. Buza, arranged the voters into lines and when doing so he used to say aloud, "Abantu Bakabaka Musimbe wan oyo atari wa Kabaka timuwa ekifu", i.e. "The Kabaka's people line here, anyone who is not the Kabaka's man must not be given a place."

XXXIII Muluka Sabawali Gombolola Mutuba IX Kabila. The Muluka Chief of this place, Mr. Benedicto Lubuto, brought a parcel of symbols of a chair and started distributing the symbols to people who were present on the polling day. As he distributed the symbols he urged voters to cast their ballots into the box with the chair.

The report given by G.B. Kagoza, witnesses S. Byuma, Z. Kiwanda (Zaveriyo), Patirisiyo Lwamanda.

XXXIV KYAMURIBWA. Report by Anna M. Nankabirwa.

When Nankabirwa went to the Polling Station at Kyamuribwa Gombolola Mutuba X to vote, she was given a ballot paper and she went into the polling booth where she found the Muluka Chief, Mr. A. Ggalabuzi. Mr. Ggalabuzi was collecting ballot papers which had been thrown on the ground and he was putting them into the Kabaka Yekka's box. Ggalabuzi asked Nankabirwa to cast her ballot paper into the Kabaka Yekka's box, but Nankabirwa refused and she cast her ballot paper where she pleased. Nankabirwa asked the Muluka Chief to leave the place but he refused and he continued telling other voters to cast their ballot papers into the Kabaka Yekka's box. Nankabirwa was later assaulted by two men, Dauda and Tuwa. She was later taken to the Presiding Officer, Mr. Ssembirubi, who told her to leave the place. When she later met the Saza Chief Pokino and tried to voice her grievances, the Pokino told her that she had no right to speak there.

Kyamuribwa. Report by J. Kyibirige of Butawata Gombolola X. Buddu. Kyibirige complains that Polling Officials at Kyamuribwa were all Kabaka's supporters. Mr. Kawuki, who was examining the

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registration receipts of the voters was telling them to vote for the Kabak's box which had the symbol of a chair on it, and not to vote for Ben's hoe.

(ii) Inside the polling centre Mr. Y. Kiwanuka Sempiri, the Kabaka Yekka's agent and the Muluka Chief Musale, Mr. Ggalabuzi, and their clerks, used to tell voters to take their votes to the Kabaka and not to Beni. They were to vote for the chair. The Muluka Chief threatened people who would not vote for the chair that they would have it. Mr. Sempiri ignored repeated warnings against such behaviour by the Presiding Officer. Sempiri went as far as showing the chair symbol to the voters who were entering the station.

(iii) Kibirigya experienced similar irregularities at Muluka Mutuba III when he went there also. The Muluka Chief Mutuba III stained the ballot box of Kabaka Yekka with the red ink from his finger and he came out and told the voters to recognise the Kabaka's box by the red ink "which I have stained the box with."

(iv) The Saza Chief Pokino came to Polling station at Mutuba III and told the voters that the D.P.'s candidate, Yozefu Sonko, had been arrested by the police when stealing ballot papers. This was intended to scare away D.P. voters and in fact many of them became frightened.

(v) The Party Agent of the D.P. was left behind when the ballot boxes were being taken away from the polling station after polling but the Kabaka Yekka polling agents were taken in the car that carried the ballot boxes.

XXXV GOMBOLOLA SABAGABO MULUKA MUTUBA II

Report by Leontio Lwanga.

At Muluka II, Gomb. Sabagabo, the ballot papers were finished at 12.00 noon, when others were brought it was 5.00 p.m. and the polling staff continued to work until 7.30 p.m. By that time many voters had not yet voted and so they missed their chance.

XXXVI KANNABULEMU.

Mwanga and the Branch complain of threats by chiefs especially by a Muluka chief (name still withheld but can be given later) who campaigned for Kabaka Yekka and distributed symbols of Kabaka Yekka saying that they had been sent to him officially by the Gombolola chief, in order to make sure that all the people in his Muluka knew which ballot box they were being required to cast their ballots into.

Chiefs intimidated voters saying that the red ink which would be used to mark their fingers would help the chiefs to find out which way they voted. They also said that all those who would vote for the hoe would be sent away from Buganda on instructions from the Kabaka.

XXXVII

ENTEBBE CONSTITUENCY

Report by E. Sekyalo, Candidate.

(i) The candidate was not allowed to enter the polling booth at Bugabo by the Presiding Officer and the Returning Officer, Mr. Ssemwongerere.

(ii) At Kasajja and Ziba, it was possible to see the voters inside the polling booth from outside. In these two places, the Presiding Officers took many voters into the polling booth under pretext that they were blind.

(iii) Wherever no central Government Police kept watch, the miruka chiefs and Batongole chiefs passed between the lines, directing the voters to cast their ballots into the Kabaka's box on which there was a chair. They also showed the chair symbol to the voters and shouted 'Kabaka Yekka.'

(iv) Sekyalo has strong suspicions that his ballot boxes were tampered with when being transported to the constituency quarter.

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All the Election Officials showed clearly how biased they were against him. These officials carried the keys to the boxes and unlimited supply of seals.

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XXXVIII. SEKANYONYI CONSTITUENCY.

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Report by Epaphrus Walusimbi, special campaigner, P.O. Box 766, Kla.

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(i) Additional polling stations were put up in the last days without informing the DP candidate and it was therefore not possible for him to arrange for his polling agents to be stationed there. When the candidate realised this on polling day he asked the election officials to be permitted to appoint additional agents for those stations, but this was refused unless he produced official letters from DP headquarters with the Party stamp on them. This was, of course, impossible. This happened at BAMBULA, Muluka Sabawali.

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(ii) The Polling Officials used to enter the polling booth without allowing the D.P. polling agents to accompany them. When complaints were made to the Returning Officer of the area, he did not do anything about it.

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(iii) The election officials in the constituency were members of Kabaka Yekka and some of them had been proposed as candidates for Kabaka Yekka.

(iv) Chiefs would accompany voters into the polling booth. Walusimbi found a Deputy Gombolola Chief doing so and when asked why he was accompanying the voters into the booth, the chief replied that he was maintaining law and order.

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XXXIX MWERA constituency.

Report by G.W. Semakula, candidate.

(i) Chiefs would pass between the lines of voters and urge them to vote for the chair.

(ii) Cars with the symbol of a chair were parked at Polling Stations all the time.

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(iii) At the time of counting it was found that some ballot boxes contained bits of paper which were too large to have been passed through the slots of the boxes. A transfer form number 19 bearing the name of Mr. Kayongo, the Returning Officer, was found inside one of the ballot boxes. Mr. Kayongo refused to enquire into the way in which his transfer form could have been placed inside the ballot box.

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(iv) Unstamped ballot papers were found tucked together. There were about ten found in one box and no explanation could be given as to how they found their entry into the box. They could not have been passed through sluce of the box for it was too narrow.

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(v) Semakala is very suspicious that ballot boxes were tampered with by the election officials since they were the only ones who handled them outside the polling time, and since they carried the keys and spare seals with them.

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XXX BUSIMBI Constituency.

Report by H. Ssekitta, Party Official in the area.

(i) Miruka Chiefs kept the ballot boxes on eve of polling and during that time they used them to demonstrate to the voters how to vote for Kabaka Yekka.

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(ii) Supporters of Kabaka Yekka, including chiefs, arranged voters in lines and when doing so they urged them to vote for the chair.

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(iii) Cars of Kabaka Yekka supporters were parked at the polling stations bearing Kabaka Yekka symbols. There were shouts of "Kabaka Yekka" at the polling centres.

(iv) Some D.P. members were not allowed to vote.

(v) Ballot papers stained with ink, and some of them perforated, which should have been regarded as spoilt ballots, were counted as valid.

(vi) At the time of the counting, the key which was fixed to a ballot box of the D.P. candidate, Mr. W. Binayisa, could not open that box. It was the same thing with another box of the Kabaka Yekka candidate. When exchanged, the two boxes were opened with these keys.

(vii) Two cent coins were found inside ballot boxes of the D.P. candidate, Mr. Binayisa, at the time of counting. No explanation was given as to how they could possibly have been placed inside the boxes. The openings of the boxes were too narrow for the coins to be passed through.

(viii) At Mityana, where the ballot boxes were stored, the room in which these boxes were placed contained many strangers who were not election officials.

XXXXI KATERA constituency. Report by P. Kalule.

(i) Chiefs used to pass between the lines of voters and threaten them that if they voted they would be removing their Kabaka from the throne, and they would be killed and their bodies exhumed along with those of D.P. members.

(ii) Chiefs organised a few people, mostly women who had finished voting, to come out weeping very loudly and saying that they had misplaced their ballot papers into the hoe box and they were fearful of the dreadful consequences that were bound to befall them. There was one such person, a man, who wanted to hang himself because he had voted for the hoe. These were tricks to intimidate the voters and the chiefs generally commented on these utterances emphasising the dangers that would come to those who dared to vote for the hoe.

A similar report has been given by Mrs. Yozefina Mazzi, Magdalena Kyofuna and Peter Musisi.

XXXXII KAPEKA constituency. Report by Mpoza Polling Agent at Muluka Mutiba V. Gombolola Sabaddu.

(i) On polling day at polling station voters were intimidated by Yusufu Musabi, Tamale, Yonoka the Deputy Chief, S. Musajja Kahwa, saying that if they did not vote for the chair they would perish. Voters were pushed around by these people and some of them fell down.

Mr. Y. Musabi awaited voters on the way and directed them to vote for Kabaka Yekka. (Musabi is much feared in the area because he tortured many people in that area during the 1949 disturbances).

The Deputy Muluka Chief, Yonoka, spent the whole night at the polling station showing the voters a Kabaka Yekka box and directing them to cast their ballots into it.

(ii) The Presiding Officer stood at the gate into the polling booth and directed the voters to vote for the chair.

(iii) There was an opening into the polling booth through which voters could be seen from outside when casting their ballots. The Presiding Officer saw this but he did not mind.

XXXXIII NSANGI constituency.

(i) E. Luka, polling agent at Nanziga, reports that when he arrived at the polling station on 22nd February, 1962, in the morning, he found the Presiding Officer, Sali, demonstrating to the voters how to vote for the Chair, by showing them a box with a chair symbol and saying that all those who had the interests of Buganda at heart should vote for the chair.

The following people of Kibuga were not allowed to vote:

Kajwaza Goeffléy Number 23904
Kasibante Yawe Number 23901

Report given by Mr. Kiyimba, Secretary, MASAKA DISTRICT.

(i) Ballot boxes. Ballot boxes were not made secure at all. They were not sealed at the bottom. Only a knife or screw driver could open the bottom cover which was fixed with small nails.

(ii) Chiefs with ballot boxes. Gombolola Chiefs and Miruka Chiefs were appointed to collect and carry ballot boxes without any escort.

It is very well and clearly known that these chiefs were siding with Kabaka Yekka.

(iii) Seals. Unlimited number of seals was given to Presiding Officers who in turn handed them over to Returning Officers and Chiefs.

There was not any checking of these seals.

1. Proofs that Ballot Boxes were tampered with.

A newspaper, 'Uganda Eyogera', was found in a Ballot Box opened for counting. The box was from Bukeri constituency, witnessed by our Party Counting Agents and Government Counting Staff.

2. Cause of our total defeat in the District (Masaka).

The whole process from registration time to the time of counting votes was not done impartially.

It was entirely left to the chiefs to perform everything, when it was clearly known that all chiefs sided with the Kabaka Yekka party.

3A. Registrations.

The registrations were entirely conducted and performed by the Miruka Chiefs who used all their tactics to threaten not only those who came to register but also our Party Agents, who were often discharged or arrested.

3B. Registrations (Masaka District).

It is left entirely in the hands of the chiefs to register voters throughout Masaka district. The Miruka Chiefs appointed their own clerks and they could change them whenever they liked.

Our agents were often threatened, chased away and in some places arrested for instance.

Often the trouble arose from the chiefs and their clerks telling the people registering that they were registering to vote for the Kabaka Yekka, and that their signatures or thumb-marks were retained to trace them if they did otherwise.

4. Ballot Papers.

Some voters were not allowed to vote on account of the shortage of Ballot papers. This happened at nearly every polling station. It happened at Nyendo and I saw it myself. It happened at Kyabakuza etc. People who came to vote were periodically told that Ballot Papers were finished and were not warned to wait.

5. Members of the Kabaka Yekka only were appointed to supervise election rows. They would pick out only their fellow-members to vote first, which means that those who were told not to vote because the Ballot Papers were finished were members of the D.P.

6. Old Registered Members.

At many Polling Stations, such as Kyotera, Bikira, Sesse etc., those people who registered in the first National Elections were not allowed to vote. They were told that their names did not appear on the register whereas there were some supplementary registers.

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7. Kabaka Yekka Members in Windows.

At some polling stations no one but a Kabaka Yekka person was allowed to climb a ladder behind the Ballot sheds; he from high up could see a voter inside and direct the voter to put his or her vote into the Kabaka Yekka box. This happened at Kooki and Kasozi - John, who complained of this, was arrested and taken to the Gombolola Headquarters.

Therefore threats were often used at many stations.

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8. Gombolola Mutuba XI Muluka Mutuba I Buddu.

Complaints: Two men (Moslems) were collecting, checking and directing people (voters) on both sides. Both these men were of the Kabaka Yekka.

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This was reported to the Presiding Officers by owner of a red car one of the Presiding or Assistants was cooperative. This is witnessed by Mr. Senkubuge K.B. of Gayanza Muluka Mutuba I Gomb. XI

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9. Transfers.

The D.P. Members who had registered during the first National Registrations and who this time applied for transfers to their proper polling divisions, were improperly transferred as if to prevent them from voting. The names were given new registration numbers and new receipts were given. In this tricky way about 200 voters were denied voting.

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The proper transfers were made in Muluka Mumyuka Gombolola Mumyuka only, but elsewhere not.

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IX KAMPALA EAST & WEST (MAKERERE) CONSTITUENCY. (Candidate W. Senteza Kajubi).

(i) Report by C. Nsereko. Nsereko went to vote at KASUBI polling station at 9.00 a.m. He saw someone who passed between the lines of voters and quietly urged them to cast their papers into the centre box because that was "our box".

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As voters approached the polling booth they found a man who was examining their registration receipts and telling them, "Into the chair." This man did the same thing to Nsereko.

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Nsereko wanted to report these things to the Police but they were not there. The Buganda Government askaris who were present witnessed these malpractices but they just looked on.

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Other witnesses: Mr. Kiwadda and Mr. Kitaka (Makerere student).

(ii) Report by Seabusara Hanarikarasi. Seabusara went to vote at MULAGO polling station and he found there a Sergeant Major from Mengo. The Sergeant was urging the voters to cast their ballot papers into the box with the 'chair'.

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(iii) Report by A.N. Mbyemeire. Mbyemeire went to Mulago on polling day and he found Buganda Government askaris directing voters to cast their ballot papers into the box with the "chair" the "Kabaka's throne (Namulondo)" and threatening them that if they did not cast their ballot papers into that box they would be found out. Mbyemeire did not see any Central Government Police at this station.

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X KASAWO CONSTITUENCY.

Report by candidate and Branch Secretary.

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The polling agents of the D.P. were not allowed to do their work by the Presiding Officers who said that the agents did not have in their possession letters of authority from their candidate. The candidate had already submitted their names to the Returning Officer, Kasawo constituency, Mr. KAYANJA, in accordance with the instructions from the Supervisor of Elections.

Chiefs passed among the voters who were lined up at the polling stations and urged them not to vote for "Ben's hoe", otherwise they would have to pack up and go.

At the polling station of MULUKA MUTURA VI, polling agent VINCENT BALIKUDEMBE saw Deputy Muluka Chief JOSEPH KISITU threatening publicly all voters, saying that whoever dared vote for the hoe would be burnt. They were all to vote for the Kabaka's box, the box with the chair.

Chiefs etc. collected ballot papers from voters and cast them into the Kabaka Yekka box. Ballot papers were collected also from these D.P. members: Mrs. Kimbowa of Kabumba, Lusiane Mwendawanyo, Bonefansiyi Owori, Sikolastica Nakayenga.

There were many ballot papers which were thrown outside the boxes and should have been regarded as spoilt ballots, but which were collected by the Presiding Officers and placed into the Kabaka Yekka box.

At MULUKA MUTUBA II, Kakukulu, the candidate and D.P. secretary, saw a woman who returned from the polling booth without having voted, and the Muluka chief, Alikisondere Kaggwa, and the Mutongole chief, Zaidi Lubega, took her back into the booth so that she could cast her ballot into the box with the chair.

XI MALONGWE

Report by Raphael Lukofu (candidate).

Lukofu complains that all election officials in his area were KABAKA YEKKA supporters and that many voters came wearing Kabaka Yekka badges. Presiding officers took voters into the polling booths with the pretext that these voters were blind (this was not the case).

People who had finished voting would return and arrange the lines of those who were going to vote, and while doing so they would urge them to vote for Kabaka Yekka. Those who were guiding voters to their lines and gates also admonished them to vote for Kabaka Yekka.

The election officials intimidated voters by telling them that since their registration numbers had been copied, they would be discovered and tortured if they voted D.P.

XII NAGOJJE constituency.

The D.P. agent, Aloysio Jeki, was sent away from the polling station at BULIJJO, at 12.00 noon, in spite of a letter of authority. Jeki was not reinstated.

Kizito Nsubuga of Namagunga, P.O. Box 73 Lugazi, complains that all presiding officers in NAMATABA division were KABAKA YEKKA supporters.

XIII GOMBOLOLA MUMYUKA KYAGGWE

Report by S.L.K.A. Olowo, Peter Okothi and Damiano Mulondo, Party Agents.

(i) CHIEFS were speaking loudly at the polling stations, "KABAKA YEKKA".

(ii) Chiefs threatened voters who were in lines, saying that if they voted for D.P. and the Kabaka was victorious, they would be killed.

(iii) The Kabaka Yekka ballot boxes were stained with red ink from the very beginning in order to attract voters to cast their ballot papers into those boxes.

(iv) People who had finished voting would return to the lines and direct the voters to vote Kabaka Yekka.

(v) Some people peeped in and saw voters in the booth casting their ballots.

IV KAWOLO constituency.

Report by S. Nsubuga (candidate) P.O. Box 77 Jinja).

(i) KEYS EXCHANGED: at time of counting votes, keys of two of Nsubuga's ballot boxes were found to have been exchanged with those of Kabaka Yekka boxes.

(ii) At Najjembe and Kawolo, chiefs arranged beer parties on eve of election and as a result voters were drunk on polling day.

(iii) At 12 polling stations the chiefs intimidated voters, directed them to vote for Kabaka Yekka and made openings in the shelters to enable themselves to see the voters in the booths. The places are:

Kitega	Kawolo Petrol Sta.	Bulyantete	Kasoga
Najjembe	Kizigo	Buvunya	Bamungaya
Bibbo	Lugala II	Sagazi	Kiteza.

V NAGGALAMA constituency

Report by Stanislas Olowo, Polling agent at KIWAFU, Gombolola Mumyuka, Kyaggwe . Olowo saw chiefs directing voters to vote for Kabaka Yekka. Olowo saw chiefs threaten voters who might cast their ballots for D.P., saying that they would be chased away and evicted from their plots. Enoch Ochw, a shopkeeper at Magonga, was so threatened.

VI NGOGWE constituency

Report by Silas Kamyuka, candidate.

(i) Kamyuka took voters to polling station in MULUKA MUTUBA II in the morning and found the MULUKA CHIEF, IGNATIO ZIGUDE, holding the D.P. ballot box before the people and threatening that whoever placed his ballot in it would catch it, unless he went to the moon. Witnesses: Paulo Lwembawo, Lubowa and J. Nsubuga.

(ii) At another polling station, the MULUKA CHIEF SABADDU, Mr. Kiginya, directed a voter to put his ballot "into the chair because you are the Kabaka's subject." At the gate there were Batongole chiefs holding pictures of the chair.

(iii) Mr. J. Tomusange, who was Assist. Supervisor (Returning Officer) told all voters in Muluka Sabawali that whoever loved the Kabaka should vote for the chair, and that those who voted for the hoe were the enemies of the Kabaka. He then shouted, "KABAKA YEKKA". In the same Muluka, Mr. Namuyenga, the Presiding Officer, picked up spoilt ballots from the floor and put them into the Kabaka Yekka box. Kamyuka reported these irregularities to the Returning Officer and he was promised that something would be done the following day: but in fact nothing was done.

(iv) At all polling stations the Presiding Officers took voters into the booth under the pretext that they were blind.

(v) At Muluka Sabawali polling was extended until 7.35 p.m.; but at D.P. strongholds, e.g. Muluka Sabagabo, polling was stopped on time at 6.00 p.m. and many voters were left out.

VII NKOKONJERU .

P.K.M. Kizito states that the election officials were giving five or six ballot papers to KABAKA YEKKA supporters and unstamped ballot papers to D.P. supporters.

VIII BUVUMA constituency.

Report by Dr. Elias Lulume, P.O. Box 153, Lugazi (candidate).

(i) BUGAYA polling station. The D.P. agent at this centre, Mr. John Nsubuga, complained at the absence of the Protectorate Police at this centre on polling day. Consequently the chiefs were at liberty to do whatever they pleased. A Gombolola chief, Mr. C. Kibalama, acted as an election official and in one instance he interfered with the voting of Nsubuga Kikadde from Muluka Sabawali

by treating him as if he were a blind man. When the Agent complained about this, the Presiding Officer paid no heed.

(ii) A voter wearing a KABAKA YEKKA cap made of barkcloth was allowed to be present at the polling station with that cap. The Agent's complaints on this matter to the election officials were rejected by the Gombolola chief who went as far as threatening the agent, John Nsubuga. The agent then raised this complaint to the Assistant Returning Officer when he came to collect the ballot boxes in the evening, but the officer ignored the complaint.

(iii) LWAJJE polling station. Here the Gombolola chief, Mr. Erukana Kyoto, publicly intimidated all voters by saying that those who would vote for the D.P. and not Kabaka Yekka would be arrested by the constables and put in prison. (At this station LULUME polled only one vote and his opponent 110 votes. LULUME lost this seat to his opponent by only 98 votes).

(iv) MAGGYO polling station. Lulume saw a Police Constable, No. 3513, who was inside the polling booth and was directing voters to cast their ballot papers into the box of Kabaka Yekka. Complaints were made to the Returning Officer who then removed the constable from the booth; but the constable had remained inside the booth for half an hour.

Mr. Lulume has sent his complaints to the Returning Officer East/West Mengo.

XIX KANGULUMIRA constituency.

Report by George Musisi.

Polling agents throughout constituency were disallowed for first two hours. Presiding Officers and polling assistants told voters to vote for the chair.

Polling officials took voters into the booths under pretext of blindness.

Chiefs intimidated voters to make them vote for the chair, saying, "If you vote for D.P. you will be beheaded."

BULEMEZI

XX WAKYATO constituency.

Report by Emanuel Mukasa, Candidate.

(i) KABAKA YEKKA POSTERS. K.Y. posters were hung at polling centre A & B Of Muluka Sabagabo, Gomb. Musaaale. Mukasa found these posters at A at 2.00 p.m. and they were removed after he had complained. At B, the agent, Ludoviko Kateregga, complained about these posters at 8.00 a.m. when he saw them, but he was reproached. He was later arrested and jailed from 6.00 p.m. to 11.00 p.m. (released on 500/- bond) just because he had complained about these posters. Posters were removed from B at about 2.00 p.m., after the candidate, Mukasa, had arrived and complained at A.

The car of Labani Kafero, a polling assistant, had KABAKA YEKKA posters and it was parked less than 400 yards from the polling station.

KIWOKO report by Ludoviko Kateregga.

(ii) THREATS by chiefs. Chiefs made threats to voters that if they voted for the D.P. they would be deported because they were the enemies of the KABAKA.

(iii) The curtains used at Kiwoko were very short and voters could be, and were, seen by Kabaka Yekka intimidators, including chiefs, as they cast their ballots.

(iv) Sealing of ballot boxes was done in the absence of the D.P. agent who had attended to polling all day. The agent, Kateregga, was taken to prison at 6.00 p.m.

XXI LUWERO constituency. Report by A. Kasujja, constituency leader.

(i) Muluka Mut. II. The Muluka Chief, Mr. Sebyala, threatened

voters with a stick that they had no option but to vote for the chair. He then asked Mr. Kezironi Tebyasa to show the voters the symbol of the chair they were to vote for.

(ii) Muluka Mut. I. The Muluka Chief, Mut. I, asked Batongole chiefs Waliggo, Lubulwa and Bagata. When Mr. Kafero took his complaints about this matter to the officers, he was sent away. There were no Police at this centre.

(iii) Muluka Mut. III. The Muluka Chief, Kasiba, escorted voters to the polling booths. The Presiding Officer, Mr. Kiberu, just looked on. Chiefs and voters came to the polling centre wearing Kabaka Yekka badges.

XII GOMBOLOLA SABADDU BULEMEZI Report by Branch Leader JOHN KABUGO and A. Kisitu and P. Senkubuge.

(i) Batongole chiefs acted as agents of KABAKA YEKKA.

(ii) At one place a Gombolda Chief shouted publicly at a polling centre that voters should cast their ballots for Kabaka Yekka.

(iii) At Muluka Mut. V. a man stood at the entrance of the polling booth and directed every voter to cast his ballot for the Chair. This was done in many other places.

(iv) Chiefs brought voters in groups and straightaway took them inside the station without having them join the lines. Such voters were given ballot papers in a special way and voted immediately. Complaints against this were ignored.

(v) The shelters to the polling booths were found to contain openings through which voters were seen by Kabaka Yekka supporters when casting their ballots.

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