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## **“A valid electoral exercise”?**

### **Uganda’s 1980 elections and the observers’ dilemma**

The day after the December 1980 Uganda general elections, the Commonwealth Observer Group that had watched the polls released an interim statement. They described the process as a ‘valid electoral exercise, which should broadly reflect the freely expressed choice of the people of Uganda’.<sup>1</sup> The statement carefully avoided the phrase ‘free and fair’, and noted ‘imperfections and deficiencies’ that had caused ‘deep unease’. But the Group did not condemn the elections.

Within hours of this statement, two of the four parties that had competed in the elections denounced them as rigged. One party leader, Yoweri Museveni, soon left Kampala to launch a guerrilla war against Milton Obote, whose Uganda People’s Congress (UPC) had been declared the winner. Meanwhile, the international press reported dissenting views from within the Observer Group: ‘I’ve picked over this carcass all I want to’, one member allegedly told a *New York Times* reporter, ‘I’m going to have a go at trying to forget it’.<sup>2</sup> The British government, which had provided substantial financial support for the elections and for the observer group, struggled for words to accept the victory of Obote without entirely endorsing the electoral process.<sup>3</sup> The message finally sent to the new leader maladroitly offered ‘best wishes on the occasion of your installation as president’.<sup>4</sup>

While Obote’s supporters have continued to insist that the polls were fair, it has subsequently been repeatedly argued that – in the words of the historian Samwiri Karugire – ‘the 1980 elections were rigged to give power to the UPC’.<sup>5</sup> The rigging of the elections – in which the UK, Tanzania and others

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<sup>1</sup> ‘Uganda elections: Commonwealth Observers’ Interim Report’, 11 Dec. 1980; copy in UK National Archives (UKNA) FCO 31/2915.

<sup>2</sup> Gregory Jaynes, ‘Counting votes is half the fun as Obote wins in Uganda’, *New York Times*, 14 Dec. 1980: 3; also Tom Lansner, ‘Obote voted back in Uganda’, *The Observer*, 14 Dec. 1980: 1.

<sup>3</sup> Manning to anonymous, 16 Dec. 1980, UKNA FCO 31/2916.

<sup>4</sup> Carrington, Secretary of State, to British High Commission (BHC), Kampala, 18 Dec. 1980, UKNA FCO 31/2916.

<sup>5</sup> Samwiri Karugire, *The Roots of Instability in Uganda* (Kampala: New Vision, 1988), 75; see also, for example Francis Bwengye, *The Agony of Uganda. From Idi Amin to Obote. An Analysis of the 1980 Controversial General Election and its Aftermath: Repressive Rule and Bloodshed* (Regency Press: London and New York, 1985); Oliver Furley and James Katalikawe, *No-Party Democracy: Uganda’s Elections and the Constituent Assembly, 1994* (Kampala: Centre for Basic Research, 1999), n. 1.; Justus Mugaju, ‘An historical background to Uganda’s no-party democracy’ in Justus Mugaju and Joseph Oloka-Onyango, *No-party Democracy in Uganda: Myths and Realities* (Kampala: Fountain Publishers, 2000), 8-23.

have been accused of complicity – is widely understood to be a direct cause of five years of civil war, at the end of which, Museveni returned triumphant to Kampala in January 1986, at the head of the National Resistance Army.<sup>6</sup>

The events in Uganda in 1980 sit uncertainly in the history of election observation. They might be seen as seminal – the first example of a formal international election observation in a sovereign state in Africa, and the forerunner of multiple subsequent Commonwealth missions.<sup>7</sup> But in later years some were anxious to forget them. There is no mention of the 1980 mission in the hagiographical collection published to honour Shridath Ramphal, the secretary-general of the Commonwealth who had played a key role in creating the Observer Group; nor in the autobiographical account by his then-deputy, Emeka Anyaoku – though the latter contains a whole chapter celebrating the work of later observation missions.<sup>8</sup> A summary history of Commonwealth missions has suggested that the 1980 observer group came to be seen as something of an embarrassment, characterised by ‘inadequate preparation and political naivete’.<sup>9</sup>

This article argues that the 1980 observation mission was neither an entirely new departure, nor an aberration. External observation had, after all, been an occasional feature of the ‘founding’ elections that were a central part of the transition from colonial rule to independence across Africa, from Sudan’s 1953 ‘self-government’ election to the polls in Zimbabwe in 1979.<sup>10</sup> While formal ‘observation missions’ were not a feature of early post-independence elections, the minatory announcement from the Chairman of Sudan’s Electoral Commission in 1958 that ‘the eyes of the world are focussed upon us’ was repeated in various ways across Anglophone Africa as a recurrent reminder of the power of the international gaze.<sup>11</sup> Diplomats, journalists, and visiting parliamentarians all served as an occasional, even sometimes invited, audience at electoral performances. At the same time, the story of the Commonwealth Observer Group to Uganda reveals a dilemma of election monitoring that was to recur repeatedly during and after the ‘second liberation’ of the 1990s in Africa: whether to risk undermining order and state legitimacy by denouncing elections for evident failings, or to prioritize stability and withhold criticism? This

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<sup>6</sup> Yoweri Museveni, *Sowing the Mustard Seed: the Struggle for Freedom and Democracy in Uganda* (London: Macmillan, 1997), 118-19; “A local observer”, ‘The rigged Uganda 1980 general elections’, in Karugire, *The Roots of Instability*, 84-100; for rather lonely voice in favour of the elections, see Jim Ociiti, *Political Evolution and Democratic Practice in Uganda, 1952-1996* (Lewiston and Lampeter: Edwin Mellen, 2000), 290-300, 325. For allegations of wider complicity, see Dani Wadada Nabudere, ‘External and internal factors in Uganda’s continuing crisis’ in Holger Bernt Hansen and Michael Twaddle, *Uganda Now. Between Decay and Development* (London/Athens, OH: James Currey/Ohio University Press, 1988), 290-312; Tarsus Bazana Kabwegyere, *People’s Choice, People’s Power: Challenges and Prospects of Democracy in Uganda* (Kampala: Fountain Publishers, 2000), 20-23; Bwengye, *The Agony of Uganda*, 166.

<sup>7</sup> This is more or less the argument in Carl Dundas and W.H. Parris, *Observing Elections the Commonwealth Way: the Early Years* (Kingston, Jamaica: Ian Randle, 2007), 11-14.

<sup>8</sup> Richard Bourne (ed), *Shridath Ramphal: the Commonwealth and the World* (London and Hertford: Hansib, 2008); Emeka Anyaoku, *The Inside Story of the Modern Commonwealth* (Ibadan and Nairobi: Evans, 2004), esp. 128-60.

<sup>9</sup> Amanda Sives, ‘A review of Commonwealth election observation’, *Commonwealth and Comparative Politics*, 39, 3 (2001): 132-49.

<sup>10</sup> Jorgen Elklit and Palle Svensson, ‘What makes elections free and fair?’, *Journal of Democracy*, 8:3 (1997): 32-46; for the Sudan election, see Justin Willis, ‘“A model of its kind”: representation and performance in the Sudan self-government election of 1953’, *Journal of Imperial and Commonwealth History*, 35.3 (2007): 485-502; Luise White, *Unpopular Sovereignty. Rhodesian Independence and African Decolonization* (Chicago and London: University of Chicago, 2015), 277-307.

<sup>11</sup> Text of address by Chair of Election Commission, 25 February 1958, in National Record Office (Khartoum), ELECOM (2) 1/3/20; see also for example Willis, ‘Peace and Order’: 105 and 110.

‘observers’ dilemma’ – revealed with particular clarity in the case of Uganda in 1980 by the availability of UK government records – is a key lesson of this story. We argue that this dilemma may lead observers to conclusions that are shaped less by the thorny question of how ‘clean’ elections are – for, after all, the ‘menu of manipulation’ may include many dishes which are entirely legal – and rather more by assumptions about political stability, which are reinforced by performances of orderly popular participation and administrative ability.<sup>12</sup> At the same time, the Ugandan case shows that the observers’ dilemma is not simply the product of an extraverted politics driven by an international agenda: it also reflects local ideas about the relationship between elections and order.

### *What are elections for?*

Understanding the observers’ dilemma involves addressing a question that was implicitly raised by the report of the Observer Group itself: why were multi-party elections held in such difficult conditions? Only eighteen months earlier, Idi Amin had been driven from power by Tanzanian soldiers and Ugandan rebels, and the country was still wracked by insecurity and beset by shortages. Moreover – though the report did not acknowledge this – it was widely believed that Obote and the soldiers who supported him would not accept any result other than a UPC victory. That specific question about Uganda in 1980 may in turn be generalized: why are elections often held in apparently unpropitious circumstances, from Afghanistan to Iraq, and what is the intended purpose of international monitoring?

For some, the answers to these questions are self-evident. The belief that ‘universal access to the liberal world was possible’, parodied by Peter Sloterdijk’s suggestion of an air-droppable ‘pneumatic parliament’, has been integral to projects of ‘state-building’ in the post-Cold War world.<sup>13</sup> Democratization has proved to be ideally inseparable from the pursuit of political stability for Western leaders.<sup>14</sup> Elections, then, are part of ‘democracy promotion’, a process driven by an alliance between external democracy promoters (the US, the European Union, and others) and internal pro-democracy forces in political parties and civil society.<sup>15</sup> This answer itself shapes responses to the other questions: elections are monitored to try to ensure that they do promote democratization, and monitoring itself is judged in those terms.<sup>16</sup> While the process has evidently been far from smooth – as multiple critical studies show – elections and monitoring can still be understood as primarily part of an incremental process of democratization. For example, Susan Hyde has argued that elections and monitoring create a dilemma for authoritarian rulers, who are forced to open up political space by their desire for international legitimacy.<sup>17</sup>

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<sup>12</sup> For Zimbabwe, see White, *Unpopular Sovereignty*, 293, 300; for the ‘menu of manipulation’, see Andreas Schedler, ‘Elections without democracy: The menu of manipulation’, *Journal of Democracy* 13, 2 (2002): 36-50.

<sup>13</sup> David Chandler, ‘International statebuilding and the ideology of resilience’, *Politics*, 33, 4 (2013):276-86; Peter Sloterdijk and Gesa Mueller van der Hagen, ‘Instant democracy: the pneumatic parliament’, in Bruno Latour and Peter Weibel (eds), *Making Things Public. Atmospheres of Democracy* (Cambridge, Mass.: MIT, 2005): 952-57

<sup>14</sup> Kimberley Coles, *Democratic Designs. International Intervention and Electoral Practices in Post-War Bosnia-Herzegovina* (Ann Arbor: University of Michigan, 2007)

<sup>15</sup> See for example the papers in Larry Diamond and Marc F. Plattner (ed.) *Democratization in Africa* (Baltimore and London: Johns Hopkins Press, 1999); Staffan Lindberg, ‘The Surprising Significance of African Elections’, *Journal of Democracy* 17 (2006): 139–51

<sup>16</sup> Elklit and Svensson, ‘What makes elections free and fair’.

<sup>17</sup> Susan Hyde, *The Pseudo-Democrat’s Dilemma: Why Election Monitoring Became an International Norm* (Ithaca, NY: Cornell University press, 2011); Larry J. Diamond, ‘Thinking about hybrid regimes’, *Journal of Democracy*, 13: 2 (2002): 21-35; Judith Kelley, ‘Assessing the complex evolution of norms: the rise of

State-building may be a new term, but the vision is a recurring one: the processes of decolonization in Africa had been shaped partly by the belief that ‘institutional transfer’ (as David Apter called it at the time) could transform political culture, and that elections by secret ballot would themselves produce liberal democracy.<sup>18</sup> Yet the process of decolonization had already called into doubt that linkage between genuine political choice and state-building. In late-colonial elections the choosing of leaders or policies was already secondary to the performative assertion of stateness, which ‘gave proof that the colony was ready for the transition to the nation’.<sup>19</sup> Elections became a norm, expected by voters and civil servants as much as by a wider world. But the widespread move to single-party electoral politics across most of the continent after independence made clear that this was rooted less in the idea of choice, and more in what John and Jean Comaroff have called the ‘fetishization’ of the ballot, which imbues voting itself with an ordering agency that underwrites the notion of lawful order and authorises state power.<sup>20</sup> Against this backdrop, Uganda’s 1980 elections drew on a regional and continental experience in which the ballot was much more about state-building than about substantive political choice: the polls were seen, as the Observer Group put it, as ‘an essential first step towards national rehabilitation’.

In identifying the importance of that previous experience, we seek to nuance the emphasis on external democracy-promoters evident in some of the literature cited above. We also challenge the more critical literature on elections and election observation in Africa that has seen both as evidence of the profound extraversion of African politics. We argue that the holding of elections in Uganda, and the presence of the Commonwealth Observation Group, were the consequence of the concatenation of particular and contingent circumstances with a widely-circulating but diffuse set of ideas which foregrounded elections as key tools for the creation and maintenance of a law-based stability – or, as Kimberley Coles has put it, as a sort of scientific laboratory for the production of ‘facts, knowledge and order’.<sup>21</sup> While Jean-Francois Bayart has denounced ‘the discourse of democracy’ as ‘a form of pidgin language that various native princes use in their communication with Western sovereigns’, elections in Uganda were produced by very local imaginings of what the state should be, as well as by the ambitions of those who sought to be ‘national’ politicians, and the expectations of regional and international governments.<sup>22</sup> In 1980, the crucial impetus for elections, and for international observation, came from within Uganda. A wide range of actors there – albeit in different ways – saw elections as a means to re-establish state authority, which had been grossly compromised under Amin; reassert a former social order; and tame security forces which had

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international election monitoring’, *International Organization*, 62:2 (2008): 221-255; Susan Hyde ‘Catch us if you can: election monitoring and international norm diffusion’, *American Journal of Political Science* 55:2 (2011): 356-69; D. Anglin, ‘International election monitoring: the African experience’, *African Affairs*, 97 (1998): 471-95; Alberto Simpson and Daniella Donno, ‘Can international election monitoring harm governance’, *Journal of Politics*, 74: 2 (2012): 501-13

<sup>18</sup> For ‘institutional transfer’ in decolonization, see David Apter, *The Gold Coast in Transition* (Princeton, NJ: Princeton University Press, 1955), 3-17; also W. J. M. Mackenzie, *Free Elections: An Elementary Textbook* (London: Allen and Unwin, 1958); W.J. M. Mackenzie and Kenneth Robinson, ‘Introduction’, 1-5 in W.J. M. Mackenzie and Kenneth Robinson (eds), *Five Elections in Africa* (Oxford: Oxford University Press, 1960); K. W. J. Post, *The Nigerian Federal Election of 1959. Politics and Administration in a Developing Political System* (London: Oxford University Press, 1963), 24, 157.

<sup>19</sup> White, *Unpopular Sovereignty*, 24, 285.

<sup>20</sup> John and Jean Comaroff, ‘Law and disorder in the postcolony: An introduction’, 1-56, in Jean and John Comaroff, *Law and disorder in the Postcolony* (Chicago: University of Chicago Press, 2006).

<sup>21</sup> Kimberley Coles, ‘The construction of democracy through technique’, *Cultural Anthropology*, 19, 4 (2004), 551-80, at 553.

<sup>22</sup> Jean-Francois Bayart, ‘Africa in the world: a history of extraversion’, *African Affairs*, 99, 395 (2000): 217-67, at 226; Tom Young, ‘Elections and electoral politics in Africa’, *Africa*, 63, 3 (1993): 299-312

become predatory and unpredictable. The evidence from Uganda suggests that the fetishization of the ballot was not simply, as the Comaroffs argue, 'thrust upon the world at large' whether by late-colonial governments or a subsequent international gaze.<sup>23</sup> It acquired significant local force, and became entangled with the instrumental calculations of individuals and groups: driving decisions to hold elections, to hold them on a multi-party basis, and to invite international observers, and ultimately leaving those observers feeling that they had no option other than the endorsement of a flawed election. The Ugandan case demonstrates that an optimistic faith in the power of elections was co-produced, at multiple levels. But it also reminds us of the ambiguities of that faith, and the tension between the role of elections as, on the one hand, demonstrative exercises of stateness and, on the other hand, opportunities for genuine political choice.

### *The Ugandan political landscape*

Uganda, like many African countries, had enjoyed a brief and intense moment of multi-party politics leading up to independence, with parliamentary elections in 1958 (on a limited franchise), and again in 1961 and 1962. The 1962 elections, just prior to independence, were won by Obote and his UPC party. That victory was the result of a pact between Obote and the supporters of the *kabaka*, or king, of Buganda, who sought a federal route to independence which would maintain – and even enhance – the autonomy that Buganda had enjoyed within the British protectorate of Uganda.<sup>24</sup> The *kabaka's* supporters feared that a victory by Obote's main rival, the Democratic Party (DP), would fatally undermine the monarchy.<sup>25</sup> Obote's victory – in an election marked by high turnout and multiple allegations of malpractice – led to an independence settlement which offered autonomy to Buganda and made the *kabaka* the nominal head of state of Uganda as a whole.<sup>26</sup>

Within five years, Obote turned on the *kabaka* and his supporters – as many had anticipated. In 1966 the *kabaka* fled into exile, and in 1967 Obote himself became president under a new constitution that abolished Buganda (and other, smaller kingdoms recognized by the independence constitution). In 1969, all other political parties were banned, on the grounds (as in other one-party states) that they encouraged tribalism and sectarianism. The presidents of neighbouring Kenya and Tanzania had succeeded in holding national single-party elections, which – whatever the actual dynamics of the electoral process – were offered as evidence of support for the regime, and of administrative competence.<sup>27</sup> Obote insisted that 'the Party must aim at establishing a democracy

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<sup>23</sup> Comaroff and Comaroff, 'Law and disorder', 4.

<sup>24</sup> Nelson Kasfir, *The Shrinking Political Arena: Participation and Ethnicity in African Politics with a Case Study of Uganda* (Berkeley: University of California, 1976), 119-26; Grace Ibingira, *The Forging of an African Nation: the Political and Constitutional Evolution of Uganda from Colonial Rule to Independence, 1894-1962* (New York: Viking Press, 1973), 201.

<sup>25</sup> F. B. Welbourn, *Religion and Politics in Uganda, 1952-62* (Nairobi: East African Publishing House, 1965), i-iii; see the Kabaka Yekka election pamphlet reproduced in D.A. Low, *The Mind of Buganda: Documents on the Modern History of an African Kingdom* (Berkeley: University of California, 1971), 213-5. For religion and politics in this period see also Colin Leys, *Politicians and Politics. An Essay on Politics in Acholi, Uganda, 1962-65* (Nairobi: East African Publishing House, 1967), 11; D. A. Low, *Political Parties in Uganda, 1949-62* (London: University of London, 1962), 22-23.

<sup>26</sup> R.C. Peagram, *A Report on the General Election to the Legislative Council of the Uganda Protectorate Held in March 1961* (Kampala: Government Printer, 1961); Justus Mugaju, 'An historical background to Uganda's no-party democracy', in Justus Mugaju and J Oloka-Onyango (eds), *No-party Democracy in Uganda: Myths and Realities* (Kampala: Fountain, 2000), 8-23; Welbourn, *Religion and Politics*, 32-33; Grace Ibingira to Commissioner on Special Duty, 26 Oct. 1961; Minute 109 (62) of Cabinet, 10 Apr. 1962, UKNA FCO 141/18335.

<sup>27</sup> Goran Hyden and Colin Leys, 'Elections and politics in single-party systems: the case of Kenya and Tanzania', *British Journal of Political Studies*, 2, 4 (1972): 389-420

which is controlled and managed by the Common Man' and that '[t]he people must have a voice in the election of the President'; but he wrestled with the challenge of emulating his neighbours' performance.<sup>28</sup> Aware that the banning of opposition parties had led to the emergence in some areas of a faction within UPC that was widely interpreted as a proxy for DP, Obote feared that even single-party elections could lead to embarrassing defeats for his allies, especially in Buganda, where his suppression of the kingdom had made him profoundly unpopular.<sup>29</sup> Plans for a highly complex – and quite possibly unworkable – election with 'paired' constituencies around the country were interrupted by Amin's coup in January 1971.<sup>30</sup>

Amin's regime has become a by-word for misrule and brutality. Most significantly, it was felt by many Ugandans – especially, but not exclusively, by the educated – as a breakdown of order, a humiliating time of institutional collapse driven by 'brutality and irrationality'.<sup>31</sup> In the end, it was Amin's inept attempt to seize a slice of Tanzanian territory that led to his downfall. In March 1979, an invited group of Ugandan politicians gathered in the Tanzanian town of Moshi to discuss what would happen when Amin was driven from power – a moment which was more imminent than the delegates realized, as the Tanzanian army and a motley Ugandan rebel force were already heading towards Kampala.<sup>32</sup>

Ugandans looked forward to the end of this national trauma, but they did so with some trepidation. The Moshi meeting had been organized by the Tanzanian government, which was anxious to legitimize what was in effect an invasion of Uganda, which breached the charter of the Organization of African Unity.<sup>33</sup> The notable absentee from Moshi was Obote, who had spent most of his years of exile in Tanzania. Many Ugandans – and others – suspected that Nyerere intended simply to reinstall Obote as president.<sup>34</sup> This was, presumably, why he was not present; for Nyerere, the conference had to be seen to be independent from Obote's influence. Though Paulo Muwanga, a close ally of Obote, was a very visible presence, so too were the leaders of the DP, and other prominent politicians and intellectuals – many of whom were bitterly critical of the former president.<sup>35</sup>

The Moshi conference agreed on the formation of a 30-member National Consultative Council (NCC), which was largely drawn from those who were present; and it agreed that this Council would rule Uganda on a transitional basis, with a smaller Executive Committee as a key decision-making body.<sup>36</sup>

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<sup>28</sup> A. Milton Obote, *Proposals for New Methods for Election of Representatives of the People to Parliament, with the President's Memorandum* (Kampala: Milton Obote Foundation, 1970), 10-11.

<sup>29</sup> James Mittelman, *Ideology and Politics in Uganda: From Obote to Amin* (Ithaca, NY: Cornell University, 1975), 125-30.

<sup>30</sup> Norman Provizer, 'The national electoral process and state-building: proposals for new methods of elections in Uganda', *Comparative Politics*, 9, 3 (1977): 305-26; Selwyn Ryan, 'Electoral engineering in Uganda', *Mawazo*, 2, 4 (1970): 3-12. Planning for party primaries suggested the extreme organizational challenges posed by Obote's plans: Obote, 'Circular on election of branch and parliamentary constituency executives', nd 1970, UNA Elections 1/2; for a sympathetic, indeed partisan, account, see Ocitti, *Political Evolution and Democratic Practice*, 168-71.

<sup>31</sup> Derek Peterson and Edgar Taylor, 'Rethinking the state in Idi Amin's Uganda: the politics of exhortation', *Journal of Eastern African Studies*, 7, 1 (2013): 53-82, at 61-63.

<sup>32</sup> Cherry Gertzel, 'Uganda after Amin: the continuing search for leadership and control', *African Affairs*, 79: 317 (1980): 461-89.

<sup>33</sup> George Roberts, 'The Uganda-Tanzania war, the fall of Idi Amin, and the failure of African diplomacy, 1978-79', *Journal of Eastern African Studies*, 8, 4 (2014): 692-709.

<sup>34</sup> Fingland, BHC Nairobi to Robson, FCO, 7 Mar. 1979, UKNA FCO 31/2675.

<sup>35</sup> Robson, FCO to Day, FCO, 30 Mar. 1979, UKNA FCO 31/2675; Hinchcliffe, BHC Dar es Salaam to FCO, 12 Apr. 1979, UKNA FCO 31/2676.

<sup>36</sup> Posnett, BHC Kampala to Williams, FCO 7 June 1979, UKNA FCO 31/2676.

It also agreed – with some difficulty – on the appointment of a chair to the NCC, who would also be the interim president of Uganda pending the holding of elections: Yusuf Lule, a former minister and university administrator from Buganda.<sup>37</sup> Two weeks later, Lule was sworn in.

Lule lasted less than three months as president, before he was effectively ousted by the NCC.<sup>38</sup> He was succeeded by another man from Buganda, Godfrey Binaisa, who remained rather uncertainly in office until May 1980 before he was also removed, effectively by what was now called the Uganda National Liberation Army – the rebel movement-turned-army – in what Binaisa's supporters denounced as a 'Tanzania-supported coup'.<sup>39</sup> By the time Binaisa was ousted, the NCC had almost ceased to function; instead, power lay in the hands of a Military Commission, chaired by Muwanga, who had in effect become head of state and had also largely succeeded in sidelining his nominal deputy at the Military Commission, Yoweri Museveni. The 'consensus' reached at Moshi had been ephemeral. Obote, meanwhile, remained in the Tanzanian capital, Dar es Salaam, biding his time.

The confusion and uncertainty over who was the legitimate head of state was reflected throughout the country. The administration had partly collapsed by the end of Amin's rule, due to a combination of large-scale 'restructuring', fiscal crisis, and endemic violence. Lule and Binaisa each introduced slightly revised structures, restoring (more or less) the previous district administrative structure; however, neither had any funds to pay for these. The police force had almost vanished; security was in the hands either of Tanzanian soldiers and police (who were resented and increasingly subject to attack) or of the undisciplined UNLA. Amin's fall had seen a major wave of looting across the country, and violent crime had increased.<sup>40</sup> For ordinary Ugandans, the economic and security situation seemed dire. Meanwhile the Tanzanian government, desperately short of funds, was anxious to withdraw its soldiers.

### *Voting for order*

For many, elections seemed to offer a way out of this downward spiral – but there were very different ideas of what that way out might be, and what those elections might look like. The Moshi conference had agreed that elections should be held after two years; subsequently the Executive Council – dominated by men who considered themselves radical, some of them former associates of Obote who had turned against him – announced that these elections should be organized on a non-party basis, with candidates standing as individuals under the 'umbrella' of the Uganda National Liberation Front. The NCC endorsed this.<sup>41</sup> It was a decision that reflected the influence of a generation of nationalist politicians from the 1950s and 1960s, whose formation had been much more complex than a simple colonial tutelage: they had learned from colonial 'statism' (as Naomi Chazan has called it) but they had also been drawn into wider debates across Africa and Asia, influenced by Nehru and others, which had exalted unity and consensus in the name of the nation

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<sup>37</sup> Gertzel, 'Uganda after Amin', 467-68.

<sup>38</sup> Posnett, BHC Kampala to FCO, 20 June 1979, UKNA FCO 31/2677.

<sup>39</sup> Flack, British High Commission (BHC), Kampala to FCO, 14 May 1980, UKNA FCO 31/2905; Dani Wadada Nabudere, *Imperialism and Revolution in Uganda* (Dar es Salaam: Tanzania Publishing House, 1980), 345-46.

<sup>40</sup> Gertzel, 'Uganda after Amin', 468-70, 475; Posnett, BHC to FCO, 31 Aug. 1979, UKNA FCO 31/2678; Flack, BHC to Robson, FCO, 29 Jan 1980, UKNA FCO 31/2904 and 9 May 1980, UKNA FCO 31/2905; Flack, BHC to FCO, 26 Sep. 1980, UKNA FCO 31/2910.

<sup>41</sup> Ocitti, *Political Evolution and Democratic Practice*, 264-65; also Moon, BHC Dar es Salaam to FCO, 10 May 1979, UKNA FCO 31/2676

and which suspected parties as sectarian and divisive.<sup>42</sup> For them, elections should be expressions of unity and of national discipline: a 'government of the people', as one NCC statement put it.<sup>43</sup> More immediately, of course, no-party elections were a device to contain Obote, whose opponents feared that the UPC might still be an effective mobilising force if allowed to operate.

Binaisa too had repeatedly insisted that no-party elections would be held, 'to enable the country to settle down under the leadership of a popularly-elected government'.<sup>44</sup> He had – before his ousting – promised again that these would take place by June 1981; on 4 May, just before Binaisa lost power, a radio announcement from the government repeated that 'no political party activity will be permitted' during the elections.<sup>45</sup> In the wake of Binaisa's removal, Muwanga's regime promised 'the restoration of democracy'. Amid rumours that the head of the army – an ally of Obote – had ordered a million t-shirts with Obote's face on them, Obote himself announced that he planned to return to Uganda to campaign in the elections on a party basis.<sup>46</sup> At the end of May, he landed by air in the western town of Bushenyi to address a rally.<sup>47</sup> On the same day, the main English-language (and government-owned) newspaper in Tanzania editorialised that the role of government in Uganda was now solely 'to prepare the country for presidential and parliamentary elections not later than 30 September 1980. All parties shall be free to participate in the elections'.<sup>48</sup>

Since Tanzania had been a one-party state for more than a decade, there was some irony to this; some in Uganda saw Nyerere's new interest in multi-partyism as driven solely by his desire to see his old regional ally Obote back in power. A few weeks later, the Uganda government-owned *Uganda Times*, which was entirely partisan to the UPC, announced that elections would indeed be held on party lines, and only four parties would be permitted.<sup>49</sup> The DP and UPC were joined by a Buganda-monarchist Conservative Party and by the Uganda Patriotic Movement (UPM), led by Museveni in a 'managed pluralism' which echoed – presumably knowingly – the system adopted for Senegal's 1978 elections.<sup>50</sup>

There can be no doubt that the decision to hold multi-party elections was pushed through by Obote's allies. Thus, campaigning for UPC, Muwanga described himself as 'one who struggled to see that the people of Uganda went back to democratic party politics'.<sup>51</sup> Obote would have preferred a

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<sup>42</sup> Naomi Chazan 'Between liberalism and statism: African political culture and democracy', pp. 79, 82-85, in Larry Diamond (ed.) *Political Culture and Democracy in Developing Countries* (Boulder, CO: Lynne Rienner, 1993), 67-106.

<sup>43</sup> 'UNLF replies', Kampala Domestic Service, 23 Apr. 1980, Foreign Broadcast Information Service (FBIS), LD231933. For the early influence of Nehru, and suspicion of sectarian politics, see for example A. M. Kirunda-Kivejinja, *Uganda: The Crisis of Confidence* (Kampala: Progressive Publishing, 1995), 16-20.

<sup>44</sup> Posnett, BHC Kampala to FCO, 23 June, 3 July and 14 Aug. 1979, UKNA FCO 31/2677; 'President recommends holding early elections in December', Kampala Domestic Service, 26 Mar. 1980, FBIS LD 262137. See also 'Record of meeting', 24 Apr. 1980, UKNA FCO 68/845 and Flack, BHC Kampala to FCO, 24 Mar. 1980, UKNA FCO 68/845.

<sup>45</sup> 'Government reaffirms ban on political parties', Kampala Domestic Service, 4 May 1980, FBIS LD 042310; Flack, BHC Kampala to FCO, 28 Mar. 1980, UKNA FCO 31/2904.

<sup>46</sup> Moon, BHC Dar es Salaam to FCO, 7 May 1980, UKNA FCO 31/2904; Robson FCO to Williams FCO, 12 May 1980, UKNA FCO 31/2904; 'People's Council notes UNLF election violations', Kampala Domestic Service, 24 Apr. 1980, FBIS LD231236

<sup>47</sup> Nelson, BHC Kampala to FCO, 28 May 1980, UKNA FCO 31/2906.

<sup>48</sup> Reported in Moon, BHC Dar es Salaam to FCO, 27 May 1980, UKNA FCO 31/2906.

<sup>49</sup> 'Formation of new parties before elections banned', Kampala Domestic Service, 18 June 1980, FBIS LD 181530.

<sup>50</sup> Dennis Galvan, 'Political turnover and social change in Senegal', *Journal of Democracy*, 12, 3 (2001), 51-62.

<sup>51</sup> 'Polling to be facilitated', *Uganda Times*, 5 Nov. 1980, 1.

direct presidential vote, but was willing to accept a parliamentary, first past-the-post system with the leader of the winning party becoming president.<sup>52</sup> Many years later, a close confidante of Obote emphasised the latter's awareness that the international expectation of elections made military rule unsustainable: '[h]ow would we show ourselves to the world, when the whole world is talking of democracy? ..... It would cut our ties to the world.'<sup>53</sup> Over the next few months, Obote repeatedly staked his claims to future legitimacy on victory in the ballot: 'Our confidence rests on the support of the people which exists. We are a party of the People, a Party of the Peasant, a Party of the Worker'.<sup>54</sup> Speaking to the UPC conference, he said 'I charge you with organising the multitudes everywhere so that in the polls we teach opponents a lesson they will never forget'; and shortly before elections he reportedly told a press conference that 'election is a matter of honor to disprove foreign mass media which have been propagating that Dr Obote, and his party the UPC, are extremely unpopular in Uganda.'<sup>55</sup> The UPC took some pleasure in observing that 'Uganda will be the only country in this part of Africa where the elections would not be restricted to one party'.<sup>56</sup>

But it was not only the UPC which sought elections: the holding of multi-party elections was also possible because other politicians were equally desperate to have elections, and promised the public that these would be held.<sup>57</sup> All saw these as a means to restore some sort of authority and order, and they preferred multi-party elections to no elections at all. The DP accepted this system partly because they believed they could win, and Museveni too seems to have been (delusionally) persuaded that his electoral prospects were good; in the face of considerable contrary evidence, members of both parties insisted that Obote did not really want elections, because he had no popular support.<sup>58</sup> But more than this, both DP and UPM saw elections as an affirmation of the very idea of a Ugandan state that was in danger of unravelling: 'UPM believes that a general election is a condition precedent to Uganda returning to normality'.<sup>59</sup> Even for those who feared losing, elections offered a validation of a set of ideas about political order and law.<sup>60</sup> Echoing the injunctions to electoral participation which had filled newspapers in the independence period, the *Uganda Times* editorialised that 'the majority of our people . . . are banking on the election as a prerequisite for better and prosperous Uganda' [sic] and that 'anybody who is bent on disrupting the elections is an enemy of the people'.<sup>61</sup> Even the forms and practice of electoral management drew directly on late-colonial precedent, in everything from the symbol used for the Election Commission to the central role given to district commissioners. And while the DP and UPM repeatedly flirted with the idea of an alliance, or of an agreement to boycott the elections, they could not agree on either. This was partly because of their mutual distrust, but also because leading figures in both parties wanted the elections to happen. The alleged popular desire for elections became in itself a legitimising tool: 'the people want elections', as the *Uganda Times* insisted.<sup>62</sup>

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<sup>52</sup> 'Obote to contest election as "national leader"', Kampala Domestic Service, 13 Nov. 1980, FBIS LD 131850

<sup>53</sup> Interview, Henry Opiyo Opiote, 9 June 2015.

<sup>54</sup> 'The pearl of Africa shall rise and shine again', *Uganda Times*, 5 Nov. 1980, 4.

<sup>55</sup> "'Go ye all out, ye shall win'", *Uganda Times*, 7 Nov. 1980, 1.

<sup>56</sup> 'UPC defines attitude on foreign observation of elections', Kampala Domestic Service, 13 July 1980, FBIS, LD 131905.

<sup>57</sup> For example, 'Museveni address Patriotic Movement rally on election', Kampala Domestic Service, 10 Aug. 1980, FBIS LD 101628.

<sup>58</sup> Nason, FCO to Flack, BHC Kampala, 31 July 1980, UKNA FCO 31/2907; Bwengye, *Agony of Uganda*, 28 and appendix.

<sup>59</sup> 'Uganda's Hope: UPM', undated, in UKNA FCO 31/2910.

<sup>60</sup> Interview, Zachary Olum, 9 June 2015.

<sup>61</sup> Editorial, 'We want plans for the people', *Uganda Times*, 10 Nov. 1980, 4.

<sup>62</sup> Editorial, 'Political leaders must be responsible', *Uganda Times*, 12 Nov. 1980, 4.

The other parties had ample reason to consider a boycott. In the months following May, Muwanga and the Military Commission became ever more openly partisan in their behaviour, with the result that government-owned media were entirely biased in favour of Obote. He, and UPC candidates generally, were given security and transport facilities by the military, while DP and UPM politicians suffered harassment, and occasional lethal violence.<sup>63</sup> Museveni himself was detained at a road block for several hours until he was rescued by his own armed followers.<sup>64</sup> Yet, despite the violence, there was widespread enthusiasm for the election. With the partial exception of the UPC, all parties were short of funds, but found that local supporters were willing to make good this deficiency, as the then-leader of the DP later explained:

people would come with their vehicles, and those who had fuel would come with their vehicles with fuel. And we would use those vehicles. They would organize big rallies, at their expense. You are having a meeting in Masaka, you don't go and pay for that rally. People in Masaka organize themselves, financially, to have that rally.<sup>65</sup>

Across the country, the locally influential men (and a few women) who had been the backbone of political activism in the 1960s threw themselves into the election, raising funds through local auctions in which they ostentatiously bought petty items for large sums of money.<sup>66</sup> Partly of course, this might be seen as investment in the potential spoils of office, though a risky one: after the UPC nominations '[o]ne of the unsuccessful candidates is understood to have wept openly after spending 3m /-', reported the *Uganda Times*.<sup>67</sup> But it was also a reaffirmation of status by people who had been sidelined by Amin's unpredictable rule, in which education and social position were no guarantee of security. Uganda's political parties had never really been national structures: each was a 'loose federation of notables', or a collection of 'local political systems, each with its own political elite'.<sup>68</sup> With the end of Amin's rule, these local elites – the big men of small towns across the country – leaped at the chance to reassert their status, and renew their rivalries, through electoral contest.

Their enthusiasm was shared more widely. The distinctive power of elections to make order is, as Coles has argued, rooted in the way that they bring together multiple techniques, drawing very large numbers of people into involvement with a 'network of material and knowledge practices' – as supervisors, local electoral workers, or as voters.<sup>69</sup> Tens of thousands of civil servants, local notables, and educated women and men hired temporarily for the process were drawn into processes of mapping and listing which provided paper proof that Uganda was a state, and that the population were citizens: they identified possible polling stations, carefully wrote down the names of possible staff in exercise books, submitted requests for election materials, sat waiting at desks with pens and stamps poised.<sup>70</sup> When the registration of voters began – very belatedly and hurriedly – it was accompanied by adverts that stressed citizenship: 'Prove you are a real Ugandan by participating in

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<sup>63</sup> 'Democratic Party official reportedly murdered', Nairobi Domestic Service, 22 Aug. 1980, FBIS LD 222000.

<sup>64</sup> Flack, BHC Kampala to FCO, 24 Oct. 1980, UKNA FCO 31/2911.

<sup>65</sup> Interview, Paul Ssemogerere, 24 Sep. 2014.

<sup>66</sup> Interview with Paul Ssemogerere, 24 Sep. 2014; see also Interview, Damian Mutahiigwa, 12 June 2015; and 'UPM boss cautions', *Uganda Times* 10 Nov. 1980, 3; 'Museveni asks for campaign vehicles', *Uganda Times*, 20 Nov. 1980, 8.

<sup>67</sup> "'Power of the people" plea', *Uganda Times*, 4 Nov. 1980, 1.

<sup>68</sup> Mudoola, 'Political transitions', 286; Leys, *Politicians and Politics*, 11; Roger Southall, *Parties and Politics in Bunyoro* (Kampala: Makerere Institute for Social Research, 1972), 63.

<sup>69</sup> Coles, 'The construction of democracy', 573.

<sup>70</sup> The archival record of the elections at a local level is fractured, but see for example the contents of Gulu District Archives, Box 529, file Adm. 6 ADES IV, R.84.

the forthcoming elections'.<sup>71</sup> How persuasive this was in itself is hard to say, but there were very high levels of registration in much of the country. The high figures may have been driven by some local malpractice (whether all would-be voters really registered individually, as the law required, is not clear); but they suggest a popular enthusiasm which went beyond local elites and civil servants: and diplomats believed that the 'Ugandan people are anxious to hold elections'.<sup>72</sup>

Late-colonial elections had established the idea that elections would 'legitimate a new nation' and make citizens, and were therefore critical to statebuilding.<sup>73</sup> The official insistence that the election was 'vital to the nation' drew on that idea, and was perhaps not so far from the popular perception: Ugandans more widely could see elections as a way to reassert a model of civic order, a way to tame the soldiers who had become the unpredictable and violent face of a semi-collapsed state.<sup>74</sup> Uneasily aware of Obote's jibe that those who opposed elections were not 'nationally conscious' and reassured by the way that electoral processes seemed to reconstitute a social order that might strengthen the severely weakened fabric of the state, opposition leaders kept not quite deciding on a boycott – though they also continued to accuse the UPC of malpractice.<sup>75</sup>

### *The motivation to monitor*

Uganda's politicians were not the only ones focused on stability and the construction of political order. There are some methodological perils in exploring international attitudes, for the availability of UK diplomatic records may lead to an undue emphasis on the significance of British policy and ideas – it was, after all, Tanzanian soldiers who had their boots on the ground. Yet British government opinion did matter: while Obote himself shunned any direct contact, other Ugandan politicians, pro- and anti-Obote, repeatedly sought the advice and support of British diplomats. The US government did not always consult with the UK on Uganda – to occasional British annoyance – but shared diplomatic correspondence suggests that there was substantial cooperation between the two governments, and between the UK, Canada and Australia.<sup>76</sup>

At the time of Amin's fall, British officials had agreed that British interests were primarily in securing debt repayments, compensation for British nationals whose property had been seized, and preventing Uganda from being a 'foothold' for 'anti-Western interests'; those aims were repeatedly restated in the following months – in discussions which suggest some similarity with debates about British interests and electoral politics in Kenya a decade later.<sup>77</sup> The ideas of order and stability were woven through British ideas of how to secure these aims, and UK diplomats expressed general

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<sup>71</sup> Advertisement, *Munno*, 3 Oct. 1980, 2

<sup>72</sup> Lavett, Kampala to FCO, for onward transmission to Australian government, 30 Oct. 1980, UKNA FCO 31/2912.

<sup>73</sup> White, *Unpopular Sovereignty*, 287.

<sup>74</sup> 'Kikira briefs returning officers', *Uganda Times*, 24 Nov. 1980, 1.

<sup>75</sup> For Obote's accusation, see 'Obote forecasts landslide UPC election victory', Kampala Domestic Service, 21 Sep. 1980 FBIS LD 211536; for DP accusations, see 'Declaration by the National Council of the Democratic Party', 17 Sep. 1980, copy in UKNA FCO 31/2910.

<sup>76</sup> For British views on unilateral US initiatives on Uganda, see British High Commission, Delhi to FCO, 8 Oct 1980, UKNA FCO 31/2910; for UK discussions with Commonwealth on Uganda, see Flack to Robson, 6 Sep. [so dated, but must be Oct.], 1980, FCO 31/2910; the UK files hold copies of some communications between the US Embassy in Kampala and the State Department.

<sup>77</sup> 'Uganda – implications for UK policy', with Robson, FCO to Day, FCO, 9 Feb. 1979, UKNA FCO 31/2675; 'Position paper', 18 Apr. 1979, UKNA FCO 31/2676; Flack, BHC to FCO, 18 Feb. 1980, UKNA FCO 31/2904. For Kenya, see Stephen Brown, 'Authoritarian leaders and multiparty elections in Africa: how foreign donors help to keep Kenya's Daniel Arap Moi in power', *Third World Quarterly* 22, 5 (2001), 725-39.

support for the idea of elections to 'settle the question of the political leadership'.<sup>78</sup> 'Uganda's problem is essentially one of law and order', declared the British secretary of state for foreign affairs, in a circular telegram intended to ensure a consistent message.<sup>79</sup> Bertram Flack, the British High Commissioner in Kampala, worried that 'there is no real legality or constitutional basis for much or perhaps anything that has happened since the liberation'.<sup>80</sup> An election would provide such legality, yet he feared that a 'free and fair' election might not be feasible.

In the wake of Binaisa's removal, Otema Allimadi – who was both foreign minister in Muwanga's *de facto* government and (conveniently) the manager of the UPC election campaign – formally requested British financial support for the elections. He simultaneously placed an order for election materials from the UK security printing firm, De La Rue, who immediately became an interested party and began lobbying for UK government financing for the election.<sup>81</sup> The total order, which went well beyond De La Rue's usual business, and included everything from Landrovers to lamps, as well as ballot papers and ballot boxes, was for more than £2 million – and the Ugandan government let it be known that they could not afford to pay more than a third of this.

Linked to the question of who would pay for the elections was the issue of observation. Binaisa had already raised the possibility that the Commonwealth might observe elections, as part of a wider gambit to try and secure a Commonwealth police force, which he had hoped would replace the Tanzanian soldiers and, at the same time, protect him from Muwanga.<sup>82</sup> The idea of a Commonwealth security presence was never seriously considered, but the suggestion of observation was taken up by others. Obote and the UPC played an effective game on this – which in many ways may be seen as a precursor to the behaviour of the later 'pseudo-democrats', as described by Hyde, where observers are invited as a way to signal that a country is democratising.<sup>83</sup> Nyerere had privately suggested Commonwealth observation shortly after the Tanzanian press had advanced the idea of multi-party elections. Obote then publicly took up the idea, and in a speech at Bushenyi noted: '[I] recommend to people responsible for organizing the elections to invite official observers from the Commonwealth and OAU countries to observe the fairness of the elections'.<sup>84</sup>

The Commonwealth Secretariat also had their own reasons to observe. Shortly after Obote's Bushenyi speech, Allimadi made a visit to London to the Secretariat, which, at the time, was flush from its recent perceived triumph over the Zimbabwean elections. For Secretary-General Shridath Ramphal, elections offered a means to give a new purpose and energy to the Commonwealth, which was – then, as always – facing questions about its real role and purpose in international affairs. Around this time, Ramphal gave a speech in the Caribbean in which he declared that: '[t]he therapy of free elections has no equal. I know of no better prescription for ensuring the health of the body politic'.<sup>85</sup> From the first approach, Ramphal and his staff were keen to become involved in the Ugandan elections, though political and financial realities meant that they could not do so without British government support.

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<sup>78</sup> Posnett, BHC Kampala to FCO, 6 July 1979, UKNA FCO 31/2675; Allinson, FCO, memo, 19 Mar. 1980, UKNA FCO 68/845.

<sup>79</sup> Carrington, Secretary of State to various, 26 Mar. 1980, UKNA FCO 68/845.

<sup>80</sup> Flack, BHC Kampala to FCO, 20 May 1980, UKNA FCO 31/2905 and 8 Aug. 1980, UKNA FCO 31/2908.

<sup>81</sup> Nason, BHC Kampala to FCO, 21 Aug. 1980 and Raftery, FCO to Allinson, FCO, 22 Aug. 1980 UKNA FCO 31/2908.

<sup>82</sup> Carrington, Secretary of State to BHC Kampala, 29 Apr. 1980, UKNA FCO 68/845.

<sup>83</sup> Susan Hyde, *The Pseudo-Democrat's Dilemma: Why Election Monitoring Became an International Norm* (Ithaca, NY: Cornell University Press, 2011).

<sup>84</sup> Text of speech, piece 206 in UKNA FCO 31/2906.

<sup>85</sup> The speech was reported in Uganda: 'Free elections only way to democracy', *Uganda Times*, 24 Nov. 1980, 4.

But while other parties were quick to accept the idea of Commonwealth observation, Obote and the UPC persistently punctuated their enthusiasm with expressions of hostility. In July, a UPC meeting denounced the idea of observation as a 'serious imputation on the integrity and impartiality of our leaders'.<sup>86</sup> Before his mission to the Commonwealth, Allimadi was reportedly critical of the very idea of observation, on the grounds that it came close to a 'derogation from sovereignty'. Yet, shortly afterwards, he was back in London at the Commonwealth Secretariat repeating the request for observers.<sup>87</sup> The *Uganda Times* questioned the value of a 'so-called neutral group', and argued that '[t]here are people who will not be happy about our situation until London, Washington or what have you gives a blessing'.<sup>88</sup> Coordinated or not, these mixed messages ensured that observers would feel constrained, but would nevertheless come, ensuring an election 'which the world have to take seriously' – as Uganda's information minister told a meeting in London, in a disingenuous affirmation of the importance of the international gaze.<sup>89</sup>

Obote and Allimadi were not the only ones who foresaw problems. Some Commonwealth governments were reportedly anxious that Ramphal and the Secretariat were running well ahead of local realities in their support for the idea of observation.<sup>90</sup> Opinion in the UK Foreign and Commonwealth Office was uncertain, and at times sharply divided: should they take the risk of funding the elections and observations given that, as one official had noted in June, '[t]he odds are that elections in Uganda will go wrong; they will be rigged, or mismanaged, or even not held at all'? Other Commonwealth governments were reported equally reluctant to be involved. By October, less than two months before the (rescheduled) election date of 10 December, no decision had been taken over funds or the observer mission. When Ramphal wrote to the British prime minister pressing for British involvement, the FCO drafted a holding reply which read: 'We are not yet in a position to decide whether the prospects for adequately free and fair elections in Uganda are good enough to take the risk of association with elections which could go wrong.'<sup>91</sup>

That the British government finally decided to support both elections and monitoring was the result of a combination of pragmatic Cold War calculation and a half-cynical, half-naïve fetishization of the ballot. From Kampala, British diplomats had consistently reported both their mistrust of Obote who they believed was 'widely hated and disliked in Uganda', and their expectation that he would nonetheless become president in one way or another – if he did not win the election, he would be installed in office by a military coup.<sup>92</sup> They reported also their view that a coup would seriously undermine any hope of stability, and that elections offered 'the only immediate hope, though again no guarantee, of reasonable or improving economic stability or recovery'. UK and other western aid had been largely suspended after Binaisa was toppled; it would be hard to restore this without an election, and, in the absence of funding, the structures of the state would be hard to maintain.<sup>93</sup> The consequence of that might be the spread of Soviet influence – even, the British high commissioner

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<sup>86</sup> 'UPC defines attitude on foreign observation of elections', Kampala Domestic Service, 13 July 1980, FBIS LD 131905.

<sup>87</sup> Allinson, FCO to Luce, FCO, 12 Sep. 1980, UKNA FCO 31/2909.

<sup>88</sup> 'Ugandans alone have the final say', *Uganda Times*, 19 Nov. 1980, 1; 'No pride in observers', *Uganda Times*, 6 Dec. 1980, 1; Editorial 'We wish the poll observers a happy stay', *Uganda Times*, 27 Nov. 1980, 4.

<sup>89</sup> 'Anyoti expresses confidence in the polls', *Uganda Times*, 28 Nov. 1980, 8.

<sup>90</sup> Smart, BHC Canberra to Barltrop, Commonwealth Coordination Department, 8 Oct. 1980, UKNA FCO 31/2910

<sup>91</sup> Robson, FCO to Allinson, FCO 24 Oct. 1980, UKNA FCO 31/2911.

<sup>92</sup> Nason, BHC Kampala to Wallace, FCO 6 June 1980, UKNA FCO 31/2906; Robson, FCO, note, 26 June 1980, UKNA FCO 31/2908; Flack, BHC Kampala to Robson, FCO, 15 Sep. 1980, UKNA FCO 31/2909.

<sup>93</sup> Flack, BHC Kampala to Robson FCO, 6 Sep. 1980 [so dated, but place in file suggests should be October], UKNA FCO 31/2910.

suggested, the deployment of Cuban or East German soldiers to Uganda.<sup>94</sup> In early November, Flack finally succeeded in meeting with Obote, who had reassured him that 'Uganda would greatly rely on Britain'; Flack recommended that 'we should resume relations with him on a clean slate'.<sup>95</sup>

In London, some officials had already argued that 'the holding of elections is strongly in Uganda's interest, and by extension [sic] our own . . . The establishment of a democratically-elected government would make a great contribution towards a return to internal stability and normality'; and by September one was opining firmly that '[b]y far the best thing would be for elections to take place in Uganda and a settled regime established'.<sup>96</sup> A memo prepared for the UK cabinet reiterated the point: 'elections will not in themselves solve Uganda's problems but have seemed an essential prerequisite for a return to political stability.' There was a potentially awkward corollary to this argument, of course: '[a]n unfavourable report by UK observers . . . on an election which brought Obote to power would gain us nothing'.<sup>97</sup> Yet if there were no observers, then there was an evident danger that there might be so much malpractice that it would anyway be impossible to recognize their outcome. In Uganda, meanwhile, British and other diplomats talked to the other parties about their complaints, and sought to persuade them to contest the election in spite of these – on the basis that they really had no alternative.<sup>98</sup>

Finally, in early November, Richard Luce, the Parliamentary Under-Secretary, visited Kampala. He had recently expressed his reluctance to help finance the elections, but after the visit he explained that he had changed his view, because of

the universal longing in Uganda for elections as a first step towards national recovery and the restoration of legitimacy. . . . For the first time a Commonwealth country has sought Commonwealth support for holding elections. If these do not take place there will be a growing power vacuum of the kind which the Soviet Union and its surrogates are expert in exploiting.

Luce pointed out that Obote has 'emphised [sic] privately that his economic interests lie with closer links with Britain and Kenya. Nevertheless, the Cubans are waiting in the wings'.<sup>99</sup> The US government had come to a similar conclusion; they offered financial support for the elections and discreetly encouraged India to send election monitors, while at the same time the US ambassador saw Muwanga privately to ask him to rein in the UNLA.<sup>100</sup>

#### *The 1980 elections: Of malpractice and the monitors*

The British decision to support the elections triggered the release of other funds, already promised by Australia and Canada. The British were also rapidly drawn in to the elections even more deeply, for now they could not allow the process to fail. As well as the direct grant offered to pay for the elections – which, of course, went almost entirely (and straight) to De La Rue – they were asked to

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<sup>94</sup> Flack, BHC Kampala to Robson, FCO, 13 Oct. 1980, UKNA FCO 31/2910.

<sup>95</sup> Flack, BHC Kampala to FCO, 4 Nov. 1980, UKNA FCO 31/2912.

<sup>96</sup> Raftery, FCO to Allinson FCO, 22 Aug. 1980, UKNA FCO 31/2908; Allinson, note, 15 Sep. 1980, UKNA FCO 31/2909.

<sup>97</sup> Briefing for Lord Privy Seal, 24 Sep. 1980, UKNA FCO 31/2909.

<sup>98</sup> Nason, BHC Kampala to FCO, 10 Nov. 1980, UKNA FCO 31/2913

<sup>99</sup> Luce, Permanent Under-Secretary to Secretary of State, 6 Nov. 1980, UKNA FCO 31/2913. The concern about Communism had already been explicitly raised by others: Flack, BHC Kampala to Robson, FCO, UKNA FCO 31/2910.

<sup>100</sup> BHC Delhi to FCO, 8 Oct. 1980, UKNA FCO 31/2910; and US Secretary of State to US Embassy Kampala, 23 Oct. 1980, copy in UKNA FCO 31/2911.

arrange transport for the materials – since it would be embarrassing if the elections were delayed because a UK firm had failed to deliver materials on time. The US Air Force provided two transport flights; but these were not enough, and the UK government resorted to chartering two British Airways 747s, at an additional cost of £90,000, to move the equipment.<sup>101</sup> Then a shortage of transport became apparent, and the government was asked to expedite the delivery of Landrovers, which were being provided as aid to the Uganda Police, so that these could be used for election observation work. Not all could be made available in time, so twenty additional Landrovers were bought from the assembly plant in Kenya and rushed to Uganda. Then there were the costs of the observation mission itself, to which the UK contributed £125,000.<sup>102</sup>

Meanwhile, in Uganda, controversy raged over the electoral arrangements, amid an increasingly febrile and violent atmosphere. Just over a month before the election, 14 of Uganda's 33 district commissioners – the men responsible for electoral management – were dismissed and replaced by men appointed directly by the Military Commission. Soon afterwards, Obote publicly warned civil servants to 'stop frustrating the UPC election efforts'.<sup>103</sup> One man who was a young UPM activist at the time recalled that in his constituency, the district commissioner set about ensuring that all polling staff were UPC supporters.<sup>104</sup>

The existing electoral law – passed under British rule in 1957 – stipulated both the use of multiple ballot boxes (with voters entering a screened room to cast an unmarked ballot into one of four boxes, one for each party) and the counting of ballots at a central place in each constituency on the day following the voting. The opposition parties were bitterly opposed to both, arguing that they made cheating extremely easy: votes, or box labels, would simply be switched while the boxes were in transit. As Bwengye argued at the time, 'multi-boxes will facilitate malpractice as was the case in the past when the UPC used to emerge victorious even though it had no support in the country'.<sup>105</sup> The UPC, and Muwanga, remained obdurate on the question of multiple ballot boxes – so too did the Electoral Commission, which had been hand-picked by Muwanga.<sup>106</sup> The question of where the votes should be counted was more open for discussion; Nyerere, fearing that the DP and UPM really might boycott the election, and so rob it of its legitimacy, summoned all party leaders to Dar es Salaam, where they agreed that ballots should be counted at the polling station immediately at the end of voting. The Electoral Commission then, five days before the election, announced its opposition to this agreement – probably under pressure from Muwanga.<sup>107</sup>

The Commonwealth Observer Group, which had finally arrived in the country, with a specific mandate to judge whether the elections were 'free and fair', threatened to leave again, on the grounds that this violated the agreement with the parties, and would discredit the process

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<sup>101</sup> Secretary of State to BHC Kampala, 10 Nov. 1980, UKNA FCO 31/2913.

<sup>102</sup> 'Essential facts', nd, UKNA FCO 31/2914; the Australian government also contributed A\$150,000 to the election: Smart, BHC Canberra to Barltrop, Commonwealth Coordination Department, 29 Oct. 1980, UKNA FCO 31/2912.

<sup>103</sup> Flack, BHC Kampala to FCO, 24 Oct. 1980, UKNA FCO 31/2911; 'Civil servants are cautioned', *Uganda Times*, 29 Nov. 1980, 1.

<sup>104</sup> Interview, Mwambutsya Ndebesa, 24 Sep. 2014

<sup>105</sup> 'DP boycott threat', *Uganda Times*, 4 Nov. 1980, 1.

<sup>106</sup> 'Democratic Party decides against election boycott', Kampala Domestic Service, 19 Nov. 1980, FBIS LD 191940

<sup>107</sup> Message for Australian High Commission, via British High Commission, Nairobi, 8 Dec. 1980, UKNA FCO 31/2915.

entirely.<sup>108</sup> Obote – personally, and through the government newspaper – launched an impassioned attack on them for interference; the information minister, back from London, told the Observer Group publicly that ‘I hope you are here to observe but not to pass judgment on Uganda. Ugandans alone have the right to choose their government’.<sup>109</sup> But Muwanga conceded, just three days before the polls were due, and agreed that the count would be done at each polling station.

Meanwhile, just as the observers arrived at the end of November, the nomination of candidates took place, which saw multiple and egregious malpractices. UPC candidates were successfully nominated in 125 of the 126 constituencies. In 14 of these they were unopposed, because DP (and some UPM) candidates were not nominated. In a number of constituencies in West Nile, this was because there had been no voter registration, after an attack by armed men (who were said to be supporters of Amin) had overrun the whole area at the time of registration, and driven tens of thousands from their homes. Since candidates seeking nomination had to be proposed by registered voters, this made nomination technically impossible; nonetheless, the returning officer accepted the nomination of UPC candidates.

Elsewhere, prospective DP candidates were detained at roadblocks until the nomination deadline had passed, or found that although they had delivered their nomination papers on time, the returning officers declared that they had come too late. These candidates were perhaps fortunate; in one constituency, the DP’s aspiring nominee was found dead shortly before nomination day. Three days before the ballot, the Electoral Commission announced that it had cancelled the nomination of three more DP candidates, in Kasese in the west of the country, on technical grounds; at the same time it reinstated the candidacy of the only UPC candidate whose nomination had been refused. Thus, UPC went into the election having already won 17 of the 126 seats; given the pattern of ethnic and regional voting, it seems likely that they would have won some of these anyway, but others would probably have gone to the DP. Ebenezer Debrah, the Ghanaian leader of the Observer Group, agreed to send a strong protest over the nominations, but other members of the group suspected that he was all-too ready to believe Muwanga’s argument that the DP had simply been disorganized; certainly, his letter on the subject was mildly phrased.<sup>110</sup> Indeed, mild phrasing became something of a speciality; when the assistant to the secretary of the Electoral Commission was murdered by men in military uniform just before the election – a killing widely seen to be an act of intimidation – the Observer Group wrote to the secretary to condole on the ‘tragic and untimely passing’ of his assistant.<sup>111</sup>

Just before the election began, a UK Foreign Office memo summed up the likely outcome: ‘a UPC (Obote) victory secured with a measure of intimidation and dirty tricks but not to an extent that would lead the Commonwealth observers to submit more than a qualified report . . . [which] would at any rate be an improvement on the present situation and would raise no major problems in conducting our relations with Uganda’.<sup>112</sup> Hillier-Fry, who had just replaced Flack as high commissioner in Kampala, reported that if Obote lost the election, there would be a military coup,

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<sup>108</sup> BHC Kampala to Australian High Commission, Nairobi, 8 Dec. 1980, UKNA FCO 31/2915; see also Muwanga to Ssemogerere, 5 Dec. 1980, and marginal notes, in Commonwealth Secretariat archive item 14, CS 2013/052.

<sup>109</sup> ‘Anyoti challenges Commonwealth’, *Uganda Times*, 6 Dec. 1980, 1; also ‘UPC heads for victory’ and ‘Obote concerned over delay’, *Uganda Times*, 9 Dec. 1980, 1.

<sup>110</sup> Hillier-Fry, BHC Kampala to FCO, 5 Dec. 1980, UKNA FCO 31/2915; the letter is one of the very few documents regarding the Uganda election in the Commonwealth Secretariat archive: Debra to Kikira, Electoral Commission, 29 Nov. 1980, Item 7, CS 2013/52.

<sup>111</sup> Bundu to Ssekono, 3 Dec. 1980, Commonwealth Secretariat, Item 12, CS 2013/052.

<sup>112</sup> Robson, FCO to Allinson, 9 Dec. 1980, UKNA FCO 31/2915.

which would place him in power anyway.<sup>113</sup> The nine observers of the Commonwealth Observer Group, their numbers boosted to around 60 by the involvement of various assistants, spread themselves out around the country in the few days before the elections. Constantly hampered by logistical problems – over fuel, accommodation, and even food – they had no time to meet with local party activists outside Kampala, and found themselves heavily dependent on the local administrative staff.<sup>114</sup> Nonetheless, they were continually denounced by UPC supporters: the *Uganda Times* opined that it was ‘worrying that foreigners have been allowed a free hand to acquire an executive role in the conduct of the polls of a sovereign state’.<sup>115</sup>

In the final days before the election, the *Uganda Times* again reminded people of the importance of the election, in the process evoking international opinion to demand electoral participation and echoing the language of late-colonial elections:

As we approach the elections we would like to appeal to all Ugandans to shed their minor contradictions and realise that the nation’s destiny is at stake. Electioneering is the only way we can ensure that a responsible government runs the affairs of the country to our satisfaction . . . It is the duty of us all to ensure that we build a system that will make the country repair its pride among other nations.<sup>116</sup>

The next day, the paper editorialized further on the disciplinary nature of elections:

This process is very important to the election of a popularly elected government. And because of its importance it must be held in maximum secrecy and generally secure conditions. No one must be allowed to harass members of the public as they go to vote . . . All the people will be required to do is to line up peacefully and wait for their turns to be attended to by polling assistants and presiding officers.<sup>117</sup>

When polling began on 10 December, it was intended to be completed in a single day, but it soon became clear – to poll officials, as well as to observers – that this would be inadequate in some places. Curiously, it was in the capital, Kampala, which was expected to poll heavily for DP, that there were the most serious delays in opening the poll, for reasons that were never explained.<sup>118</sup> Polling was therefore extended into the 11 December; on the night of 10/11, party agents in many places insisted on spending the night in the same room as the boxes to prevent malpractice. The observers subsequently claimed to have visited 1,476 polling stations during the voting; a record that is both remarkable and suggestive of the brevity of most of those visits. They came away ‘very impressed by the large and orderly turn-out to vote’; Bwengye, and others, have argued that beyond the view of observers, there were high levels of compulsion, and he produced a photograph of cowed voters queuing under the barrels of soldiers’ guns as evidence.<sup>119</sup>

The turnout was extraordinary – well over 80% of the registered voters in most places, which meant that rather more than one quarter of the total population voted. This is a remarkable number in a country where slightly more than half the population were under 18. Such figures might seem to suggest wholesale ballot-stuffing, and it seems likely that there was some local malpractice involving

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<sup>113</sup> Hillier-Fry, BHC Kampala to FCO, 9 Dec. 1980, UKNA FCO 31/2915.

<sup>114</sup> Commonwealth Secretariat file CS 2013/52.

<sup>115</sup> ‘UPC heads for victory’, *Uganda Times*, 9 Dec. 1980, p. 1.

<sup>116</sup> Editorial, ‘Cast your vote wisely’, *Uganda Times*, 8 Dec. 1980, 4.

<sup>117</sup> Editorial, ‘No violence at polling stations’, *Uganda Times*, 9 Dec. 1980, 4.

<sup>118</sup> ‘Suspension of office’, Kampala Domestic Service, 11 Dec. 1980, FBIS LD 112018.

<sup>119</sup> Allinson to Luce (reporting a conversation with Ramphal), 10 Dec 1980, UKNA FCO 31/2915; Bwengye, *The Agony of Uganda*, 207-09.

multiple voting and/or stuffing – so that one constituency, for example, recorded a 103% turnout. But if such manipulation occurred, it appears to have balanced out: turnout levels were generally consistent across UPC and DP strongholds. Fragmentary archival records suggest local electoral staff – civil servants and school students hired for the task – went diligently through the rituals of the secret ballot, with stamped and signed forms recording votes from individual polling stations, and even lists of ‘tendered ballots’.<sup>120</sup> In Buganda, where the UPC suffered more or less complete electoral annihilation, the turnout was as high as it was in the UPC heartlands in the north (the 103% came here). Tito Okello, the commander of the UNLA, ‘praised Ugandans for their peaceful attitude and love for political progress’ and called the election ‘a day of rebirth when Uganda will once more have its rightful place in Africa and the world community’.<sup>121</sup>

This positive impression was almost immediately dispelled as results came in. The DP claimed that it had taken an early lead in the polls. However, on 11 December, Muwanga issued a proclamation forbidding the Electoral Commission from announcing results and directing that all results should be submitted to him personally. In addition, he gave himself the power to decide whether the results had been ‘free and fair’ or should be overturned.<sup>122</sup> There was uproar; the Observer Group threatened again to leave immediately, and a few hours later Muwanga withdrew the order.<sup>123</sup> The Electoral Commission had, however, fallen silent; its secretary had gone into hiding (and fled the country two nights later) and the rest of its members temporarily vanished from the office.

When the Commission resumed the announcement of results, these showed a very substantial UPC victory. In the end, UPC secured 74 seats, against 51 for DP and 1 for UPM; though in terms of the overall vote, the DP secured more votes overall. Thus, in addition into electoral manipulation and greater resources, the victory of the UPC owed much to the first-past-the-post electoral system, which left them underrepresented in the legislature relative to their national share of the ballot. The process of tallying at a constituency level had been largely unobserved, since the Observer Group had returned to Kampala on 11 December and – following an outbreak of shooting around their hotel that evening – were largely withdrawn on 12 December.<sup>124</sup> They had, however, already issued the interim statement quoted at the beginning of this paper, which allowed the Military Commission to announce that ‘the British government was satisfied that the elections were conducted in a free and fair manner’.<sup>125</sup>

In the next few days, Obote was sworn in; the British High Commissioner noted (with a curious mixture of chagrin and pleasure) that he arrived for the ceremony in a UK-registered Mercedes, escorted by a police Landrover marked ‘British Aid’.<sup>126</sup> The *Uganda Times* announced with glee that ‘[t]he Commonwealth has declared the election to be a valid expression of the people’s choice’; Muwanga’s speech at the swearing-in called on the DP ‘[i]n the name of democracy and for respect for our country . . . to respect the wishes of the people of Uganda’.<sup>127</sup> The international press,

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<sup>120</sup> See for example ‘General elections 1980: Kabarole constituency’, Kabarole District Archive, Fort Portal, ELE 374/1.

<sup>121</sup> ‘Army commander makes statement on elections’, Kampala Domestic Service, 10 Dec. 1980, FBIS LD 102038

<sup>122</sup> ‘Government proclamation on elections’, Kampala Domestic Service, 11 Dec. 1980, FBIS LD 112010

<sup>123</sup> Hillier-Fry, BHC Kampala to FCO 12 Dec. 1980, UKNA FCO 31/2915

<sup>124</sup> Robert Wainwright, ‘The memoirs of Robert Wainwright’, Rhodes House library, RH MSS Brit Emp. S. 524 vol. 11, 342-3.

<sup>125</sup> ‘Uganda Military Commission press release’, Kampala Domestic Service, 13 Dec. 1980, FBIS LD 131528.

<sup>126</sup> Hillier-Fry, BHC Kampala to FCO, 16 Dec. 1980, UKNA FCO 31/2916.

<sup>127</sup> ‘Muwanga’s speech’, Kampala Domestic Service, 15 Dec. 1980, FBIS LD 151308; ‘Obote is to be sworn in today’, *Uganda Times*, 15 Dec. 1980, 1. Years later, Obote’s (partisan) biographer cheerfully adduced the

meanwhile, was full of stories of malpractice; the *Washington Post* judged that the Military Commission ‘stole the election . . . before the eyes of a British Commonwealth Observer Group’.<sup>128</sup> From Kampala, the British High Commissioner noted ‘disquieting evidence, or at least information, of massive and gross rigging’, while the British ambassador to the US reported the ‘disgust’ in Washington at the conduct of the elections.<sup>129</sup> But Ramphal reportedly ‘reacted very strongly’ to suggestions of widespread malpractice, seeing this as a slur on the observers.<sup>130</sup> In Uganda, the *Uganda Times* denounced foreign journalists who questioned the election results: ‘we shall not tolerate foreign journalists who come here to fan trouble’.<sup>131</sup> The DP, having denounced the results, nevertheless decided to take up its seats in parliament. As one DP candidate – who attributed his defeat entirely to rigging at the tallying stage – later explained: there was no alternative for those who believed in ‘civilised government’.<sup>132</sup> The new DP members of parliament soon found themselves subject to an often brutal campaign of personal intimidation.<sup>133</sup> Within the UK Foreign Office, the tone of internal communication turned quickly to a matter-of-fact assertion that bad elections were better than no elections: ‘It is preferable that Obote should have regained power by elections, however flawed, than through a coup d’etat’.<sup>134</sup>

## Conclusion

The ideal of elections weaves together two projects. It is a powerful ‘state effect’ – to borrow Timothy Mitchell’s term – which asserts a lawful order.<sup>135</sup> It also asserts the principle that governments should be chosen by popular will. Ideally combined, these projects are in tension, and the realities of politics may even leave them opposed. Such was the case in Uganda in 1980: the elections did not return a government chosen by the people.

Hyde’s work has explained the spread of international election monitoring in terms of the ‘pseudo-democrat’s dilemma’: incumbent leaders who intend malpractice to secure election victory must nonetheless invite observers, and run the risk of detection, because if they do not the legitimating value of the elections will be lost.<sup>136</sup> Yet the Uganda elections remind us that there is a companion dilemma to this: the observers’ dilemma. Should an imperfect election be denounced for failing to express the popular will, when it might yet play a role in state-building, and stave off the imminent collapse of order? The observers in Uganda decided that it should: though, in the end, their decision led to precisely the kind of violence that they had feared: in 1985, Obote was deposed in a coup and one year later the government fell to an armed rebellion led by Museveni, who was subsequently appointed president.

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Commonwealth report as evidence that the elections had been fair: Kenneth Ingham, *Obote: a Political Biography* (London and New York: Routledge, 1994), pp. 169-75.

<sup>128</sup> Editorial, ‘Do you know Uganda?’, *Washington Post*, 15 Dec. 1980, 20.

<sup>129</sup> Henderson, British Embassy, Washington to FCO 15 Dec. 1980 and Hillier-Fry, BHC Kampala to FCO, UKNA FCO 31/2915.

<sup>130</sup> Robson to Allinson, 17 Dec. 1980, UKNA FCO 31/2916.

<sup>131</sup> Editorial, ‘We do not want these journalists’, *Uganda Times*, 16 Dec. 1980, 4; Robson, FCO to Allinson, FCO, 17 Dec. 1980, UKNA FCO 31/2916.

<sup>132</sup> Interview, Damian Mutahiigwa, 12 June 2015.

<sup>133</sup> Interview, Kitaka-Gaweera, 24 March 2015.

<sup>134</sup> Robson, FCO to Allinson, FCO, 16 Dec. 1980, UKNA FCO 31/2916.

<sup>135</sup> Timothy Mitchell. ‘The limits of the state: beyond statist approaches and their critics’, *American Political Science Review*, 85, 1 (1991): 77-96.

<sup>136</sup> Susan D. Hyde, *The Pseudo-Democrat’s Dilemma: Why Election Monitoring Became an International Norm* (Ithaca, NY: Cornell University Press, 2011)

The observers' final report justified their decision partly by approaching the elections as a technical exercise. It dealt with each of the 'major aspects of the electoral process' in order; identifying problems, but implicitly asserting the value of these multiple techniques.<sup>137</sup> And the conclusion of the report offered the extent of popular enthusiasm and involvement as an implicit endorsement of the process: people 'turned out in very great numbers at dawn and waited with admirable patience' and '[s]urmounting all obstacles, the people of Uganda, like some great tidal wave, carried the electoral process to a worthy and valid conclusion'.<sup>138</sup> The message was clear: elections that had inspired such a level of participation, and had performed order so well, could not be simply annulled.<sup>139</sup>

However, the failure of the elections to secure peace and stability suggests the destabilizing impact of flawed elections in divided societies. In the case of Uganda, the decision to allow Obote's victory may have staved off the prospect of an imminent coup to install him in office, but it simultaneously sowed the seeds of a longer and bloodier conflict in the years to come. It also undermined the confidence of many within the Ugandan elite in the electoral process, which is one reason that the Museveni government has insisted on retaining such tight control of the process ever since.<sup>140</sup> The case of Uganda should therefore serve as an important reminder that the strategy that best promotes short-term stability is not necessarily conducive to long-term state-building: elections can be 'state-breaking', rather than state-building.<sup>141</sup> In this sense, the observers' dilemma is even more difficult to resolve than it first appears.

International election monitoring has developed – and in many ways improved – very substantially since 1980. Observation groups are generally larger, better resourced, and pursue a long-term approach that highlights – and, of course, has learned from – the weaknesses of the Uganda mission. But many of their reports have followed the same logic: offering ordered discussion of the institutions and processes of the election, and insisting that a willing populace were ready to play the role of voting citizenry if only the agencies of the state were willing and able to permit this. A problematic election, such as that in Kenya in 1992, led to a report which spelled out multiple failings in detail – the partiality of the electoral management body, 'recurring episodes of violence, harassment and intimidation', and 'constraints on the exercise of freedom of speech and assembly'. But it simultaneously offered a generally high turnout as evidence of the 'eager cooperation' of the people 'in this critical phase of their political development', and concluded that 'the results in many instances reflected, however imperfectly, the expression of the will of the people'.<sup>142</sup>

Even some of the most critical reports – as in Uganda in 2011, where the Commonwealth Observer Group declared that the elections 'did not fully meet national, regional and international standards for democratic elections' – have continued to combine the detailed enumeration of failures in process with an evocation of the possibilities for good citizenship revealed by 'generally peaceful'

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<sup>137</sup> 'Uganda Elections. December 1980. The Report of the Commonwealth Observer Group,' copy in UKNA FCO 31/2916, 7.

<sup>138</sup> *Ibid.*, 28 and 34.

<sup>139</sup> For the retrospective views of an observer, see Robert Wainwright, 'The memoirs of Robert Wainwright', Rhodes House library, RH Mss Brit. Emp. S.524, vol II, 341-2.

<sup>140</sup> Nic Cheeseman, Gabrielle Lynch and Justin Willis. 'The man who overstayed', *Foreign Policy*, 16 Feb. 2016.

<sup>141</sup> Dan Slater, 'Can Leviathan be democratic? Competitive elections, robust mass politics, and state infrastructural power', *Studies in Comparative International Development*, 43, 3 (2008): 252–272

<sup>142</sup> *The Presidential, Parliamentary and Civic Elections in Kenya, 29 December 1992: the Report of the Commonwealth Observer Group* 4, 10, 20, 21 and 39.

polls conducted in a ‘calm and orderly’ manner.<sup>143</sup> While some have argued that Commonwealth missions are particularly reluctant to criticise problematic elections, this style is not restricted to Commonwealth observation reports. The European Union report on the 2011 Ugandan elections similarly noted ‘multiple irregularities which showed every indication of being deliberate’ but noted that the ‘peaceful manner’ in which the elections were conducted showed that ‘further progress towards a fully pluralistic and multi-party democracy can be achieved’.<sup>144</sup> Thus, despite the many changes that have taken place, monitors’ reports continue to follow the template laid down in Uganda in 1980; while listing far-reaching failings, they typically stop short of declaring that the elections were “unfree and unfair”. In avoiding this potent phrase, which has both symbolic and legal resonance, they tacitly endorse deeply flawed political processes.

As a result, monitoring continues to attract criticism, either for being irrelevant and ineffective or – even more damningly – for excusing authoritarianism, or even for encouraging assaults on judicial independence or the integrity of the administration.<sup>145</sup> Such criticisms, justified as they may be, discount the profound dilemma that confronted the observers in Uganda, and which has faced many others since, as they ‘balance law and everyday politics in the construction of power and sovereignty’.<sup>146</sup> Elections were not simply driven by the external agenda of international actors, nor were they just an act of political theatre concocted by African and Western leaders. The power of elections – in Uganda in 1980, and subsequently elsewhere – has been precisely that they draw in a range of actors into techniques which perform order and state authority. To condemn elections, even when they are evidently unfair in multiple ways, endangers this sometimes fragile order. For the observer no amount of time, nor resource, nor size of mission, can fully resolve that dilemma.

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<sup>143</sup> *Report of the Commonwealth Observer Group: Uganda Presidential and Parliamentary Elections, 18 February 2011*, pp. 28 and 38

<sup>144</sup> European Union Election Observation Mission, *Uganda. Final Report. General Election 18 February 2011*, pp. 5, 39

<sup>145</sup> Stephen Brown, “‘Well, what can you expect?’: Donor officials’ apologetics for hybrid regimes in Africa’, *Democratization* 18, 2 (2011), pp. 512-534; Caryn Peiffer and Pierre Englebert, ‘Extraversion, vulnerability to donors, and political liberalization in Africa’, *African Affairs*, 444 (2012), pp. 355-78; Judith Kelley, ‘D-minus elections: the politics and norms of international election observation’, *International Organization* 63, 4 (2009), pp. 765-87.

<sup>146</sup> We thank an anonymous reviewer for this phrase.