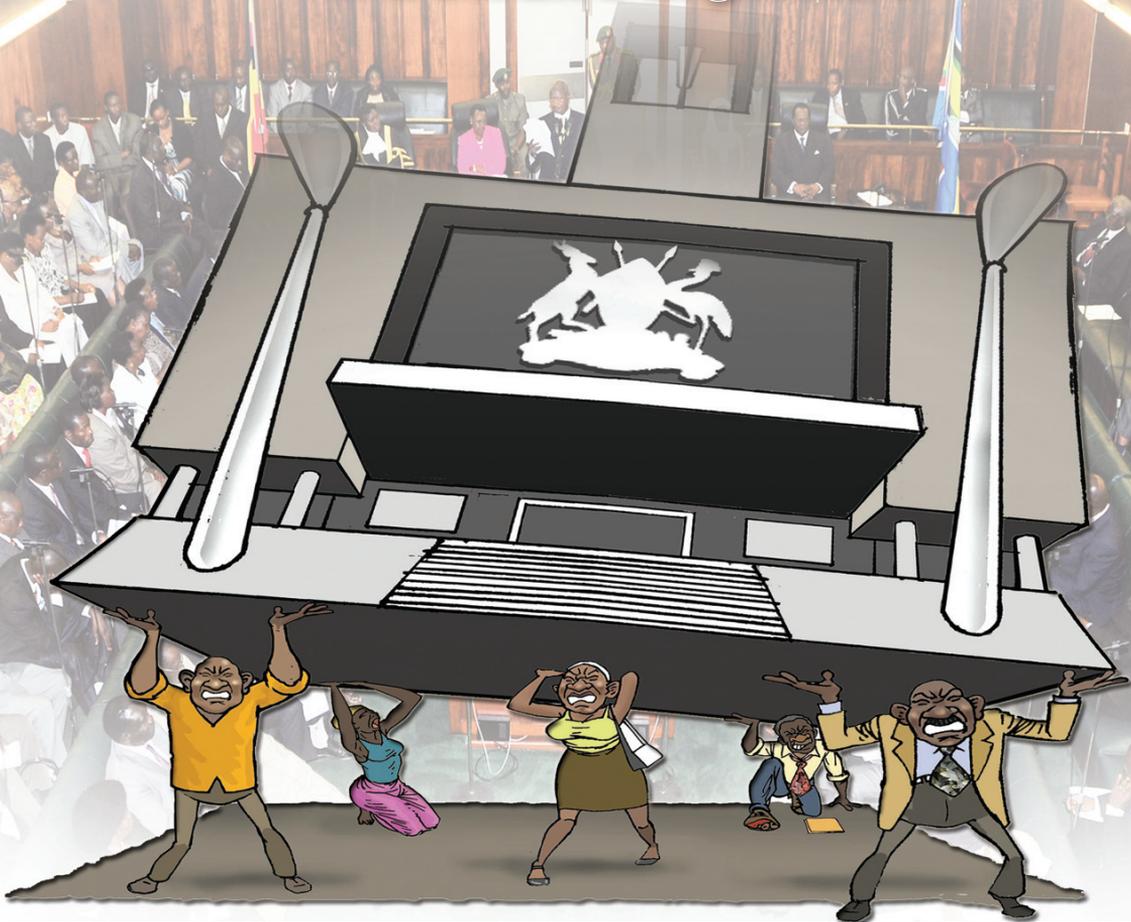




UGANDAN TAXPAYERS' BURDEN

The Financial and Governance Costs
of a Bloated Legislature



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Zie Gariyo

ACODE Policy Research Series No. 28, 2009

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**Godber Tumushabe
Zie Gariyo**

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Advocates Coalition for Development and Environment, Kampala

Table of Contents

Acronyms	vii
Acknowledgements	viii
Executive Summary	ix
1. Introduction	1
2. Historical Context of the Legislature in Uganda	3
2.1. The Uganda Legislature 1920–1962	3
2.2. The Uganda Legislature in the Period of Turmoil, 1962-1986	5
3. The Composition and Structure of the Legislature since 1986	10
3.1. The National Resistance Council (1986-1995)	10
3.2. The Legislature from 1995 to the Present: Why are Numbers of MPs Increasing?	13
4. The Cost of the Legislature: Functions and Effectiveness	23
4.1. The Representation Function	23
4.2. The Legislation Function	25
4.3. The Oversight Function	26
4.4. Protecting the Constitution: The Emergence of Presidential Authoritarianism	26
5. The Cost of the Legislature: Counting the Losses	29
5.1. The Legal Basis for Remuneration of MPs	29
5.2. The Numerical Size of Parliament	32
5.3. The Cost of the Legislature: Counting the Losses and the Opportunity Cost	35
5.4. The Cost of the Legislature: Political Corruption	39
6. Conclusions and Recommendations.	41
6.1. Population-based Constituency Demarcation	42
6.2. Abolish representation of special interest groups	42
6.3. Ministers should not be Members of Parliament	43
6.4. Reduce the Number of MPs and Increase their Monthly Emoluments	43

6.5. Establish Safeguards against Arbitrary Determination of Emoluments	44
6.6. Conclusion	44

ANNEXES 45

Annex I: Chronology of Major Elections in Uganda(1958-2006)	45
Annex II List of Members of Parliament as at July 30,2009 (The 8th Parliament)	50
Annex III Changes in the Remuneration of MPs (2001-2009)	57

References 58

Online References 63

Publications in this series 64

List of Figures

Figure 1: Transfers from the treasury	37
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List of Tables

Table 1: Trends in the Composition of Uganda’s Legislature (1921-1961)	5
Table 2: Number of Legislators (1962-1986)	8
Table 3: Composition and Size of the NRC in 1992	11
Table 4: Changes in the Number of County-based Constituencies by Election Cycle	16
Table 5: Changes in the Number of District-based Women Constituencies by Election Cycle since 1989	17
Table 6: Changes in the Aggregate Number of MPs since 1989	21
Table 7: Presidential Elections Results for New Districts (1996-2006)	22
Table 8: Trends in the Number of MPs by Category (1996-2009)	32
Table 9: Trends in the Number of MPs by Gender (1996-2009)	32
Table 10: Number of MPs in the 8th Parliament by Political Affiliation	33
Table 11: Changes in Parliament Expenditures by Category and Financial Year	36
Table 12: Opportunity Cost of Having an Excess of 182 MPs in Terms of Forgone Graduate Education Training	38

Acronyms

ACFODE:	Action for Development
ACODE:	Advocates Coalition for Development and Environment
CA:	Constituent Assembly
DFID:	Department For International Development
DP:	Democratic Party
GDP:	Gross Domestic Product
KY:	Kabaka Yekka
LEGCO:	Legislative Council
MP:	Member(s) of Parliament
NCC:	National Consultative Council
NRA:	National Resistance Army
NRAC:	National Resistance Army Council
NRM:	National Resistance Movement
PLE:	Primary Leaving Examinations
RC:	Resistance Council(s)/Committee(s)
UDHS:	Uganda Demographic Health Survey
UGX	Uganda Shillings
UPC:	Uganda peoples congress
UPE:	Universal Primary Education
USE:	Universal Secondary Education
UWONET:	Uganda Women’s Network
TPDF:	Tanzania Peoples Defense Forces

Acknowledgements

This paper is part of ACODE's overarching effort to promote evidence-based policy debate on public administration expenditure, governance and poverty eradication in Uganda. It builds on a previous study on the cost of the Executive published as ACODE Policy Series No. 27. The studies are part of ACODE's continuing work to examine the relationship between the growth in public administration expenditure, the apparent reversals in governance, and the impact of public administration expenditure trends on poverty eradication and public service delivery. These studies provide important empirical data and analysis, and a basis for informed policy debate on public administration expenditure and governance in the country.

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Finally, the authors have taken care and due diligence to ensure the accuracy of information and data provided, a task that has been very challenging because of the secrecy with which some of the information is held by key government agencies including the parliamentary administration. Generally, it was particularly difficult to access disaggregated expenditure information on individual Members of Parliament - the data that would have enabled more precise estimation of the expenditures on the legislature. However, the authors take responsibility for any errors or omissions.

Advocates Coalition for Development and Environment
Kampala

Executive Summary

This paper makes five major conclusions: i) the large number of Members of Parliament has contributed to the escalation in the already high cost of public administration in Uganda; ii) a reduction in the number of Members of Parliament is essential to ensure appropriate remuneration and facilitation of MPs to make the institution of the legislature more effective in discharging its constitutional mandate; iii) money saved through reducing the size of Parliament can be channeled to other more deserving sectors in the economy such as tertiary education, healthcare, agriculture, and infrastructure development; iv) the Executive has contributed to undermining the quality and effectiveness of the Legislature as an institution and rendered it generally incapable of performing its core constitutional functions; and v) the constitutional integrity of the Legislature is being undermined by its fusion with the Executive and the numerical dominance of the ruling party MPs who have successfully shifted the legislative and accountability roles of MPs from the Legislature to the Movement Caucus. As a result, the ability of the Legislature as an organ of the State, and of individual MPs as peoples' representatives, to discharge their constitutional obligations to protect the Constitution and promote democratic governance is put under intense scrutiny.

The study analyzes the evolution of the composition of Uganda's legislature and the factors that have shaped its development, roles and numerical strengths. From the Legislative Council to the post-independence legislatures, the pattern that the Executive manipulates and uses the Legislature to undermine Uganda's democratic path is clear and consistent. It is argued that while the Constituent Assembly (CA) sought to build strong foundations for effective separation of powers between the Legislature and the Executive, the latter has increasingly gained an upper hand and "captured" the former through negotiation of "political deals" that undermine the spirit and the letter of the 1995 Constitution.

The paper therefore makes the following recommendations to reduce the cost of the legislature, increase its efficiency and strengthen the institution of the legislature as a core pillar of democracy and economic growth in the country.

First, to guard against the problem of gerrymandering, the Constitution and other appropriate legislation should be amended to require the Electoral Commission demarcate constituencies based on population rather than the current practice

which is based on administrative units. The power and constitutional authority of the Electoral Commission to demarcate constituencies should be secured, and should not be undermined by the requirement to align constituencies with administrative units.

Second, representation of special interest groups based on electoral colleges should be abolished. Evidence from the study shows that other than the symbolic significance of such representation, there is no value added from such representation. In any case, the interests of such groups such as the youth, workers or the army can be represented by ordinary MPs. Evidence shows that the special interest groups that may require affirmative action are only women and people with disabilities. However, in a multi-party dispensation, such representation should be based on proportional representation of the political parties.

Third, the constitution should be amended to exclude any person appointed to the cabinet from being a Member of Parliament. The current position has undermined legislative autonomy and the legislature's oversight role in two important ways. On the one hand, the Executive uses the tyranny of appointment to the cabinet to keep the MPs in line with its legislative or other agenda. The fact that MPs "stand on the fence" regarding major legislative and accountability issues in the hope of winning favors through cabinet or other appointments is now common practice. On the other hand, the presence of over 70 ministers who are bound by the doctrine of collective responsibility and hence are unable to challenge the legislative agendas of the Executive undermines the possibility of a robust legislative agenda in Parliament.

Fourth, there is need to reduce the number of MPs and improve their emoluments. By its very nature, the constitutional roles of the legislature: representation, legislation and oversight can be performed effectively with small numbers of MPs. Indeed, there is no correlation between the numerical size of the legislature and its performance with respect to its core functions. With a population of 30 million people and an estimated GDP of \$12 billion, Uganda clearly has an oversize parliament. Norway, with a population of approximately 4.6 million people and a GDP of US\$246.6 billion, has 43 legislators. The Netherlands, with an estimated population of 16.6 million people and per capita income of US\$42,670, has 225 legislators (75 in the Senate and 150 in the House of Representatives). Sweden, with an estimated population of 9.0 million people and a per capita income of US\$55,624, has 349 MPs¹.

It is recommended that per capita representation be set at 200,000 people per

¹In many cases, such comparison with highly successful countries is always considered unpractical and irrelevant. This study takes the approach that comparing Uganda with other failed states adds no value and does not advance the arguments for efficiency and cost-effectiveness which are the hallmark of progress.

MP which would translate into 150 MPs for a population of 30 million people. Under our conservative estimates of the cost of each MP, reducing the size of the legislature by 182 MPs would save Ugandan tax payers approximately UGX109.2 billion every five year term of parliament.

Finally, it is recommended that specific safeguards should be introduced to disincentive MPs from arbitrarily determining their remuneration. Based on the study, the proposal that an independent commission or body be constituted to handle remuneration issues for MPs is considered untenable. On the contrary, it is proposed that the constitution and appropriate legislation should be amended to prohibit MPs from benefiting from any legislation or decision that confers pecuniary benefits to the sitting Members of Parliament.

1 Introduction

If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself

James Madison, United States President, 1788

After two decades of uninterrupted government by the National Resistance Movement (NRM) government, Uganda's balance sheet is as impressive as it is depressing. Domestic revenue has increased from UGX 7.2 billion in 1986/1987² to UGX 3,699.7 billion in 2009/2010³, but the payroll taxes of Ugandan salaried employees have never changed a dime. Universal Primary Education (UPE) has drawn millions of children to school, but many are unaccounted for as they do not make it beyond the Primary Leaving Examinations (PLE). Of the 463,631 who sat PLE in 2008, only 3.7 percent passed in division one. While the services and industry sectors have grown at a fairly impressive rate, agriculture, which remains the core business of the majority of Ugandans, is shrinking. According to this balance sheet, although the agricultural sector still employs about 79 percent of the population, it brings in only 30.9 percent of Gross Domestic Product (GDP). Of the 31,000,000 (Uganda's population) shareholders, about 10 million live on less than US\$1/day. An estimated 137 children per 1,000 born alive die before the age of five⁴.

If for once Uganda were considered a corporation where performance is measured on the basis of return on investment, the next meeting of shareholders would be the stormiest in this corporation's history. The Chief Executive Officer (CEO) – the President – who is credited with saving the corporation from potential liquidation 23 years ago would be facing new questions about his ability to bring sustained dividends to the shareholders. The current board of directors, the Members of

²See Budget Speech 1987 available at <http://www.finance.go.ug/docs/1987.pdf>; accessed on July 10th 2009.

³See Background to the Budget 2009/2010 available at <http://www.finance.go.ug/docs/BTTB09-10.pdf>; accessed on July 10th 2009.

⁴UDHS, 2006.

Parliament, who are supposed to supervise the running of the company, would be facing tough questions about their performance. At every board meeting, the shareholders allowed members of the board, with the consent of the CEO, to increase their remuneration because of their “hard work” and “sacrifice” in running the company. With this balance sheet, the shareholders would be outraged and a resolution demanding action against both the CEO and the members of the board would be circulated in advance of the meeting.

The performance record of the National Resistance Movement (NRM) Government and President Museveni is unprecedented in Uganda’s history and the history of many African countries that have suffered under perpetual dictatorships and economic mismanagement. In no more than a decade after coming to power in 1986, the Government restored security in most parts of the country, created political stability and political conditions that enabled the most robust constitutional discourses of the century, and turned around Uganda’s economy from the brink of total collapse. This paper examines how Uganda’s legislature, designed to become the guardian of the constitution, constitutionalism, and personal freedom, has evolved into a costly venture for Ugandan citizens and taxpayers alike. It is argued that the legislature as an organ and the individual MPs have instead become the primary vehicle for building a political patronage system that has become a major threat to democracy and economic progress in the country.

The paper is divided into six sections. Section 1 is the introduction. Section 2 provides the historical context of Uganda’s legislature tracing its evolution from the days of the Legislative Council (LEGCO). Section 3 analyzes major trends in the composition and structure of the legislature since 1986 to the present. The section focuses on the constitutional and legal processes to reconstitute and redefine the functions of the legislature and its relationship with the executive. Section 4 examines the factors that account for the continuous increase in the number of MPs, while Section 5 provides a detailed analysis of the cost of the legislature to the Ugandan taxpayer. Section 6 outlines a set of recommendations that need to be implemented to reduce public expenditure on the legislature, secure the autonomy of Parliament, increase the welfare of legislators, and concurrently save Ugandan taxpayers, critically needed money to invest in a wide range of social services and productive sectors of the economy.

2

Historical Context of the Legislature in Uganda

2.1. The Uganda Legislature 1920–1962

The history of Uganda’s Legislature dates back to the colonial period. The first legislature, called the Legislative Council (LEGCO), was established in 1920. It had seven unelected members, all of them Europeans, and was chaired by the then Governor Sir Robert Coryndon.⁵ The LEGCO allocated itself the responsibility of making legislation for law and order in the Uganda Protectorate.⁶ In March 1926, an Asian, Jakabhai Amin, was appointed to the Council in what was termed as furtherance of the interests of the protectorate as a whole.⁷

The appointment of the Asian representative on the LEGCO coincided with agitation by nationalist groups in Buganda in the early 1920s demanding to get involved in trade, hitherto monopolized by the Asians, mainly acting on behalf of British companies. The elite Baganda at the time did not only demand such expanded economic opportunities from which they had been deliberately restricted but also wanted other injustices against Africans addressed by the colonial regime. These included forced land expropriations, forced labor, low quality education, and high taxation by the landlords (Busulu and Envujjo). The response by the colonial regime to include the Asian on the LEGCO was not meant to address popular demands by Africans but to strengthen the colonial regime’s hold on Uganda in furtherance of the colonial agenda of economic exploitation.

In 1945, reforms were made in the composition of the LEGCO with three Africans being nominated to represent Buganda, the Eastern, and Western provinces. These included the katikkiro of Buganda, the Katikkiro of Bunyoro, and the Secretary General of Busoga. The latter two represented their provinces on a rotational basis so as to include the Katikkiros of other kingdoms of Toro and Ankole in the Western region and secretaries general of Bukedi and Teso in the Eastern Province. In 1947, a nominee of the Northern Province was included in the LEGCO. Since they were unelected, these African representatives only claimed

⁵The other members of the LEGCO were Mr. A.B. Bowes who was Ag. Attorney General, Mr. A.E. Boory, the Treasurer and the Principal Medical Officer. Two other British officials were appointed as unofficial members.

⁶History of Parliament at www.parliament.go.ug

⁷In 1930, there were debates in the House of Commons about demands by the Indian community to have additional representation on the LEGCO. See, for example, Uganda Legislative Council (Indians), HC Deb 14 June 1933, Vol. 279, cc166-7. Available at: <http://hansard.millbanksystems.com/commons/1933/jun/14/uganda-legislative-council-indians> (accessed April 24, 2009).

their position by virtue of being the local rulers in their societies. The Africans also became part of the unofficial members of the LEGCO since they were not part of the colonial central government. There is no evidence that they had any influence on subsequent political events that unfolded in the years leading up to independence.

From its inception, the LEGCO was never established as an institution for the democratic governance of Uganda. Rather, it was established as an instrument to further the interests of the colonial regime. It merely served as an extension of colonial rule and only enabled the colonial regime to exert more legal control over the economic, political, and socio-cultural affairs of the Ugandan society. The LEGCO also ensured that all legislative power remained under the control and direction of the colonial governor. This situation continued until 1958 when direct elections were held in the rest of Uganda except Buganda. By 1950, the number of Africans in the LEGCO had reached eight.⁸ This is in comparison to the 16 official and four unofficial members who were all European, and an additional four Asian members who were expected to support the government side in matters of policy. As Kanyeihamba has observed, the colonial regime expected such people to “debate any matter according to their conscience but when it came to voting they were expected to vote in support of government policy.”⁹

By 1954, the number of Africans in the LEGCO had risen to 27. These included district representatives elected by district councils through indirect elections. However, the LEGCO was still chaired by the colonial Governor.¹⁰ In 1957, the Governor relinquished chairmanship of the LEGCO and the position of Speaker was introduced. Sir John Bowes Griffin became the first Speaker until 1961 when the first African-dominated Legislative Council was constituted. The expanded LEGCO comprised of 100 members with 78 directly elected members – elected in March 1961 under universal adult suffrage – and 22 unofficial members.¹¹ Table 1 shows the trends in the composition of Uganda’s LEGCO during the period 1921-1961.

⁸See Official Report of the Proceedings of the Legislative Council 1950.

⁹Kanyeihamba, George (2002), *Constitutional and Political History of Uganda*: Kampala, Uganda: Centenary Publishing House. P 27.

¹⁰For more details on the issue of membership and representation in the LEGCO, see Uganda. Governor, 1952-1957 (Sir Andrew Benjamin Cohen).

Correspondence relating to The Composition of Legislative Council in Uganda: Despatch No.434, dated the 15th March, 1953, from the Governor of Uganda to the Secretary of State for the Colonies; and Despatch No. 570, dated the 30th June 1953, from the Secretary of State for the Colonies to the Governor of Uganda. Entebbe, 1953.

¹¹See Peagram, R.C. (1961). A Report on the General Elections to the Legislative Council of the Uganda Protectorate held in March, 1961; The Legislative Council (Elections) Ordinance, 1957 (No. 20 of 1957), as amended by the Legislative Council (Elections) (Amendment) Ordinance, 1960 (No. 20 of 1960).

Table 1: Trends in the Composition of Uganda's Legislature (1921-1961)

Year	Europeans		Asians	Africans
	Official	Ex-officio		
1921	7		0	0
1926	7		1	0
1945	4	6	2	3
1948	4	6	2	4
1950	16	4	4	8
1955	-	-	-	61
Year	DP	UPC	KY	Total
1961	43	35	-	78

+ 22 ex-officio members.

Sources: Karugire (1980); Kanyehamba (2002)

Generally, the history of the Legislative Council provides at least two key lessons relevant to the study of the legislature in contemporary Uganda. First, during its entire tenure, until it was dissolved at independence, the legislative and executive functions were fused by virtue of the fact that the Governor as head of the colonial Executive was also the Chairman of the LEGCO. This situation continued throughout the 1970s and later through the National Consultative Council (1979-1980), and the National Resistance Council (1986-1996). Second, the colonial government sought to buy the support of key constituencies such as the Asians, and later the kingdom governments by drafting them into the LEGCO. This mirrors the contemporary practice of allocating special seats to interest groups such as the youth, workers, the disabled, the army, and women. While consistent with constitutional and international commitments to affirmative action, this approach presupposes that regular members of the legislature do not represent these special interests.

2.2. The Uganda Legislature in the Period of Turmoil, 1962-1986

Since independence, Uganda's history has been characterized by widespread political instability, economic stagnation and dictatorship. The evolution of Uganda's legislature has therefore continued to be influenced and shaped by these factors. A more structured analysis of Uganda's legislature between 1962 until 1986 when the NRM took over power warrants that the discussion be broken down into four different periods. The first period covers the years 1962 to 1971 when the Uganda Peoples Congress-dominated Government was overthrown in a military coup. The second period covers Amin's regime from 1971 to 1979. The third period covers the Uganda National Liberation Front phase (1979-1980) and the fourth covers the Obote II Government (1981-1985).

2.2.1. The Post-Independence Legislature (1962-1971)

The immediate post-independence legislature was constituted in 1962 through a multi-party election. The Uganda Peoples Congress (UPC) emerged victorious with 38 MPs while the Democratic Party (DP) had 24 MPs. The Kabaka Yekka (KY), an outfit allied to the Buganda Kingdom establishment at Mengo, emerged with 22 seats from Buganda where indirect elections were held. The UPC and KY formed an alliance to form government whereby Milton Obote of UPC became Prime Minister¹³.

Significant scholarly work has gone into analyzing the political dynamics at play during the 1960s and beyond.¹⁴ The political maneuvering that followed the first general elections, the alliance between UPC and KY, and the immediate friction between President Mutesa and the then Prime Minister Apollo Milton Obote over the appointment of cabinet ministers became the first seeds of instability that have characterized the post-independent state of Uganda.¹⁵ Subsequent tensions emerged regarding the referendum on the 'lost counties' of Buwekula, Ebuuru, Buruli, Buyaga and Bugangaizi.¹⁶

The referendum in the counties of Buyaga and Bugangaizi were held on November 4, 1964 and the two counties voted overwhelmingly to rejoin Bunyoro-Kitara Kingdom.¹⁷ It suffices to observe at this point that the stage was being set for a showdown between Kabaka Mutesa as President and Obote as Prime Minister. For example, Obote signed the bill authorizing the referendum and the subsequent transfer of the counties to Bunyoro in January 1965 after Mutesa had refused. But most important, the Buganda MPs' alliance with Obote meant that the Lukiko lost any control or leverage it had over the MPs. In contemporary Uganda, the question of allegiance of Buganda MPs continues to play out between Buganda, President Museveni, the NRM Caucus and the legislature as a whole.

The conduct of the members of parliament during the mid-1960s continues to have a reverberating effect on Uganda's politics. The crossing over of KY MPs and a faction of the DP led by Basil Bataringaya¹⁸ to the Uganda People's Congress (UPC) contributed to the solidification of the ethno-religious political formations that began to emerge with the arrival of Christian missionaries

¹³See Museveni, Y. K. (1997, pp. 36). *Sowing the Mustard Seed: The Struggle for Freedom and Democracy in Uganda*. Macmillan, Hong Kong.

¹⁴See for example: Kabwegyere (1985), Karugire (2002) Kanyehamba (2002), and Mugaju (1999).

¹⁵See Tumushabe, G. (2009). Trends in Public Administration Expenditure in Uganda: The Cost of the Executive and its Implications for Poverty Eradication and Governance. ACODE Policy Research Series, No. 27, 2009; see also Constitution of the Republic of Uganda 1962, article 63(1).

¹⁶The 1962 Uganda (Independence) Order in Council had stated that a referendum should be held in those counties at some point before October 9, 1964 to determine whether the counties were to be transferred to Bunyoro, to remain in Buganda, or to become a separate district. See Uganda, "The Uganda (Independence) Order in Council, 1962," section 26(1).

¹⁷For a detailed analysis on this issue, see Jorgensen (1981), Kabwegyere (1995) and Mugaju (1999).

¹⁸Basil Bataringaya was the Minister of Internal Affairs during Obote I regime and MP for Bunyaruguru County in Bushenyi District. He was killed during Amin's regime.

to Uganda. As Rubongoya points out, “political identity, participation, and contestation crystallized along religious lines, adding to the already existing ethnic formations”.¹⁹ Karugire argues that “the process of crossing was made all the easier in Uganda because there was no legal requirement that those who crossed would lose their seats and seek a new mandate from the electorate on their new party ticket. The crossers justified their actions in the name of national unity but as Karugire has observed, the primary motivation in all cases seems to have been personal advancement because the ruling party had so much patronage to dispense to those crossing as some became ministers, directors of corporations etc²⁰.”

Until 1966, the composition and functions of the legislature were premised on the 1962 Constitution. The constitution vested legislative powers in the National Assembly²¹ to make laws for the peace, order and good governance of Uganda (other than a federal state) with respect to any matter.²² Beyond the articulation of the functions of the parliament and the division of legislative powers between the national parliament and the legislatures of federal states, the constitution did not dictate the number of legislators or, generally, the numerical composition of parliament. What is on record is that the independence legislature was made up of 92 members, two of whom were women.²³

In 1966, Obote abrogated the 1962 Constitution and declared himself president under an interim constitution of 1966. Of particular relevance to this study is the fact that perhaps, for the first time, the legislature was used to legalize what appeared to be de facto illegal actions of the executive. For example, the hitherto existing parliament whose term of office had just expired was constituted into a Constituent Assembly and given the mandate to draft a new constitution to replace the interim one. Among the contentious issues, the draft constitution sought to increase the powers of the president, and provided for 27 MPs to be nominated by the president. Commenting on the expansion of presidential powers under the proposed constitution, Abu Mayanja, a UPC Member of Parliament representing Kyagwe North observed thus: “We are not here to govern this country like savages. We are not going to reject the standards which have been accepted by the rest of the civilized world. We are part and parcel of the civilized community. We are not going to justify autocracy and the granting of dangerous powers on the grounds that Uganda is backward and cannot have a civilized government.”²⁴

When the Republican Constitution was finally adopted on September 8, 1967, it

¹⁹Joshua Rubongoya (2007). *Regime Hegemony in Museveni's Uganda: Pax Musevenica*. Palgrave MacMillan. New York.

²⁰Samwiri R. Karugire (1988) *op cit* p 42-43.

²¹During the 1960s, Uganda's legislature was called the National Assembly. The term “national assembly” is therefore used interchangeably with “parliament” to refer to the legislature during this period.

²²Uganda Constitution, 1962, Chapter VII.

²³See *The Parliament of Uganda, National Assembly Report*, Vol. 11

²⁴Uganda Argus, 6th and 7th July, 1967

provided under Article 40(1) that the National Assembly shall consist of: a) 126 directly elected members, and (b) 10 specially elected members. The constitution further provided that up to 10 members of the Uganda Armed Forces may be nominated to the National Assembly. However, there is no record to suggest that these 10 representatives were ever nominated to take their seats in parliament.

2.2.2. The Legislature from Amin to Obote II

When Idi Amin took over power in 1971, he suspended the constitution and ruled by decree. The legislature remained in abeyance until 1979 when Amin was overthrown by a combined force of the Tanzania Peoples Defense Forces (TPDF) and Ugandan exiles under the umbrella of the Uganda National Liberation Front²⁵(UNLF). At the Moshi Conference, a 30-member National Consultative Council (NCC) was established to act as the legislative organ of the UNLF government. Upon reaching Kampala, the membership of the NCC was expanded to 156 - comprised of 154 men and two women - to include groups that did not go into exile. The expanded NCC acted as Uganda's legislature until the overthrow of President Godfrey Binaisa by the Military Commission in May 1980. It has been suggested that neither the original membership nor the expanded NCC was representative of the majority of the people. The expansion of the NCC was carried out through addition of members from districts, nominated by the original members of the NCC.²⁶

Table 2: Number of Legislators (1962-1986)

Parliament	Year	No. of Legislators	Ex Officio Members
1 st Parliament	1962-1966	92	-
2 nd Parliament	1967-1971	92	-
3 rd Parliament	1979-1980	30	11
4 th Parliament	1980-1986	126	30

Almost 20 years after the first National Assembly elections in 1962, Uganda held its second general elections to elect 126 members who would constitute Uganda's 4th Parliament covering the period 1980-1985. Like the LEGCO and the immediate post-independence legislature, the 1980-85 Parliament was heavily biased against female legislators as it was comprised of 125 men and just one woman. An additional 30 members were ex officio, representing approximately 19 percent of the entire parliamentary membership. In 1985, the 4th Parliament and the Obote II Government were overthrown and replaced by a military junta led by General Tito Okello. The junta was too short-lived to constitute a stable government. It was overthrown by the National Resistance Army (NRA) led by Yoweri Museveni in January 1986.

²⁵For details on the Moshi Conference, see Museveni, Yoweri (1997, pp 104 - 107). *Sowing the Mustard Seed: The Struggle for Freedom and Democracy in Uganda*. Macmillan, Hong Kong.

²⁶The Report of the Uganda Constitutional Commission: Analysis and Findings (1993). P290.

A common feature worth noting in considering changes in the numerical size of Uganda's legislature is the phenomenon of unelected members. In practice, the unelected members represent only the interests of the sitting president and, therefore, do not merit legislative representation. Available data suggest that the National Assembly had 82 elected members at the time of independence in 1962. This number increased to 96 by the time Obote's Government was overthrown in 1971,²⁷ representing an increase of 14 members or 17.1 percent over the 1962 number. The National Consultative Council (NCC) increased the number of legislators to 126.²⁸ With a population of 12.6 million people in 1980, this means that each elected member of the legislature represented approximately 100,000 people. The demarcation of constituencies for the 1980 parliamentary elections was based on the principle that per capita representation of 100,000 per legislator was appropriate.²⁹

The above analysis provides a useful background regarding the composition, structure and size of Uganda's legislature in the post-1986 period. In the following section, we examine the way the legislature has evolved since 1986. We show that the continuous increase in the number of legislators, and the growing expenditure associated with it is inherent in the constitutional framework established by the 1995 Constitution. The loopholes regarding the demarcation of constituencies, the representation of special interest groups, and the determination of emoluments of legislators have created a basis for the emergence of an alliance between MPs and the Executive that has unleashed financial tyranny on Ugandan taxpayers.

²⁷See National Assembly (Prescription of Elected Members) Act, 1970.

²⁸National Assembly Act, 1980.

²⁹Republic of Uganda (1981). Report of the Electoral Commission 1980. Kitgum North had the smallest population size at 71,989 people while Kampala West had the largest population with 132,009 people.

3

The Composition and Structure of the Legislature since 1986

The debate over the cost of the legislature has intensified in the period following the adoption of the 1995 Constitution. This discussion is important because it enables us to construct the legal and administrative basis for the apparent expansion of the size of the legislature. In particular, we examine the constitutional and legal reforms that have taken place since 1986, with regard to the legislature and the changes that have shaped the institution of parliament in contemporary Ugandan politics and economy.

3.1. The National Resistance Council (1986-1995)

A critical examination of Uganda's legislature under the NRM Government before the promulgation of the 1995 Constitution is essential to understanding the institution's current composition and cost. Like Idi Amin in 1971 and the UNLF in 1979, the NRM/A, upon assuming power in 1986, suspended chapters IV, V and articles 3 and 63 of the 1967 Constitution³⁰ through Legal Notice I of 1986 (Amendment) Decree 1987. In effect, this meant that the provisions dealing with the composition and functions of parliament were suspended. In the place of parliament, Legal Notice No. 1 of 1986 vested all legislative powers in the National Resistance Council (NRC). According to the Legal Notice, legislative powers were to be exercised by the NRC through the promulgation of decrees evidenced in writing under the hand of the president and the Public Seal.

The NRC as constituted in 1986 provides two key lessons that are relevant to the current debate on the size and cost of the legislature. First, it represented a total fusion between the executive and the Legislature. The Chairman and Vice Chairman of the NRM respectively became the Chairman and Vice Chairman of the NRC. These two officers had exclusive powers to preside over all meetings of the Council.³¹ The Chairman also became the President. In the post-1995 constitutional dispensation, this fusion of executive and legislative authority is achieved in the form of having cabinet ministers being Members of Parliament. Today, cabinet ministers who are also Members of Parliament propose bills,

³⁰Chapter IV of the 1967 Constitution deals with the Executive; Chapter V deals with the Parliament; Article 3 deals with the alteration of the Constitution; Article 63 deals with Legislative powers of the President.

³¹Legal Notice No.1 of 1986, para 2.1 & 3.

adopt them in cabinet, and proceed to debate and vote on them in parliament. Second, more than the 1967 Constitution, the NRM through Legal Notice No. 1, sought to secure a dominant and perhaps permanent position for the military in the institution of the legislature. As such, the instrument provided for the establishment of the National Resistance Army Council (NRAC) and further stipulated that “the NRC shall seek the views of the NRAC on all matters the NRC considers important.”³²

At its inception in 1986, the NRC was made up of 38 people who became members by virtue of being either members of the NRA or its political wing – the National Resistance Movement (NRM). In April 1987, the NRC was expanded through Legal Notice No. 1 (Amendment) Decree. Among other things, this amendment provided for ministers and their deputies to be members of the NRC. Henceforth, as the number of ministers increased so did the NRC. In spite of the expansion in numbers, however, the performance of NRC remained abysmal largely due to lack of quorum, leading to the Vice Chairman of that body to warn in May 1988 that he would suspend members who missed three consecutive meetings. Only 15 members showed up the next day, leading to the cancellation of the day’s session. The NRC remained marginal to Uganda’s legislative and policy agenda with the cabinet shaping most of the policy directions.³³

In 1989, membership of the NRC was increased again: it expanded to 270 members through Legal Notice No. 1 (Amendment) Decree 1989, to incorporate for the first time in Uganda’s history the election of women representatives. So the composition of the NRC was: 38 historical members, 149 elected county representatives, 29 municipal/city representatives, 34 district women representatives, and 20 presidential nominees. By 1992, membership of the NRC had increased to 277 (see Table 3 below). The number of nominated members had reached 68, constituting 25% of the total number of legislators.³⁴

Table 3: Composition and Size of the NRC in 1992

Representation	Numbers
Historical members (constituted in the Bush)	38
County representatives	151
Municipality and Kampala City representatives	19
District women representatives	39
Nominated members	20
National Resistance Army representatives	10
Total	277

³²Id, para 10.

³³The National Resistance Council cited in Rita M. Byrnes, Ed. (1990). Uganda: A Country Study. Washington: GPO for the Library of Congress 1990.

³⁴Report of the Uganda Constitutional Commission 1993, p291.

As shown in Table 3 above, the expanded NRC was a highly engineered legislative structure designed partly to address the historical significance of the NRM/A victory, the democratization mission of the NRM as articulated in its Ten Point Programme³⁵ which required accommodation of diverse political interests that existed in the country at the time, and President Museveni's hitherto unapparent desire to hold on to power as long as it was practically possible.

This engineering has permeated Uganda's legislature in the post-1995 Constitution era and largely accounts for the ever-growing numbers of MPs and inevitably the burgeoning cost to the taxpaying public and the citizens at large. Consequently, a number of lessons can be discerned from the character and composition of the NRC by the time it was dissolved. These lessons partly explain the structure, composition, and the cost of the legislature in contemporary Uganda.

First, throughout the first decade of the NRM/A, the historical members remained permanent fixtures in the NRC. Although they at times exhibited some degree of independence, they remained deeply loyal to President Museveni and the NRM. In the subsequent years, including during the Constituent Assembly (CA), and the subsequent amendment of the 1995 Constitution, the declarations of support for the position of the NRM and President Museveni gave the impression that these were more important than the integrity and sanctity of the constitution. President Museveni's own indebtedness to this group of individuals also partly accounts for the bloated nature of the Executive arm of the State. Over time, these historical members have been recycled within the executive as cabinet ministers, presidential advisors or other forms of political patronage.³⁶

Second, the concept of direct representation of special interest groups emerged as a practical mechanism to bring groups that were originally marginalized into the political process. Women, workers, people with disabilities, and the youth were granted special seats in the NRC. With respect to gender representation, Oloka-Onyango has rightly observed thus: "The fact that the NRM addressed the gender issue at all was dictated both by the commitment it made to the liberation of the oppressed sectors of society, and the fact that women played a prominent role in the guerrilla struggle as fighters, liaison and intelligence officers."³⁷ While the performance record of these special interest groups with respect to their constitutional mandates remains mixed, their inclusion in the NRC has had a lasting impact on the composition and structure of Uganda's legislature. In particular, the number of women representatives has continued to grow as the number of districts has continued to increase.

³⁵For the Ten Point Programme of the National Resistance Movement, see Appendix to Museveni (1997) *Sowing the Mustard Seed*.

³⁶For a detailed analysis of the cost of the Executive, see Tumushabe, G., (2009). *Trends in Public Administration Expenditure in Uganda: The Cost of the Executive and Implications for Poverty Eradication and Governance*. ACODE Policy Research Series No. 27, 2009. Kampala.

³⁷Joe Oloka-Onyango (October 1992) "Governance, Democracy and Development in Uganda Today: A Social-Legal Examination in African Study Monographs, 13(2): 91-109.

Third, direct elections to the NRC in 1989 were based on the county as the electoral area. The county was both administratively convenient and a cheaper method of demarcating constituencies. This was understandable at the time given that the NRM had inherited a rundown economy and near empty public coffers in 1986. The county was also preferred because it was already an administrative unit under the local government structure, with clearly defined administrative and geographical boundaries as well as a defined population based on official census statistics. In addition, given the experience of the alleged gerrymandering of electoral constituencies in the run-up to the 1980 elections, the NRM Government was understandably keen to keep the costs of the elections as low as possible and to reduce the potential for manipulating electoral constituencies. In any case, the monolithic nature of the elections which were held under a Movement System of government aligned well with county-based constituencies without controversy. The practice of county-based constituency demarcation was adopted under Chapter Five, Article 63 of the 1995 Constitution. Effectively, any changes in the administrative set up of any district or county results into an increase in the number of legislators.

Lastly, the NRC was on many occasions used by President Museveni to enact laws that apparently undermined civil liberties including individual freedoms.³⁸ Much of this legislative agenda was accomplished with the full accomplice of the historical members of the NRC and through an alliance with cabinet ministers and representatives of special interest groups who exhibited perpetual loyalty to the president compared to the needs of their constituents. Consequently, whereas the avowed mission of the NRM/A was to usher in greater democracy and empowerment as evidenced through the establishment and operationalization of a countrywide network of Resistance Councils and Committees (RCs), a series of pieces of anti-democratic legislation were put in place. Most important, by building an alliance of historical members of the NRC, cabinet ministers as voting NRC members, presidential nominees, and representatives of special interest groups, President Museveni had found a strategy that proved essential in controlling the national legislative agenda. This strategy was subsequently embedded in the 1995 Constitution and continues to be sustained in the form of a large-sized cabinet, representation of special interest groups, and the NRM Caucus.

3.2. The Legislature from 1995 to the Present: Why are Numbers of MPs Increasing?

The debate over the cost of the legislature intensified mostly in the period after the promulgation of the 1995 Constitution. The constitution, which was debated and agreed by 284 men and women of the Constituent Assembly created a new

³⁸Joe Oloka-Onyango, id.

governance discourse in the country. The constitution sought to achieve this governance discourse by: entrenching the doctrine of separation of powers in a manner that balances the powers of the legislature, the executive and the judiciary; and building systems of accountability and responsibility on the part of both citizens and the Government. However, the optimism generated by the promulgation of the 1995 Constitution has quickly given way to despair as the size of parliament has expanded, resulting into skyrocketing costs in terms of public expenditure and governance.

As discussed in the following section, while drawing heavily on the public purse, the parliament has clearly failed in its primary responsibility as the guardian of the constitution and in taming the apparent rise of presidential authoritarianism. The discussion under this section is divided into three parts: the legal basis for the composition and size of parliament; its functions as set out in the constitution; and the financial burden imposed on Ugandan taxpayers.

It is important to recognize at the outset that the increase in the number of MPs is founded upon the constitutional provisions regarding the structure and composition of parliament. According to the constitution, there are 4 ways by which an eligible person can be an MP. These are: direct election through county-based constituency; direct woman MP through district-based constituency; special interest group representative through electoral college or exofficio member by virtue of being a Cabinet Minister. Consequently, understanding how these provisions affect the number of MPs is central to the task of proposing solutions on how the current state of public administration expenditure on the legislature can be mitigated or reformed.

3.2.1. Constituency Representation and County-Based Constituency Demarcation

The most direct way of becoming an MP is through direct election based on universal adult suffrage in a geographically defined constituency. Article 63 of the Constitution provides, among others, that "... Uganda shall be divided into as many constituencies for the purpose of election of Members of Parliament as Parliament may prescribe; and each constituency shall be represented by one Member of Parliament." Under Clause (2) of Article 63, the Electoral Commission is required to ensure that when demarcating constituencies, "each county, as approved by Parliament, has at least one Member of Parliament; except that no constituency shall fall within more than one county."

Before the promulgation of the 1995 Constitution, the Odoki Commission³⁹ had weighed in on constituency demarcation as a paramount issue with significant implications for effective representation and democracy. The Commission

³⁹The Constitutional Commission under the Chairmanship of Justice Benjamin Odoki was established under the Uganda Constitutional Commission Statute, No.5 of 1988. The Commission presented its report to the President of Uganda on December 31, 1992 and a final Constitution was discussed by a Constituent Assembly and promulgated on October 8, 1995.

argued that “the way constituencies are demarcated may have a major impact on, or even determine the outcome of an election.”⁴⁰ The recommendation of a county as the basis for demarcating constituencies was, therefore, motivated by the Commission’s desire to guard against electoral fraud and manipulation through constituency demarcation. There is no indication that the Commission was ever concerned with the size of the legislature, although it made reference to the need for population-based constituency demarcation.⁴¹

Article 63, therefore, reflects the tension between the desire to create an independent Electoral Commission and keeping the idea of county-based constituency demarcation. Article 63(2) gives the Electoral Commission the powers to demarcate constituencies, but at the same time takes those powers away by requiring it to ensure that “... each county, as approved by Parliament, has at least one member of Parliament” with a proviso that “... no constituency shall fall within more than one county.” Effectively, the rest of the provisions of Article 63, including those referring to the population quota, clearly have no practical effect. In reality, the creation of counties has almost become a default outcome of creating new districts. It is therefore tenable to argue that the Electoral Commission has no power to demarcate constituencies whatsoever, and hence has no role in determining the composition or size of the parliament.

The issue of the powers of the Commission to demarcate electoral constituencies is equally relevant to the election of women representatives. The election of these representatives is based on the district as the constituency. Yet, the Commission has no powers to determine the creation of districts. Districts are essentially first created as presidential pledges – in the majority of cases as electoral promises – and then subsequently legalized through a legislative process. The requirement that parliament approves the creation of new districts as a safeguard against political and administrative abuse of the process has not worked. Members of Parliament are by and large beneficiaries of the patronage that is dispensed through the creation of districts and other administrative units.

Consequently, it is tenable to argue that the current size of parliament is first and foremost a function of a dysfunctional constituency demarcation process. Any reforms to create certainty in the number of MPs must start with securing the integrity of the constituency demarcation process by addressing the following four inter-related issues:

- 1) a powerless Electoral Commission that has no control over the demarcation of electoral constituencies;

⁴⁰Republic of Uganda (1993). The Report of the Uganda Constitutional Commission: Analysis and Recommendations. UPPC, Entebbe. Pg 272, para 10.99.

⁴¹Id, pg 273, para 10.103.

- 2) the incompatibility of the rationale for establishing administrative units and the rationale for demarcating electoral constituencies;
- 3) the failure of parliament to act as the safeguard against unnecessary creation of new districts and other administrative units; and
- 4) the incentive for a sitting president and ruling party to build a parliamentary majority by dispensing patronage through the creation of new administrative units.

As shown in Table 4 below, evidence shows that the category of MPs representing county-based constituencies has continued to increase with changes in the number of administrative units. For example, at the time of the first NRC elections in 1989, there were 149 county-based constituencies. By the time the NRC was dissolved in 1995, the number of constituencies had increased to 214. Unless this problem is resolved by un-pegging demarcation of constituencies from the creation of administrative units, the number of MPs could continue increasing by default through administrative actions.

Table 4: Changes in the Number of County-based Constituencies by Election Cycle

Election Cycle	1989	1995 (CA)	1996	2001	2006
No. of Constituencies	149	214	214	214	215

3.2.2. Representation of Women and District-Based Constituencies

Unlike county-based constituencies for directly elected MPs, women representation is based on constituencies demarcated on the basis of districts. This phenomenon is also a legacy of the NRC where women were elected to represent districts. It is not absolutely clear when the NRM began to consider women’s political empowerment as a fundamental political objective. A critical analysis of both the founding principles of the NRM⁴² and its Ten Point Programme does not reveal any compelling articulation of women’s’ issues as being at the core of the political programme of the NRM.

However, from the time it came to power in 1986, the NRM projected itself as an enlightened political organization interested in the emancipation of women. Its assumption of power also coincided with the end of the United Nations Decade for Women (1975 –1985) and the launching of the Nairobi Forward Looking Strategies at a United Nations Conference in 1985⁴³. The Nairobi Conference produced a ripple effect in Uganda, leading to the establishment of activist women’s organizations such as Action for Development (ACFODE) and

⁴²NRM (1982), id. The principle of “broad-based politics & broad-based government” is stated in such broad terms and cannot be said to be the foundation for the near “religious” pursuit that the NRM embraced women’s political empowerment (pg 5).

⁴³United Nations (1985). *Forward Looking Strategies for Women to the Year 2000*. Nairobi.

Uganda Women’s Network (UWONET) which made political empowerment and representation their core mission.

The NRM as an organization and President Museveni in particular must be credited for championing the women’s political empowerment agenda. The convergence of a highly gender conscious political movement and aggressive advocacy and lobbying by women’s organizations resulted into a very progressive gender emancipation agenda pursued through affirmative action. As a result, women were increasingly appointed to cabinet, a special ministry for women was created, and when the NRC was expanded in 1989, it became a legal requirement for each district to have a woman representative. As a result, 34 women MPs entered Uganda’s legislature based on affirmative action. By the time the NRC was dissolved, there were 39 women MPs representing the 39 districts that existed at the time. At the time of completing this study, there are 79 district women MPs.

During the work of the Odoki Commission (1989-1993), the question of representation of special interest groups, including women, was one of the hotly debated issues in relation to the composition of parliament.⁴⁴ With respect to women’s representation, the Odoki Commission recommended that women should be represented by “... fifteen women representatives elected by a representative and democratically elected national women’s organization...”⁴⁵ However, when the constitution was finally drafted, it retained the district unit as the basis for demarcating constituencies for the purpose of electing women members of parliament. Consequently, like in the case of county-based constituency demarcation, district-based constituency demarcation has also suffered from the problem of administrative engineering, hence creating a default position that leads to unintended increase in the number of MPs. Table 5 below shows the trends in the number of district-based women constituencies since 1989.

Table 5: Changes in the Number of District-based Women Constituencies by Election Cycle since 1989

Election Cycle	1989	1994	1996	2001	2006
No. of Constituencies	34	39	39	56	79

The merits and demerits of special representation of women have been discussed elsewhere and need not to be restated here.⁴⁶ However, whatever the merits, it is imperative to note that the requirement that every district be represented by a woman MP is one of the key factors that has led to the emergence of a

⁴⁴Republic of Uganda (1993), Pg 296-299.

⁴⁵Id, pg 298, para 11.61

⁴⁶See for example, Hanssen, Kari N. (2005). *Towards Multiparty System in Uganda: The Effect of Female Representation in Politics*. Kampala: CMI and Makerere University.

numerically tyrannical legislature in the post-1995 constitutional and political dispensation. Since 1995, the number of women MPs has continued to grow by default largely as a result of political or administrative decisions made outside parliament. On a positive note, a combination of these district-based and directly elected women MPs has improved Uganda's global favorability rating in gender-related governance indicators. For example, of the 332 parliamentary seats for the 2006 elections, there were 100 women MPs⁴⁷ representing 30.1 percent of the total. However, these indicators obscure the fact that increased women representation alone does not lead to significant changes in human development indicators such as poverty, infant and maternal mortality. On the contrary, the increased expenditure on the number of legislators diverts public resources required for investment in key social services such as health and education that are essential for women and children that such MPs claim to represent.⁴⁸

3.2.3. Representation of Special Interest Groups

Like in the case of women, the concept of special interest group representation as implemented before the promulgation of the 1995 Constitution was essentially rooted in the principle of broad-based politics that defined the first decade of the NRM Government. In its simplistic form, the NRM adopted affirmative action as a strategy to correct the historical imbalances in political participation in the country. In the broader scheme of the NRM political strategy, however, representatives of special interest groups are considered supporters of President Museveni's political agenda on account of their consistent record of voting with the ruling party on most controversial legislative issues.

Building on the practice of the NRC, representation of special interest groups in parliament became a subject of consultation during the work of the Odoki Commission. In its final report, the Commission suggested that such representation should be a transitional arrangement to be phased out once the underlying objective (correcting the political imbalance in political participation) had been achieved. This is reflected in the Commission's recommendation that "the special interest group representation should continue until such a time as the represented groups are more fully and fairly integrated into Ugandan society and that Parliament should from time to time review the necessity of such special representation."⁴⁹ The Commission further recommended that these groups be represented as follows: five MPs for the youth, three MPs for the workers, and 10 MPs for the Army.

The Odoki Commission's proposals are reflected in Article 78 of the constitution

⁴⁷There are 79 district women MPs, 14 constituency representatives, two army representatives, one youth representative, two workers' representatives, one PWD representative, and one ex officio.

⁴⁸For details on the performance of special interest groups including special women representatives, see Bainomugisha, Arthur and Elijah Mushemeza (2006). *Deepening Democracy and Enhancing Sustainable Livelihoods in Uganda: An Independent Review of the Performance of Special Interest Groups in Parliament*. ACODE Policy Research Series, No. 13, 2006.

⁴⁹*Id.*

which provides, among others, that parliament shall consist of "...such numbers of representatives of the Army, youth, workers, persons with disabilities and other groups as Parliament may determine..." As a caveat to this special interest group representation, Article 78(2) provides thus:

"Upon the expiration of a period of ten years after commencement of the Constitution, and thereafter, every five years, Parliament shall review the representation under clause 1(b) and (c) of this article for the purposes of retaining, increasing or abolishing any such representation and any other incidental to it."

In 2001, parliament determined the number and mode of elections of the representatives of special interest groups through the Parliamentary Elections Act.⁵⁰ The Act reaffirmed the provisions of the constitution, providing that the district is the basis for electing special representatives of women. The Uganda Peoples Defense Forces is represented by 10 MPs while the workers, the youth, and persons with disabilities are represented by five members each.⁵¹ Similar provisions are reproduced in the Parliamentary Elections Act, 2005. Of particular significance, Parliament went further to restate the constitutional obligation to review the representation of special interest groups as provided in Article 78 of the Constitution. The Act provides that the constitutional mandate to review Article 78(1)(b) and (c) would be exercised by way of a resolution supported by not less than two thirds of all the Members of Parliament.⁵²

However, neither the Constituent Assembly nor the parliament established clear criteria or circumstances under which the special interest groups would be retained, their numbers increased, or abolished. Indeed, the first review which took place in December of 2005 and January of 2006 raised a number of practical and constitutional questions regarding both the representation of special interest groups and the review process mandated by the constitution.⁵³

As a practical matter, the debate which took place over a six-day period from December 13, 2009 to January 5, 2010 when the motion was adopted clearly shows the absence of a clear rationale for the presence of these groups in a multi-party parliament.⁵⁴ Firstly, the motion itself did not provide any justification why it was being proposed that the representation of special interest groups be retained. Secondly, some of the reasons advanced by the MPs ranged from the

⁵⁰The Parliamentary Elections Act, 2001, Part V, Clause 11 (1) (Repealed by the Parliamentary Elections Act, 2005).

⁵¹Id. Clause 11 (2)

⁵²Parliamentary Elections Act, 2005, Section 8(3).

⁵³The Motion for a Resolution of Parliament Moved Under Article 78 of the Constitution on the Representation of Special Interest Group Groups introduced by State Minister Adolf Mwesige on December 13, 2005. See Hansards, December 13, 2005.

⁵⁴For details on the review, see: Hansards, December 13, 2005; December 20, 2005; December 21, 2005; December 28, 2005; January 4, 2006; and January 5, 2006.

mundane such as “grooming young leaders”⁵⁵ or the fact that by having the army represented, soldiers would know what would be happening in Parliament⁵⁶ to more pragmatic proposals such as the abolition of special interest group representation altogether. Thirdly, the suspension of the rules of procedure of parliament to allow voting on the motion without the traditional two-thirds majority requirement and the mandatory 15 days notice is characteristic of the alliance that has emerged between the executive and the legislature. This alliance is undermining the Constitution. The “casual” manner in which the Constitution is amended, combined with the various dilatory statements by political leaders including the president continues to diminish the legal utility and the historical significance of the 1995 constitution.

In Section 6, we propose that the forthcoming review in 2011 provides an opportunity to reduce the size of parliament by abolishing special interest group representation of the army, the youth, workers, persons with disabilities, and special district seats for women. We provide proposals on how the entire membership of the legislature should be reconfigured to create a “smart,” efficient and cost effective organ.

3.2.4. Ministers as Members of the Legislature

The cost implications of a large cabinet have been discussed extensively elsewhere and that discussion is beyond the scope of this paper.⁵⁷ But it suffices to point out that the cabinet is another reason why the size of parliament has been growing at an uncontrollable rate. Although some of the ministers are appointed from within parliament, Article 78(d) of the Constitution provides that “... the Vice President and Ministers, who, if not already elected members of parliament, shall be ex officio members of parliament without a right to vote on any issue requiring a vote in Parliament.” The fact that ministers can be Members of Parliament has a number of major implications for the legislature. One, it blurs the lines of accountability and responsibility between the legislative and executive branches of the government. Indeed, it is clearly out of the ordinary that ministers propose Bills for legislation, adopt them in cabinet and proceed to vote on those Bills in parliament. Equally important is the fact that the size of parliament is inflated by a new category of members referred to as ex officio members. At the time of writing this paper, there are at least 13 ex officio members of parliament.

The combined effect of the increase in the different categories of members of parliament is clearly what accounts for the consistent aggregate increase in the total number of legislators. Available statistics on the number of legislators since 1986 are highly inconsistent, partly on account of the various changes.

⁵⁵Rosemary Namayanja, Youth Central

⁵⁶Amon Reeves Kabareebe, Rwampara County.

⁵⁷Tumushabe, G. (2009). Trends in Public Administration Expenditure in Uganda: The Cost of the Executive and its Implications for Poverty Eradication and Governance. ACODE Policy Research Series, No. 27, 2009. Kampala.

Kabwegyere suggests that the first NRC had 76 members as of 1986.⁵⁸ As of April 11, 1989, the membership of the NRC had reached 257. At the time the Council was dissolved in 1994, it had a membership of 277. Before the promulgation of the 1995 Constitution, another organ that had the semblance of the legislature was the Constituent Assembly (CA) which was charged with debating and drafting a new constitution for Uganda. The CA was made up of 284 men and women, 214 of whom were directly elected from county-based constituencies, municipalities and city divisions.⁵⁹ Table 6 shows changes in the aggregate number of legislators for selected years since 1989.

Table 6: Changes in the Aggregate Number of MPs since 1989

Year	1989	CA	1996	2001	2006
No. of MPs	270	284	276	295	332

3.2.5. Politically Motivated Administrative Engineering

Administrative engineering refers to the creation of administrative units designed to achieve political, ethnic, or other advantages. In this process, achieving administrative cost-effectiveness or economic efficiency are secondary to the political or ethnic identity considerations that drive the demarcation of administrative units. As already discussed, administrative engineering is one of the underlying causes of the increase in the number of legislators and the public expenditure associated with parliament.

There are three major parties that benefit from the process of administrative engineering. First, because the sitting president has the power to allocate, and the leverage to require parliament to grant the necessary administrative status, such president uses administrative engineering to dispense political patronage and secure support from an unsuspecting electorate. The second is the parliamentarians. Like the president, parliamentarians are seen as power brokers in apportioning the spoils that go with the newly created administrative units. Finally, the local elites benefit from the political, administrative and public service jobs that go with running of those administrative units. For example, analysis of the voting records since 1996 as shown in Table 7 below, show that President Museveni as a sitting president obtained substantial electoral advantage from new districts created before elections, or in areas where he promised to grant district status.

⁵⁸Kabwegyere, Tarsis (2000). *People's Choice, People's Power: Challenges and Prospects of Democracy in Uganda*. Fountain Publishers, Kampala (Appendix II).

⁵⁹Other CA members included 39 women representatives, 10 Presidential Nominees, 10 NRA delegates, National Organization of Trade Unions' representatives, Party and youth representatives.

Table 7: Presidential Elections Results for New Districts (1996-2006)

Election Year	Type of District	President Museveni	Other Presidential Candidates
1996	New Districts (6) ⁶⁰	89.2	10.8
	Ugandan Average	74.3	25.7
2001	New Districts (16) ⁶¹	72.5	27.5
	Ugandan Average	69.4	30.6
2006	New Districts (13) ⁶²	73.6	26.4
	Ugandan Average	59.3	40.7

Source: Electoral Commission data for the respective years

The convergence of political interests between a sitting president, the ruling party, and local political elites is clearly a growing cancer that is eating at the heart of parliament and, generally, governance in Uganda. This convergence is driven by selfish interests and “strategic political opportunism,” and is therefore unlikely to be managed or mitigated through common sense arguments about costs and efficiency. Such interests can only be managed by creating legal incentives and restraints needed to achieve responsible behavior, political discipline and accountability. Consequently, fixing the problem of a bloated legislature cannot be achieved without devising constituency demarcation rules that secure the mandate and autonomy of the Electoral Commission in demarcating electoral constituencies, and safeguarding the constituency demarcation process against administrative engineering.

⁶⁰Districts created or pledged in 1990, 1991 and 1994.

⁶¹Districts created or pledged in 1997 and 2000

⁶²Districts created or pledged in 2005 before the 2006 Presidential elections

4

The Cost of the Legislature: Functions and Effectiveness

The composition and size of the legislature as discussed in the preceding sections raises two important questions that form the central theme of this paper. Do the core constitutional functions of the legislature justify its current size and composition? Secondly, is the financial burden imposed on the taxpaying public justified in light of its core constitutional functions?

In a democracy, the legislature serves three core functions: legislation, representation, and oversight over the executive and the judiciary. Under Article 79 (3), the constitution enjoins the Parliament of Uganda with a fourth, but perhaps equally fundamental function: protecting the constitution and promoting the democratic governance of Uganda. The numerical size and financial cost of Uganda's legislature, therefore, ought to be analyzed against these four core functions.

4.1. The Representation Function

The fundamental right of citizens to make, contribute to, and influence the decisions that affect them and the functioning of their government is rooted in classical and contemporary political theory. Early scholars such as Rousseau and others asserted that a perfect society should be controlled by the "general will" of its population.⁶³ In Greek city states, all citizens used to converge at city squares and deliberate on issues of public importance.

Re-emphasizing the power of citizens over their government, former United States President Thomas Jefferson (1801-1809) observed: "I know of no safe depository of the ultimate powers of society but the people themselves, and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion. This is the true corrective of abuses of constitutional power." Representative democracy – a type of democracy where citizens delegate authority to elected representatives – as we know it today was largely a response to the growing complexity of the modern state as well as increasing populations. In Uganda,

⁶³Rousseau, Jean-Jacques, 1762. *The Social Contract*; John Locke ----

this principle of the peoples' will is rooted in Article 1 of the 1995 Constitution which proclaims that "All power belongs to the people who shall exercise their sovereignty in accordance with this Constitution."⁶⁴

Political theory distinguishes between two concepts of representative democracy. Under the first concept, representatives do not decide issues as independent individuals but merely reflect the "will" of their constituencies. In many developed democracies, the will of the voters may be determined through such processes as elections, referenda, opinion polls, and town hall meetings. Through these processes, voters are able to express their opinions on the political, economic, and social policy directions that their country should take. Politicians who do not take into account the voters' concerns as reflected in these processes are punished at the time of voting. However, experience shows that literacy and high levels of penetration of independent media and civil society are essential pre-conditions for the peoples' elected representatives to be accountable to the voters. In Uganda, where such conditions are absent, citizens are talked to and lectured by the politicians rather than being listened to.

Under the second concept of representative democracy, decisions are made by the elected representatives themselves on the basis of their independent judgments on political issues but acting as trustees of the general will. Advocates of the trusteeship theory opine that the purpose of parliament, and therefore the legislators, is not merely to reflect local opinion and interests but to define and defend the national interest and the common good. Edmund Burke told voters that "... Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."⁶⁵ Through elections, the members of parliament enter into a contract with the citizens to protect their inalienable rights and freedoms from encroachment or denial by any other authorities exercising state power.

The functions ascribed to the legislature in the constitution clearly suggest that members of parliament were to be national figures who would represent their constituencies in particular, and the people of Uganda in general, in matters concerning the governance and development of the country. Although MPs are elected by designated constituencies or special interest groups, there is nothing in the constitution to suggest that they would be expected to turn into community development officers responsible for constructing hospitals, roads, or schools, as the practice currently suggests. On the contrary, MPs are required to exercise prudent judgment in enacting laws that promote peace and good governance of the country, mitigate potential abuse of power by the executive and defend the integrity and sanctity of the constitution. The constitution, therefore, envisages members of parliament as guardians of the public trust. Representation is achieved through the electoral process where eligible voters cast votes in favor

⁶⁴See also Odoki Commission Report, *Supra*, pg 92.

⁶⁵Cited in Franks, p. 57

of their preferred candidates. Annex 1 shows the major elections that have been held in Uganda since 1959.

The primary duty of MPs acting in their representative capacity, therefore, is to promote the will and interests of the citizens at all times, and to ensure that in the discharge of state duties, the rights and interests of the citizens are not compromised. Political scientist Nelson Polsby asserts that effective legislatures connect people to their government by giving them a place where their needs can be articulated.⁶⁶ In addition to direct representation of constituency issues, MPs discharge their representation functions through the exercise of their legislative and oversight functions.

However, the theory on legislative representation does not tell us how to achieve optimum levels of representation at the lowest financial cost to the taxpaying citizens. In the case of Uganda, we have argued that “administrative engineering”, which has dictated the trend in the creation of electoral constituencies, has produced undesirable results as the number of MPs and associated costs have continued to rise. Consequently, an alternative formula that allows predictability, rationality, and one that militates against political opportunism ought to be adopted to change the current course of events. As discussed in the subsequent sections, it is argued that representation based on population provides a more predictable and economically sound formula for determining the size of parliament.

4.2. The Legislation Function

Consistent with their representation function, MPs are charged with the function of enacting laws for the order and good governance of the country. Article 79 of the Constitution provides that “...Parliament shall have power to make laws on any matter for the peace, order, development and good governance of Uganda.” Subject to the exceptions set out in the constitution, the function of legislation is exclusively reserved for parliament. Through legislation, MPs are able to address a wide range of national issues and constituency-specific priorities. For example, MPs can use the legislative process to promote personal liberty, protection of property and direct national development priorities through the budget-allocation process.

An empirical analysis of the legislative accomplishments by the legislature may provide useful insights regarding the efforts of MPs to address pressing public policy issues such as poverty eradication, environmental degradation, and agricultural development. The key question, however, is: what number of MPs is required to enable parliament discharge its legislative functions? This issue is discussed in detail in Section 5.

⁶⁶Nelson W. Polsby (1975), “Legislatures” in *Handbook of Political Science: Government Institutions and Processes*, Fred Greenstein and Nelson Polsby, Eds. Reading, MA: Addison Wesley.

4.3. The Oversight Function

The oversight function of Uganda's legislature is not explicitly stated but is inherent in a number of provisions of the 1995 Constitution. Oversight for the purposes of this paper is defined as the exercise of constitutional powers by the legislature to check or control the exercise of constitutional or administrative powers of the other arms of the State. More especially, the oversight function of the legislature gives it powers to check or control the exercise of Executive powers and to make the Executive accountable and responsible to the electorate.

Exercise of the oversight functions of the legislature covers a range of issues that cannot be discussed exhaustively in this paper. A few examples, however, suffice to explain this important function. For example, the legislature is enjoined to ensure that the executive and the president, as head of the executive, execute their mandate within the limits set by the constitution. Secondly, the legislature ensures that public agencies perform their functions in accordance with legislative intent, and constitutional objectives and principles. Providing this oversight means that the legislature acts as a watchdog of public finance, works to influence and shape budget priorities, scrutinizes and approves appointees by the executive, and works to promote rationality and efficiency in the formulation and administration of public policy. In addition, the legislature checks the government's integrity by prodding government to act, probing for information, and evaluating government performance.

4.4. Protecting the Constitution: The Emergence of Presidential Authoritarianism

In spite of their numbers, the MPs have failed to curtail, and have sometimes abetted, the apparent emergence of presidential authoritarianism.⁶⁷ In today's Uganda, it is controversial to characterize the Museveni Government as an authoritarian regime because of its record regarding the making of a new national constitution and the organization of regular national and local elections.⁶⁸ This is why it is important to demonstrate why the score card of parliament tends to the negative as far as curtailing the emergence of presidential authoritarianism is concerned.

By their very nature, it is often difficult for authoritarian regimes to give in to political pressures for political openings of a democratic nature. Being more or less closed regimes, pressures for political openings threaten their stay in power and tend to undermine the privileges that political, military and business elites enjoy under such regimes. Anyang Nyong'o has convincingly argued that this

⁶⁷Because the NRM and President Museveni fought the previous dictatorial regimes in the guise of bringing democracy to Uganda, they are always agitated whenever they are described as a dictatorship.

⁶⁸Until around 2001, the NRM Government had established a record of organizing regular and scheduled elections. However, its apparent inability to organize local council elections has dented this record.

may explain the intransigence of the rulers in Africa to give in to pressures for democratic change, or their cunningness to wear the robes of democrats and reinvent themselves into power even after so-called multi-party elections.⁶⁹

By any measure, the NRM and President Museveni have the highest democratic credentials compared to all the regimes that Uganda has had since independence. Since 1996, however, both have progressively moved towards authoritarianism which the 1995 Constitution was designed to curtail. Because of the controversial nature of this observation, it is important to draw on existing theories, studies, and empirical literature to clearly show the authoritarian nature of the NRM and the Museveni presidency. Authoritarian regimes have been heavily studied in various parts of the world. These studies identify at least two types of authoritarian regimes: bureaucratic authoritarianism and presidential authoritarianism. Because we argue that the Museveni presidency has emerged into a presidential authoritarian regime which parliament is unable to check, we will turn to it last.

Bureaucratic authoritarian regimes mainly existed in Latin America where they have been studied considerably. These regimes have been characterized by many scholars as dependant on heavy use of power at the center of the State where a civilian or military bureaucracy dominates policy as well as decision-making. The State, while limiting dissenting voices, justifies its existence on the grounds of being “developmental” – as the provider of peace and security, as the protector of the common person or as one that works in the public interest.⁷⁰ As Anyang Nyong’o has observed, being “a do-gooder” for society, the bureaucratic State needs very little legitimacy except what it does. It is, by and large, accountable to itself first and to the people second.⁷¹

In contradistinction to bureaucratic authoritarianism, a presidential authoritarian regime has been succinctly described by Anyang Nyong’o as one in which the president is the central entity in the wielding of political power. The president wields this power through appointments to the civil service, nominations of candidates for competitive or semi-competitive elections in the one-party or no-party State, control of the armed forces, police and the intelligence services, dispensation of rewards and punishments, award of national honors and artifacts of privilege, determination of national symbols, distribution of economic, social and other “developmental” goods, and disposal of public assets.

Presidential authoritarian regimes are clearly distinguishable from military or civilian dictatorships. The latter function with little regard to any form of legitimacy, wantonly abuse human rights and rely on the overwhelming use of force to keep them in power. Such was the case of Idi Amin’s regime in

⁶⁹Anyang Nyong’o (2002), “Democracy and Political Leadership in Africa in the Context of NEPAD.” Paper Presented at the Japan Institute for International Affairs Conference at the World Summit on Sustainable Development, Johannesburg, 31st August 2002.

⁷⁰Guillermo O’Donnell, et al. (eds) (1986). *Transitions from Authoritarian Rule: Comparative Perspectives*. Baltimore: Johns Hopkins University Press

⁷¹Anyang Nyong’o, id.

Uganda, Mobutu Sese Seko in Zaire or Sani Abacha in Nigeria. On the contrary, presidential authoritarian regimes tend to invoke popular causes and seek to renew their legitimacy through elections that are often non-competitive or semi-competitive. The Mugabe and Museveni regimes fall squarely in this category.

Like with many presidential authoritarian regimes, President Museveni has sought to perpetuate his stay in power through regular elections and the pronouncement of populist policies. Like Robert Mugabe's land reforms in Zimbabwe, policies such as Universal Primary Education, Universal Secondary Education, Prosperity for All or support for vigilantism such as in the case of tenants on registered land have to be seen as presidential favors rather than national programmes or government obligations. In addition, elections are held in a corrupt manner, with voters being bribed for their votes and those elected deriving their legitimacy from being loyal to the president. In the words of Anyang Nyong'o, "the so called patron-client relationship tends to dominate the chain of relationships and loyalty of voters, campaigners, candidates and the government. The policies, further, may not necessarily be implemented; but they remain in the public domain and may enjoy enormous public discourse for purposes of winning, or even manufacturing legitimacy."

The failure of Uganda's legislature to invoke its powers and authority under the 1995 Constitution to curtail the emergence of presidential authoritarianism is mindboggling for constitutional scholars and governance practitioners. Inevitably, like all presidential authoritarian regimes, the Museveni regime looks to the constitution and the institutions created under it such as parliament to legalize and legitimize the actions and schemes that entrench authoritarianism. Invoking the constitution by both parliament and the president is necessary only when they have to legitimize their actions. Consequently, the symbiotic relationship between members of parliament who are unable to fully appreciate the task imposed on them by the constitution and an executive branch with absolute control over the national budget clearly pervades the President's sense of entitlement to the presidency and goes to the root of a bloated legislature.

Like in the case of the legislative function, absolute numbers are not essential in performing the oversight functions of the legislature. The same or perhaps a better level of oversight can be achieved at a much lower cost by reducing the size of the current and future parliaments.

5

The Cost of the Legislature: Counting the Losses

In the preceding section, we have spelt out the core constitutional functions of the legislature. We have also provided evidence to show the inadequate functioning of Uganda's legislature over the last decade. In spite of the inadequacies and the growing public concerns, public expenditure on the legislature has been increasing uncontrollably. The practice and the current partisan structure of the parliament suggest that this is likely to continue. Consequently, to address the problem of this burgeoning expenditure, it is important to understand its root causes and analyze the losses that the taxpayers and citizens incur to enable the continued existence of this bloated institution.

In order to provide a complete picture of the current cost of the legislature to the taxpayer, we have divided the discussion into three parts. First, we examine the legal basis for determining the emoluments of MPs. Second, we establish the actual number of MPs including the numbers by category. Finally, we compute the actual expenditure based on actual payments that can be reliably ascertained. It is important to note that it was not possible to obtain actual payment data from the parliamentary administration because the information is considered confidential and off-limits to the public.

5.1. The Legal Basis for Remuneration of MPs

The legal regime governing the remuneration of Members of Parliament has evolved over the last two decades. In 1981, parliament enacted The Parliament (Remuneration of Members) Act⁷² which sought to consolidate the hitherto existing laws relating to the remuneration of MPs.⁷³ The Act made provisions for payment of salaries and gratuity of MPs at the time, including special provisions applying to the MPs who were members of the army.⁷⁴ The Act also gave powers to the minister responsible for public service and cabinet affairs to make regulations in respect of "the allowances and amenities of MPs, except as otherwise provided" in the Act.

By implication, the Act gave both parliament and the responsible minister the

⁷²Cap 259, Laws of Uganda, Revised Edition 2000. The Act entered into force on July 1, 1981.

⁷³The Act also made provisions for the remuneration of past Presidents and Vice Presidents. See Long Title and Section 3.

⁷⁴Id, s.1.

power to determine the emoluments of legislators. However, neither the 3rd Parliament nor the NRC agitated for pay increases in the trade union fashion that has been witnessed since the 6th Parliament (1996-2001). The NRC increased its emoluments once in 1994 through a resolution of its members. Generally, the salary structure contained in the resolution was largely consistent with the remuneration for other senior public servants in the country. Secondly, the size of the legislature, at 277 NRC members, at the time was not contested. This perhaps explains why the report of the Odoki Commission does not contain anything to suggest that there was any substantial debate regarding the remuneration of MPs. The Commission notes that "in determining the number of representatives for each of the groups (special interest groups), the Commission has considered the need to maintain a parliament of moderate size as well as the numbers being used in the present NRC."⁷⁵ This oversight was inevitable since the number of legislators had never arisen as a public policy issue.

The desire to secure the autonomy of the legislature by shielding it from potential manipulation by the executive branch, however, prompted the need to create a new legal basis for determining the budget of parliament and the remuneration of its members and employees. Consequently, Article 85(1) of the Constitution provides thus: "A Member of Parliament shall be paid such emoluments and such gratuity and shall be provided with such facilities as may be determined by Parliament." In 1997, a private members Bill for an Act providing for the administration of parliament, including the determination of emoluments of members, was tabled in parliament.⁷⁶ The Bill culminated into the Administration of Parliament Act enacted in the same year.⁷⁷

The Administration of Parliament Act provides for the establishment of the Parliamentary Commission made up of the Speaker of Parliament, Leader of Government Business, the minister responsible for finance and three MPs elected by parliament, none of whom shall be a minister. The Act also provides that the Parliamentary Commission shall be a body corporate with perpetual succession, a common seal, and with powers to sue and be sued in its corporate name and to do or suffer to be done all things which may be suffered by a body corporate.⁷⁸ The Parliamentary Commission is chaired by the Speaker of Parliament. Commenting on the issue of legislators' remuneration in 2006, Speaker Edward Sekandi is quoted reiterating the anxiety over the autonomy of the legislature thus: "...during the Constituent Assembly we decided that parliament should be self-accounting to determine their salary. We thought that one day the executive would be angry with parliament and the way of controlling them is to starve them."⁷⁹

⁷⁵Odoki Commission Report, pg 297, para 11.60.

⁷⁶The Administration of Parliament Bill, No. 5. The Bill was presented by MP Dan Wandera Ogalo (Bukooli South, Bugiri). At the Bill's Second Reading on July 17, 1997, MP Wandera Ogalo reiterated that "the policy behind the Bill is for autonomy both administrative and financial for this House." See Hansards, July 17, 1997.

⁷⁷Administration of Parliament Act, Cap 257 (Commencement date: August 15, 1997).

⁷⁸Id, S.3(2).

⁷⁹The Monitor, June 25, 2006.

The Administration of Parliament Act confers two important functions on the Parliamentary Commission that are relevant to the current trends in the cost of the legislature. The Commission is required to cause to be prepared, in each financial year, estimates of revenues and expenditure for parliament for next financial year⁸⁰ and to make recommendations to parliament on or, with the approval of Parliament, determine the allowances payable and privileges available to the Speaker, Deputy Speaker and MPs.⁸¹ Hence, consistent with Article 85, parliament became a self-accounting body whose budget is charged directly on the Consolidated Fund.

It is evident from the Odoki Commission Report that there is general consensus among Ugandans that the legislature should operate as an autonomous arm of the State at par with both the executive and the judiciary. In enacting the provisions of Article 85, it is also apparent that the Constituent Assembly put much faith in the caliber, integrity and good will of people elected as MPs. The possibility that parliament could evolve into a kind of trade union organization that enters into an alliance with the executive to abuse the autonomy secured for it under the constitution was never envisaged. As a consequence, parliament has made it standard practice to continuously increase its remuneration at every opportunity. The executive, which is supposed to act as the check on such excesses, has become an accomplice because of the symbiotic and often times opportunistic relationship that exists between the two organs.

It is important to observe that neither the Constitution nor the Administration of Parliament Act impose any limits on the power of parliament to determine its budget or the remuneration of legislators. The framers of the 1995 Constitution put much faith in the integrity of legislators as people's representatives but also in the checks and balances inherent in a functioning democracy. Since 1996, however, MPs have entered an alliance with the Executive to unleash financial tyranny on both the taxpayer and the citizens who have to carry the financial burden of serving the insatiable demands of these two institutions. It is an alliance because the two institutions stand to benefit from the "deals" that they have jointly concluded – which have been characterized elsewhere as "strategic political opportunism."⁸²

The failure of the executive to restrain parliament and vice versa has clearly demonstrated the limits of the current legal framework regarding the determination of emoluments of MPs. While the executive has become a "willing buyer" ready to pay the price of winning over legislators on key constitutional and legislative issues, MPs have demonstrated their inability to exercise self-discipline and restraint. The discretionary constitutional authority given to legislators to

⁸⁰Administration of Parliament Act, Cap 257S.7(f).

⁸¹Section 6 (f) and (g).

⁸²See Tumushabe, G. (2009). Trends in Public Administration Expenditure in Uganda: The Cost of the Executive and its Implications for Poverty Eradication and Governance. ACODE Policy Research Series, No. 27, 2009. Kampala.

determine their emoluments, in the absence of oversight either by the Executive or by the Judiciary, therefore, partly explains why MPs continue to legislate more favorable packages for themselves without due regard to the burden imposed on the taxpayers. The alliance between the executive and the legislature on this issue has also confirmed that it is no longer tenable to rely on the good will of MPs as people’s representatives. Rather, their conduct has to be regulated through more proactive legal restraints and accountability requirements.

5.2. The Numerical Size of Parliament

The number of MPs has grown consistently since 1996. Based on the 1996 elections, parliament had a membership of 276. The number increased to 295 in 2001. Following the elections in 2006, Parliament now has 332 members. Tables 8 and 9 below show the changes in the composition of parliament by MP category as stipulated under the constitution, as well as composition by gender and political affiliation.

Table 8: Trends in the Number of MPs by Category (1996-2009)

Category of MP seats	1996 ⁸³	2001	2006 ⁸⁴
County-based constituencies	214	214 ⁸⁵	215
District-based women constituencies	39	56	79
Disabled	5	5	5
Youth	5	5	5
UPDF	10	10	10
Workers	3	5	5
Ex Officio	-	-	13
Total	276	295	332

Source: Electoral Commission Reports

Table 9: Trends in the Number of MPs by Gender (1996-2009)

MP Category by gender	1996	2001	2006
Women	52	68	100
Men	224	227	232
Total	276	295	332

Source: Electoral Commission Reports

⁸³As at January 27, 1996.

⁸⁴As at February 23, 2006.

⁸⁵Interparliamentary Union at www.ipu.org/praline-e/reports/arc/2329_01.htm (accessed on March 31, 2009). Parliamentary Elections were held on June 26, 2001.

Table 10: Number of MPs in the 8th Parliament by Political Affiliation

Political group	Total seats	Constituency	District woman	Other seats
National Resistance Movement (NRM)	212	141	57	14
Forum for Democratic Change (FDC)	38	27	11	0
Independents	40	28	12	0
Uganda Peoples Congress (UPC)	9	9	0	0
Democratic Party (DP)	8	8	0	0
Conservative Party (CP)	1	1	0	0
Justice Forum of Uganda (JEEMA)	1	1	0	0

Note that the 10 UPDF representatives and 13 ex officio are not categorized under any political affiliation.

The increase in the number of MPs is neither accounted for by affordability nor by empirical evidence that a big number of them would enhance the operational efficiency of parliament. On the contrary, the increase has essentially responded to the problem of political and administrative engineering determined by events outside the control of parliament or the Electoral Commission.

The key question that has not been addressed in the current discourse on the numerical size of the legislature is: what factors should be considered in determining the optimum number of MPs? Put differently, the question is whether there is a “scientific” formula for determining the size of parliament that is capable of optimally achieving its legislative, oversight, representation, and other associated functions. In the absence of such a formula, the appropriate approach is to draw comparisons with other countries based on selected variables such as Gross Domestic Product (GDP) and per capita representation.

There are no standard scientific criteria for determining how many legislators may be required to perform the functions of the legislature. For example, enacting laws or providing oversight over the running of the State can be achieved by any number of legislators. Consequently, the best approach to determine the size of the legislature is to base it on the population ratio or other economic or more qualitative criteria such as what may be reasonable and appropriate. Consequently, in the case of Uganda, with 30 million people, approximately 10 million (31%) of whom live on less than a dollar a day, children dying of preventable diseases such as malaria, and have limited access to a decent education, it is important to ask: Is it appropriate to spend money on 332 men and women as Members of Parliament to discharge the functions of the legislature outlined in this paper?

Within East Africa, Uganda has the lowest per capita representation at an estimated 90,361 persons per MP.⁸⁶ For example, Kenya, with an estimated

⁸⁶This is based on an estimated population of 29.9 million people in 2009. The Economist (2009). Pocket World in Figures 2009. The Economist Newspaper Ltd.

population of 35.1⁸⁷ million people and per capita income of US\$456,⁸⁸ has only 214 MPs⁸⁹ and hence a per capita representation of at least 164,000 persons per MP. Tanzania, with an estimated population of 40 million people and per capita income of US\$400, has 324 MPs⁹⁰ translating into per capita representation of approximately 123,000 persons per MP. Although these countries are at the same level of development with Uganda and share a similar history, they do not provide a very useful point of reference. They are also poor – their economies are still dominated by agriculture, and have not achieved socio-economic transformation. It is, therefore, more reasonable to compare Uganda's per capita representation with countries that have achieved a higher level of development.

Norway, with a population of approximately 4.6 million people and a GDP of US\$246.6 billion, has 43 legislators. The Netherlands, with an estimated population of 16.6 million people and per capita income of US\$42,670, has 225 legislators (75 in the Senate and 150 in the House of Representatives). Sweden, with an estimated population of 9.0 million people and a per capita income of US\$55,624, has 349 MPs.⁹¹ These examples clearly suggest that population and affordability are two major factors that should be considered when determining the size of the legislature.

Furthermore, there is always a tendency to compare countries such as Uganda with the United States. In such cases, the temptation is often to compare Uganda's Parliament with the Senate or the House of Representatives. Unfortunately, such comparison is highly misleading because the United States has an estimated 300 million people (almost 10 times the population of Uganda)⁹² and an estimated GDP of US\$14.29 trillion (398.27 times that of Uganda). Consequently, Uganda is best compared with some of the American states whose legislatures carry out substantial legislative activities on matters dealing with the development of those states. Again, the evidence shows that legislative work can be discharged by leaner, smarter, and efficient bodies of representatives. For example, the State of California, with a population of approximately 36.8 million people, has only 40 legislators in the Senate.⁹³ The California State Assembly (the lower house) has 80 legislators each of them representing approximately 420,000 people. Consequently, California, with a population slightly higher than Uganda's, has a legislature of 120 members.

⁸⁷The Economist (2009). Pocket World in Figures 2009. The Economist Newspaper Ltd.

⁸⁸OECD, 2008: Kenya. Available at <http://www.oecd.org/dataoecd/12/54/40578108.pdf>

⁸⁹Information available at <http://www.bunge.go.ke/parliament/members.php>

⁹⁰Information available at http://www.parliament.go.tz/bunge/pal_qa.php

⁹¹In 1970, the Swedish Parliament was transformed into a unicameral assembly with 350 legislators. The general elections held in 1973 gave government only 175 seats. To avoid a reoccurrence of tied votes where the opposition was able to marshal 175 votes, the number of seats in parliament was reduced to 349 in 1976.

⁹²Uganda's GDP, according to 2008 statistics available at the CIA World Fact Book website was 35.88 billion.

⁹³Until 1968, elections to the California Senate were based on counties as is the case today for elections in the Uganda Legislature. This led to the situation of Los Angeles County, with 6 million residents as of 1968, receiving 600 times less representation than residents of Alpine County and Calaveras County, some of California's least populous counties. The federal *Reynolds v. Sims* decision by the United States Supreme Court compelled all states to draw up districts with equal populations. As such, boundaries were changed such that equal representation was provided. See, Ansolabehere, Stephen and Snyder, James, M. Jr. (1999). "Why did a majority of Californians vote to limit their own power?" at http://web.mit.edu/polisci/research/representation/apsa_99_v2.pdf (accessed on April 15, 2009).

In addition to the above comparisons, the empirical evidence from the work of Uganda's legislature does not support any proposition that a big parliament enhances the functioning of the body. For example, 16 Bills were presented in 1996 but parliament passed only five. Although 27 Bills were presented in 1997, parliament enacted only 12 pieces of legislation. And while 25 Bills were presented in 2007, only nine were enacted into law. In fact, the only years when the data show impressive legislative records in absolute numbers are those years when parliament was dealing with standard legislation such as laws covering taxation, appropriations, and minor amendments to existing laws.⁹⁴ Comparisons with other legislatures and the apparent record of Uganda's legislature clearly show that the number of MPs can be reduced without undermining the legislative functions of parliament.

5.3. The Cost of the Legislature: Counting the Losses and the Opportunity Cost

There are two distinct but related sides to the debate on the cost of the legislature in Uganda. On the one hand, there are those who argue that MPs are paid too much money, which results in high costs on the taxpayers and diverts investment in critical social services and public infrastructure. Evidence, however, does not show that Ugandan MPs receive unreasonably excessive pay. For example, the monthly salary for an MP in 2008 was UGX 1,507,500 which was a modest increase from UGX 1,461,000 in 2001.⁹⁵ Accurate data on the remuneration of legislators is held as top secret by the parliamentary administration and, therefore, attempts to access the relevant information during this study was denied. The figures and statistics used in this section are based on various resolutions of parliament and anecdotal data compiled from different sources. Based on these figures, monthly remuneration in the form of basic salary and allowances is in the range of UGX 10 million. Given the cost of living in Uganda, it can be argued that such remuneration is not excessive, and is perhaps inadequate given the role and status of a nation's legislators.

We argue that the problem with the cost of parliament has more to do with the number of MPs than the remuneration package being provided at the moment. As shown in Table 6, the number of MPs has increased since 1986 reaching 332 in 2006. Yet, considering the functions of parliament and the cost, and governance implications of a bloated parliament, there is general consensus that a legislature of about 120 MPs would be reasonable for Uganda.⁹⁶ The Commission of Inquiry (Constitutional Review), citing the views of the citizens and its own analysis, shows that the majority of the population wants a leaner, smarter and cost-effective parliament. With the current estimated population of 30 million people, this means that each MP would represent at least 250,000 people.

⁹⁴See, for example, 2008 when at least 24 pieces of legislation were enacted.

⁹⁵See Table 11 in Annex III. (BUT THE TABLE IS NOT NUMBERED!)

⁹⁶See Republic of Uganda (2003). The Report of the Commission of Inquiry (Constitutional Review). Findings and Recommendations: 6-63-6-68.

Given its current numbers, the cost of Uganda’s legislature has been growing consistently for the last 5 years. Recent data shows that the budget of parliament has increased from UGX112.0 billion in FY 2003/04 to UGX208.3 billion in FY2006/07 representing a percentage change of 86.01 per cent (Table 11)..

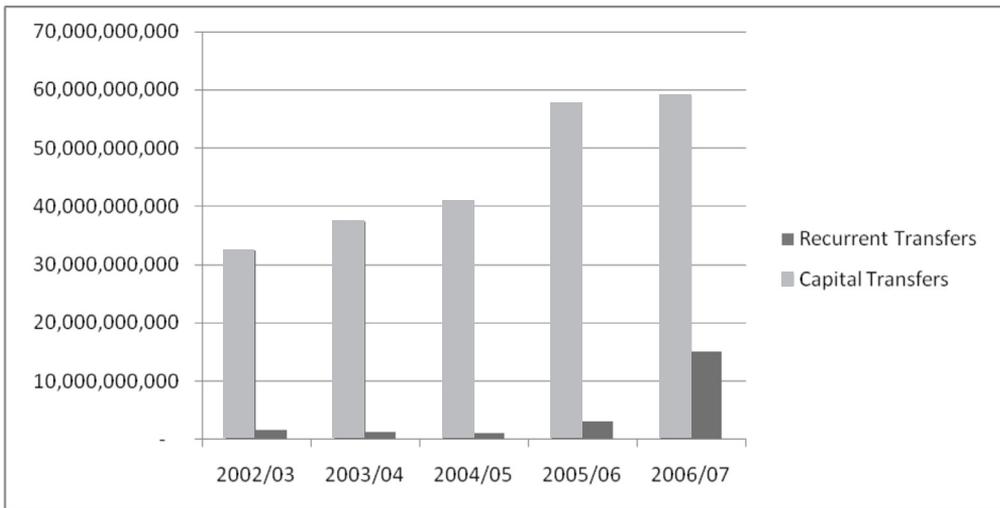
Table 11: Changes in Parliament Expenditures by Category and Financial Year

Expenditure Category	2002/03	2003/04	2004/05	2005/06	2006/07	% change 03/04 Base FY
General staff salaries	6,819,483,042	6,820,187,477	7,013,119,779	8,317,508,000	8,156,290,411	19.59%
Allowances	19,065,169,901	24,944,432,958	27,616,279,243	41,490,881,611	38,474,601,879	54.24%
Committee, Council & Board Expenses		1,017,773,537	1,246,672,019	1,716,116,867	1,272,734,968	25.05%
Travel inland		641,701,088	868,905,374	1,076,568,449	1,139,334,842	77.55%
Travel Abroad	1,375,967,173	1,020,346,210	1,295,777,418	1,957,369,291	2,214,917,242	117.08%
Transfer to Treasury (NTR)		50,784,360	24,845,522	29,028,062	27,101,930	-46.63%
Contribution to Autonomous Institutions		3,000,000	-	2,950,000,000	3,175,000,000	105733.33%
Budget for the FY	34,016,867,000	38,762,297,945	42,055,835,558	61,628,193,000	79,793,993,880	105.85%
Transfer from the treasury - Recurrent	32,394,290,000	37,388,014,945	40,948,631,426	57,584,354,910	58,983,993,799	57.76%
Transfer from the treasury - Capital	1,622,577,000	1,374,283,000	1,107,204,132	3,202,500,000	15,140,833,333	1001.73%
Total Transfers from Treasury	34,016,867,000	38,762,297,945	42,055,835,558	60,786,854,910	74,124,827,132	91.23%
Total Expenditure	95,294,354,116	112,022,821,520	122,177,270,471	179,952,520,190	208,378,802,284	86.01%

Source: Returns of parliament to the Auditor General for the respective years.

The increase in the budget of parliament is also evidenced by the increase in annual total transfers from the Treasury which increased from UGX39 billion in FY 2003/04 to UGX74.1 billion in FY 2006/07 representing a percentage change of 91.2 percent. As shown in Figure 1 below, recurrent transfers account for the bulk of this increase.

Figure 1: Transfers from the Treasury



Part of the justification given by politicians who benefit from the current state of affairs is that Uganda has a “unique” political history generally characterized by post-independence political instability and ethno-religious tensions. Hence the oversize of parliament and executive are necessary to provide opportunities for political participation. Even if it were accepted that the country be held hostage to these historical circumstances, it is possible to adjust for this unique history and suggest that the number of people to be represented by each MP should be set at 200,000. This means that the constituency unit would be based on proportional representation of the population, adjusting for administrative units that have the required population figures. At the current population estimate of 30 million people, this would translate into 150 MPs.

Based on the proposition that 150 MPs would constitute adequate representation, and having adjusted for political expediency and Uganda’s unique political history, we can then consider any additional MP as an unnecessary cost on Ugandan taxpayers. This means that for every MP in the excess of 150, Ugandans incur a loss in avoidable or unnecessary expenditure equivalent to a minimum of UGX10 million per month or UGX120 million per year. Over a 5-year term of Parliament, this translates into an avoidable expenditure of UGX600 million per MP. At the moment, Uganda has 332 members of parliament. This means that expenditure on at least 182 MPs constitutes an unnecessary or avoidable expenditure to the country. At our conservative monthly expenditure of UGX10 million per month per MP, this translates into a cost of UGX109.2 billion over a five-year term of parliament.

This avoidable expenditure can perhaps be better understood by taking an opportunity cost approach. Uganda has an acute shortage of qualified professionals such as doctors, engineers, and scientists needed to provide

a foundation for the transformation of the economy and to improve social services delivery. Based on the Makerere University graduate tuition structure for 2008/09 academic year, we can consider two scenarios in which the UGX109.2 billion that can be saved every 5 years if the number of MPs were reduced by 182 to bring them down to 150 is invested differently. In scenario 1, all the money is invested to support graduate level training by covering tuition of deserving students for a one-year master’s program. In the second scenario, at least 20 percent of the saved money is used to improve the facilities of parliament and the welfare of the MPs and parliamentary staffers. The simulation is presented in Table 12 below.

Table 12: Opportunity Cost of Having an Excess of 182 MPs in Terms of Forgone Graduate Education Training

Course Title	Tuition per year (UGX)	Scenario 1 UGX109.2 billion	Scenario 2 UGX87.84 billion	Cumulative Numerical Effect for 20 years under scenario 2
MSC. Agricultural Engineering	2,160,000	50,833	40,666	162,666
Master’s in Agribusiness MNGT	2,160,000	50,833	40,666	162,666
MSC. Food Science and Technology	2,160,000	50,833	40,666	162,666
Master’s in Computing and information technology	3,000,000	36,600	29,280	117,120
Master’s in Medicine	1,500,000	73,200	58,560	234,240
Master of Engineering	2,500,000	43,920	35,146	140,544

Alternatively, the expenditure on the 182 MPs over a 5-year term is equivalent to more than 50 percent of the US\$84.25 million that the Government of Uganda borrowed from the African Development Bank for the secondary school education project.⁹⁷ Consequently, by reducing the size of the legislature by 182 MPs, Ugandans could potentially avoid committing their children and grandchildren to a mounting debt, and instead finance the delivery of secondary education to the present and future generations of school-going children.

⁹⁷See <http://www.afdb.org/en/news-events/article/bank-group-grants-us-84-million-to-uganda-for-education-iv-project-3392/> for information and details about the project (accessed on April 16, 2009).

5.4. The Cost of the Legislature: Political Corruption

The ongoing debate on the cost of Uganda's legislature is mainly focused on the financial cost implications of having a large number of MPs. Yet, the biggest cost as a result of an oversized parliament is in the form of distortions in governance and public policy arising from political corruption. This is not surprising because corruption in general and political corruption in particular is not amenable to quantitative measurements and clear cut definitions. However, a qualitative description of what amounts to political corruption helps illustrate the point that the current structure and size of parliament has become a hotbed and breeding ground for political corruption.

Generally, political corruption can be defined with reference to both the main actors involved, namely, persons at the highest levels of the political system, and the purpose of the political behavior, mainly, to sustain the hold on power. The definition that is most widely shared among political scientists is that political corruption is any transaction between private and public sector actors through which collective goods are illegitimately converted into private-regarding payoffs.⁹⁸ Inge Amundsen observes that political corruption is the manipulation of the political institutions and the rules of procedure, and therefore it influences the institutions of government and the political system, and frequently leads to institutional decay. Political corruption, therefore, is more than a deviation from formal and written legal norms, from professional codes of ethics and court rulings. Political corruption includes a situation where laws and regulations are systematically abused by the rulers, side-stepped, ignored, or even tailored to fit their interests.⁹⁹

No matter what justification is given, the underlying intent of any politically corrupt act is the preservation of power or, generally regime survival. In the process, politicians use public money for power preservation and power extension purposes, usually taking the form of favoritism and patronage politics. In the present case, a bloated legislature creates opportunities for favoritism and politically motivated distribution of financial and material inducements, benefits, advantages, and spoils. Techniques including money and material favors to build political loyalty and political support are made possible. Power-holders can pay off rivals and opposition, and secure a parliamentary majority. By giving preferences to private companies, they can get party and campaign funds, and by paying off the governmental institutions of checks and control, they can stop investigations and audits and gain judicial impunity.

U4, and Anticorruption Resource Centre, observe that incumbent politicians can use several techniques to maintain power, many of which are perfectly legal while

⁹⁸Heidenheimer Arnold J., Michael Johnson, & Victor T. LeVine (eds.). *Political Corruption. A Handbook*. New Brunswick NJ, 1989 (third printing 1993), Transaction Pub.

⁹⁹Amundsen Inge (1999). *Political Corruption: An Introduction to the Issues*. Chr. Michelson Institute. WP 1999:7.

others are illegal and directly corrupt. The corrupt use of political power may take the form of buying political support through favoritism, clientelism, co-optation, patronage politics, and buying votes. This may be achieved through such means as; distribution of financial and material benefits (money, gifts and rents), and symbolic values like status and "inclusion". The corrupt use of political power for power preservation and extension also includes the manipulation of various oversight and control institutions, thus creating various "impunity syndromes".

Based on this description of political corruption, it is tenable to argue that many actions that MPs have been involved in qualify as political corruption. A few examples include: the passing of resolutions to increase the number of ministers in the absence of any compelling evidence that a large cabinet provides value for the taxpayer; the amendment of the constitution to remove presidential term limits to enable the incumbent president stay in power; support for presidential pledges for new districts to gain electoral advantage; and allocation of public funds to traditional and religious leaders in the absence of any established criteria for such expenditure. The fact that 332 men and women who constitute Uganda's Parliament and are given the duty of guardianship of the constitution acquiesce in these politically corrupt practices illustrates the governance costs of a large parliament.

6

Conclusions and Recommendations.

The debate on the size and cost of the legislature is part of a broader debate on the current trends in public administration expenditure. This study makes a contribution to this debate by expanding the analysis beyond the concerns about the financial burden imposed on the taxpaying public. Based on the data, five major conclusions are drawn from the study.

- First, the increasing cost of Uganda's legislature is not because MPs are remunerated excessively but, rather, it is a result of an oversize parliament. Based on proportional representation criteria, and adjusting for political expediency and Uganda's unique history, the Ugandan parliament should have a membership of 150.
- Second, at 150 members, there would be a compelling case to increase the emoluments and facilitation of MPs hence making the parliament as a whole, and individual legislators more efficient and effective.
- Thirdly, since the introduction of multiparty politics in 2005, the architecture and operational dynamics of the legislature have changed. Political parties are now the main mechanisms through which various interest groups should be able to pursue their specific agendas. Consequently, special interest group representation based on electoral colleges or special constituencies no longer serves any legitimate political objective. On the contrary, it is an additional mechanism through which incumbents can build artificial majorities and build political patronage networks that subvert the legislative and democratic process.
- Fourthly, the biggest beneficiary of a crowd-size parliament is often the incumbent president who may manage to manipulate the legislature into enacting laws that may reverse the processes of democratization and economic growth and undermine the accountability function of parliament.
- Lastly, there is evidence to support the argument that Uganda's current legislature is quickly evolving into a vehicle for political corruption as MPs position themselves to benefit from the patronage dispensed as part of the incumbent president's regime survival objectives.

Consequently, reform of the legislature must be part and parcel of any potential reforms in public administration expenditure and governance in the country.

Since the legislature is a fundamental accountability institution with wide-ranging constitutional powers and mandates, it is important that such reforms start with reconfiguring its size and composition. This would give it the political and moral high ground necessary to build a new momentum for reform in public administration expenditure and governance. There are at least five specific interrelated reforms that are necessary to achieve a cost-effective parliament in Uganda.

6.1. Population-based Constituency Demarcation

Parliament must tame and control its size. This study has highlighted and discussed the implication of the four ways through which a person can become an MP: country-based constituency; district-based constituency for women; special interest group representation; and becoming a member of the cabinet. In particular, gerrymandering of constituencies through administrative engineering clearly puts the constituency demarcation process out of the hands of the Electoral Commission, and inevitably undermines the integrity of the process. Consequently, the starting point to reduce the size of the legislature and the associated public expenditure on parliament is to base demarcation of constituencies on proportional representation.

6.2. Abolish representation of special interest groups

From the time special interest group representation was introduced in 1989, it has achieved the objective of increasing political participation of previously marginalized groups, and raised the political profile of selected individuals. However, special interest groups' constituencies – whether women, people with disabilities, the youth, workers or the army – still face more challenging problems such as poverty, healthcare, poor working conditions and many others. While legislators representing these groups may point to some symbolic achievements such as the presentation of a motion or a private members Bill, there is no reason why regular MPs would not represent these same issues. Special interest groups and the country are not served better by symbolic representation in Parliament, but rather by advocating for the allocation of public resources to their particular causes. There is no evidence that programmes for the youth, the army or the workers have been developed and funded because of special representation.

We have also argued that the political party system provides the perfect platform for addressing the unique interests of special interest groups. As members of the legislature, MPs should be required to focus on issues of national interest and represent the diverse interests of their constituents. For example, environmental groups, farmers' organizations, and many other interest groups have to some extent successfully pursued their agenda by working with various MPs from different political parties. Consequently, at the forthcoming review of representation of special interest groups in december 2010, this form of

representation should be abolished. Similarly, laws on political parties should be amended to require the parties to make provisions for special interest groups especially women, people with disabilities, and the youth to compete for political and other positions within the parties. Alternatively, special interest group representation should be based on proportional representation of political parties that secure seats in parliament after elections.

6.3. Ministers should not be Members of Parliament

This study shows that in spite of the many arguments by government to maintain the status quo, the presence of an oversize cabinet where the majority of the ministers double as MPs increases the cost of the legislature and subverts the democratic and accountability process. The current system which allows MPs to simultaneously hold cabinet positions has significant implications for the doctrine of separation of powers, the autonomy of parliament and its cost. Appointing MPs into cabinet is a major mechanism through which incumbent presidents construct patronage networks and subvert the national legislative agenda to suit short-term political objectives. Consequently, the constitution should be amended to prohibit MPs from concurrently holding cabinet positions. This would reduce the cost of the legislature, and secure the independence and autonomy of parliament. As argued in this paper, the fact that a minister who also is an MP initiates legislative proposals, defends them in cabinet, presents them in parliament and votes on them clearly shows the distorted nature of Uganda's legislative process.

6.4. Reduce the Number of MPs and Increase their Monthly Emoluments

Implementing the foregoing recommendations would make achieving a reduction in the number of MPs and the associated expenditure on the legislature possible. Population-based constituency demarcation coupled with the abolition of special interest group representation and excluding MPs from holding ministerial positions concurrently would lead to a reduction in the number of MPs to 150. We have showed that at current remuneration estimates, such a reduction would potentially save the taxpayers an estimated UGX 109.2 billion every five-year term of parliament.

An effective legislature that discharges its role in the interest of the nation, with MPs fully facilitated to contribute to the national legislative agenda and represent the interests of their constituents, is a source of pride to citizens. But with the crowd-size membership of the current Uganda's Parliament and the cost it imposes on the taxpayer, the legislature continues to alienate itself from the citizens and the electorate. Yet, Ugandans should have a shared interest in supporting and financing a credible legislative institution. Therefore, a compact between the citizens and the MPs to reduce the size of parliament should

include a commitment by citizens to support increased remuneration for the lawmakers.

6.5. Establish Safeguards against Arbitrary Determination of Emoluments

This study has showed that the increasing public expenditure on the legislature is accounted for by two interrelated factors. First and foremost, the numerical size of parliament has continued to grow uncontrollably over the last two decades. Even in a situation where the individual MPs are not adequately remunerated given the nature of their positions and the constitutional responsibilities imposed on them, the cost of the legislature in aggregate terms is untenable for a country like Uganda with a small economy, high levels of poverty, and a broken social service and physical public infrastructure. Secondly, MPs have entered into a mutually beneficial alliance with the executive and exploited their constitutional powers to determine their emoluments, hence unleashing financial tyranny on a helpless population. As already discussed in this paper, we argue that the idea of an independent body to determine the emoluments of MPs is untenable since it would automatically be captured by the executive. Consequently, what is needed is to build the necessary constitutional safeguards that increase the fiduciary responsibility of MPs. This can be achieved by prohibiting an MP who participates in a decision to increase the emoluments of legislators from directly or indirectly benefiting from such a decision during the tenure of the parliament when such a decision is made.

6.6. Conclusion

The role of the legislature as a guardian of the constitution and a guarantor of democracy cannot be overemphasized. However, the current structure and size of Uganda's legislature, where membership is determined on the basis of fluid administrative arrangements and special interest group representation, subjects it to capture by the executive and other special interests. In particular, the dominance of the legislature by MPs who concurrently hold ministerial positions is tantamount to a fusion of executive and legislative powers and, undermines the autonomy and authority of parliament. President James Madison, the 4th President of the United States (1809-17), once stated that "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny." Among other factors, the constitutional uncertainty that has been unleashed by regular constitutional amendments and resolutions clearly demonstrates that MPs, in spite of their numbers, have performed dismally in their primary duty to safeguard the integrity and sanctity of the constitution.

Annex I: Chronology of Major Elections in Uganda (1958-2006)

1958 Legislative Council Election*

Registered Voters	Not Available
Total Votes (Voter Turnout)	Not Available
Party	Number of Seats (10)
Uganda National Congress (UNC)	05
Democratic Party (DP)	01
Independents	04

*These were the first elections held for seats on the Legislative Council. Buganda boycotted the poll.

March 1961 Legislative Council Election

Registered Voters	Not Available
Total Votes (Voter Turnout)	Not Available
Party	Number of Seats (91)
Democratic Party (DP)	43
Uganda Peoples Congress (UPC)	35
Others	13

25 April 1962 National Assembly Election*

Registered Voters	Not Available
Total Votes (Voter Turnout)	Not Available
Party/[Coalition]	Number of Seats (91)
Uganda Peoples Congress-Kabaka Yekka (UPC-KY)	60
Uganda Peoples Congress (UPC)	38
Kabaka Yekka (KY)	22
Democratic Party (DP)	24
Others	09

*The Buganda region opted for indirect elections and its Lukiiko [local assembly] nominated 21 representatives to the National Assembly. All 21 members represented the Kabaka Yekka (KY) Party.

10 December 1980 National Assembly Election

Registered Voters	Not Available
Total Votes (Voter Turnout)	Not Available (approx. 85%)

Party	Number of Seats (126)
Uganda People's Congress (UPC)	72
Democratic Party (DP)	51
Uganda Patriotic Movement (UPM)	01
Conservative Party (CP)	-
Undeclared*	02

11-28 February 1989 National Resistance Council Election

Registered Voters	Not Available
Total Votes (Voter Turnout)	Not Available

28 March 1994 Constituent Assembly Election

Registered Voters	7,186,184
Total Votes (Voter Turnout)	Not Available

284 non-partisan delegates were elected with the principal task of writing a final draft of a new Constitution.

09 May 1996 Presidential Election

Registered Voters	8,500,000
Total Votes (Voter Turnout)	(approx. 73%)

Candidate	% of Votes
Yoweri Kaguta Museveni	75.5%
Paul Kawanga Ssemogerere	22.3%
Muhammad Kibirige Mayanja	2.2%

27 June 1996 Parliamentary Election*

Registered Voters	7,880,553
Total Votes (Voter Turnout)	4,782,536(60.7%)

Party	Number of Seats (276)
National Resistance Movement (NRM)	156
Others	120

29 June 2000 Referendum

Referendum Question: Which political system do you wish to adopt, Movement or Multiparty?

Registered Voters	9,609,703
Total Votes (Voter Turnout)	4,914,524 (51.1%)
Invalid/Blank Votes	148,800
Total Valid Votes	4,765,724

Results	Number of Votes	% of Votes
Movement [Non-Partisan] System	4,322,901	90.7%
Multiparty System	442,843	09.3%

12 March 2001 Presidential Election

Registered Voters	10,775,836
Total Votes (Voter Turnout)	7,576,144 (70.3%)
Invalid/Blank Votes	186,453
Total Valid Votes	7,389,691

Candidate	Number of Votes	% of Votes
Yoweri Kaguta Museveni	5,123,360	69.33%
Kizza Besigye	2,055,795	27.82%
Aggrey Awori	103,915	1.41%
Muhammad Kibirige Mayanja	73,790	1.00%
Francis Bwengye	22,751	0.31%
Karuhanga Chapaa	10,080	0.14%

27 June 2001 Parliamentary Election

Registered Voters	10,394,464
Total Votes (Voter Turnout)	5,784,532 (55.7%)

28 July 2005 Referendum*

Main Points: Introduction of Multiparty System

Referendum Question: Do you agree to open up the political space to allow those who wish to join different organizations/parties to do so to compete for political power?

Registered Voters	8,524,230
Total Votes (Voter Turnout)	4,034,232 (47.3%)
Invalid/Blank Votes	93,144
Total Valid Votes	3,941,088

Results	Number of Votes	% of Votes
"Yes" Votes	3,643,223	92.44%
"No" Votes	297,865	07.56%

23 February 2006 Presidential Election

Registered Voters	10,450,788
Total Votes (Voter Turnout)	7,230,456 (69.2%)
Invalid/Blank Votes	295,525
Total Valid Votes	6,934,931

Candidate (Party)	Number of Votes	% of Votes
Yoweri Kaguta Museveni (NRM)	4,109,449	59.26%
Kizza Besigye (FDC)	2,592,954	37.39%
John Ssebaana Kizito (DP)	109,583	1.58%
Abed Bwanika	65,874	0.95%
Miria Obote (UPC)	57,071	0.82%

23 February 2006 Parliamentary Election

Registered Voters	10,164,988
Total Votes (Voter Turnout)	6,894,800(67.8%)

Party	Number of Seats (284)*
National Resistance Movement (NRM)	191
Forum for Democratic Change (FDC)	37
Uganda People's Congress (UPC)	09
Democratic Party (DP)	08
Conservative Party (CP)	01
Justice Forum (JEEMA)	01
Independents	36
Vacant	01

*Directly elected seats only (215 constituency seats and 79 district women representatives).

Annex II

List of Members of Parliament as at July 30, 2009

(The 8th Parliament)

	NAME	CONSTITUENCY	DISTRICT	POLITICAL AFFILIATION
1.	AADROA ONZIMA ALEX	MARACHA COUNTY	ARUA	FDC
2.	ABURA SAMUEL PIRIR	MATHENIKO COUNTY	MOROTO	NRM
3.	ACEN RHODA	DISTRICT WOMAN REPRESENTATIVE	AMURIA	FDC
4.	ACHIA REMIGIO	PIAN COUNTY	NAKAPIRIPIT	NRM
5.	ACHIA TERENCE NACO	BOKORA COUNTY	MOROTO	NRM
6.	ACIRO CONCY	DISTRICT WOMAN REPRESENTATIVE	AMURU	INDEPENDENT
7.	ADONG OMWONY FLORENCE	LABWOR COUNTY	ABIM	NRM
8.	AHABWE PEREZA GODFREY	RUBANDA COUNTY EAST	KABALE	NRM
9.	AAKANDWANAHU CALEB (GEN. RTD)	EX-OFFICIO (MINISTER FOR MICROFINANCE)		NRM
10.	AHBAR HUSSEIN GODI	ARUA MUNICIPALITY	ARUA	FDC
11.	AKELLO JUDITH FRANCA	DISTRICT WOMAN REPRESENTATIVE	PADER	FDC
12.	AKENA JAMES MICHAEL JIMMY	LIRA MUNICIPALITY	LIRA	UPC
13.	AKIROR AGNES	DISTRICT WOMAN REPRESENTATIVE	KUMI	FDC
14.	AKOR ROSE OKULLU	DISTRICT WOMAN REPRESENTATIVE	BUKEDEA	NRM
15.	AKUMU MAVENJINA CATHERINE	DISTRICT WOMAN REPRESENTATIVE	NEBBI	NRM
16.	ALASO ALICE ASIANUT	DISTRICT WOMAN REPRESENTATIVE	SOROTI	FDC
17.	ALEPER MARGARET ACHILA	DISTRICT WOMAN REPRESENTATIVE	KOTIDO	NRM
18.	ALINTUMA JOHN NSAMBU C.	BUKOTO EAST	MASAKA	NRM
19.	ALISEMERA BABIHA JANE	DISTRICT WOMAN REPRESENTATIVE	BUNDIBUGYO	NRM
20.	ALITWALA REBECCA KADAGA	DISTRICT WOMAN REPRESENTATIVE	KAMULI	NRM
21.	ALUPO JESSICA R. EPEL	DISTRICT WOMAN REPRESENTATIVE	KATAKWI	NRM
22.	AMALI CAROLINE OKAO	DISTRICT WOMAN REPRESENTATIVE	AMOLATAR	INDEPENDENT
23.	AMAMA MBABAZI	KINKIZI COUNTY WEST	KANUNGU	NRM
24.	AMONGI BEATRICE LAGADA	DISTRICT WOMAN REPRESENTATIVE	OYAM	NRM
25.	AMONGI BETTY ONGOM	DISTRICT WOMAN REPRESENTATIVE	APAC	INDEPENDENT
26.	AMUGE REBECCA OTENGO	DISTRICT WOMAN REPRESENTATIVE	LIRA	INDEPENDENT
27.	AMURIAT OBOI PATRICK	KUMI COUNTY	KUMI	FDC
28.	ANGIRO GUTOMOI CHARLES	ERUTE COUNTY NORTH	LIRA	INDEPENDENT
29.	ANGUFIRU MARGARET	AYIVU COUNTY	ARUA	INDEPENDENT
30.	ANOKBONGGO WILLY WASHINGTON	KWANIA COUNTY	APAC	UPC
31.	ANYWAR ATIM O. BEATRICE	DISTRICT WOMAN REPRESENTATIVE	KITGUM	FDC
32.	AOL BETTY OCAN	DISTRICT WOMAN REPRESENTATIVE	GULU	FDC
33.	APILIGA MOSES JAKO	WEST MOYO COUNTY	MOYO	UPC
34.	ARAPKISSA YEKKO JOHN	KWEEN COUNTY	KAPCHORWA	INDEPENDENT
35.	ARIMPA KIGYAGI JOHN	MBARARA MUNICIPALITY	MBARARA	NRM
36.	ARONDA NYAKAIRIMA (GEN.)	UPDF REPRESENTATIVE		
37.	ARUMADRI JOHN DRAZU	MADI-OKOLO COUNTY	ARUA	FDC
38.	ASIIMWE BRIAN CHRIS	NTOROKO COUNTY	BUNDIBUGYO	NRM
39.	ATIM OGWAL CECILIA	DISTRICT WOMAN REPRESENTATIVE	DOKOLO	INDEPENDENT

40. ATUBO OMARA DANIEL	OTUKE COUNTY	LIRA	INDEPENDENT
41. AURU ANNE	DISTRICT WOMAN REPRESENTATIVE	MOYO	INDEPENDENT
42. BABA DIRI MARGARET	DISTRICT WOMAN REPRESENTATIVE	KOBOKO	NRM
43. BABA JAMES BOLIBA	KOBOKO COUNTY	KOBOKO	NRM
44. BADDA FRED	BUJUMBA COUNTY	KALANGALA	
45. BAGIIRE AGGREY HENRY	BUNYA COUNTY WEST	MAYUGE	NRM
46. BAHANE NIYIBIZI SILVER	BUFUMBIRA COUNTY NORTH	KISORO	NRM
47. BAHATI DAVID	NDORWA COUNTY WEST	KABALE	NRM
48. BAKA MUGABI STEPHEN	BUKOOLI NORTH	BUGIRI	NRM
49. BAKALUBA MUKASA PETER	MUKONO COUNTY NORTH	MUKONO	NRM
50. BAKEINE MABEL LILIAN KOMUGISHA	BUGANGAIZI COUNTY	KIBAALÉ	NRM
51. BAKKABULINDI CHARLES	WORKERS' REPRESENTATIVE		NRM
52. BALIDDAWA EDWARD KAFUFU	KIGULU COUNTY NORTH	IGANGA	DP
53. BALIKUDEMBE JOSEPH MUTEBI	BSUIRO COUNTY SOUTH	WAKISO	NRM
54. BALYEJJUSA JULIUS	PWD EASTERN REGION		NRM
55. HENRY BALIKOWA	BUDIOPE COUNTY	KAMULI	NRM
56. BANGIRANA ANIFA KAWOoya	DISTRICT WOMAN REPRESENTATIVE	SSEMBABULE	NRM
57. BANYENZAKI HENRY	RUBANDA COUNTY WEST	KABALE	FDC
58. BARO CHRISTINE ABIA	DISTRICT WOMAN REPRESENTATIVE	ARUA	NRM
59. BARTILLE JOHNSON TOSKIN	KONGASIS COUNTY	BUKWO	INDEPENDENT
60. BARUMBA BEATRICE RUSANIYA	DISTRICT WOMAN REPRESENTATIVE	KIRUHURA	NRM
61. BARYOMUNSI CHRIS	KINKIZI COUNTY EAST	KANUNGU	NRM
62. BAYIGA LULUME MICHAEL	BUVUMA COUNTY (ISLANDS)	MUKONO	NRM
63. BAZANA KABWEGYERE TARSIS	IGARA COUNTY WEST	BUSHENYI	NRM
64. BBUMBA NAMIREMBE SYDA	NAKASEKE COUNTY	NAKASEKE	NRM
65. BIKWASIZEHI KIHUKA DEUSDEDIT	BUHWEJU COUNTY	BUSHENYI	DP
66. BINTU JALIA LUKUMU ABWOOLI	DISTRICT WOMAN REPRESENTATIVE	MASINDI	NRM
67. BIREKERAAWO NSUBUGA MATHIUS	BUKOTO SOUTH	MASAKA	INDEPENDENT
68. BOONA EMMA	DISTRICT WOMAN REPRESENTATIVE	MBARARA	NRM
69. BUCYANAYANDI TRESS	BUFUMBIRA COUNTY SOUTH	KISORO	NRM
70. BUKENI GYABI FRED	BUBULO COUNTY WEST	MANAFWA	NRM
71. BUKENYA GILBERT BALIBASEKA	BUSIRO COUNTY NORTH	WAKISO	NRM
72. BUSIMA COSMAS MAFABI W.	BUDADIRI COUNTY EAST	SIRONKO	NRM
73. BUSINGYE MARY KAROORO OKURUT	DISTRICT WOMAN REPRESENTATIVE	BUSHENYI	NRM
74. BUTIME TOM R.	MWENGE COUNTY NORTH	KYENJOJO	FDC
75. BUTURO NSABA	BUFUMBIRA COUNTY EAST	KISORO	NRM
76. BWAMBALE BIHANDE YOKASI	BUKONJO COUNTY EAST	KASESE	NRM
77. BWERERE KASOLE L. EDWARD	BUWEKULA COUNTY	MUBENDE	NRM
78. BYABAGAMBI JOHN	IBANDA COUNTY SOUTH	IBANDA	NRM
79. BYAMUKAMA NULU	KITAGWENDA COUNTY	KAMWENGE	NRM
80. BYANDALA ABRAHAM JAMES	KATIKAMU COUNTY NORTH	LUWEERO	NRM
81. BYANYIMA NATHAN	BUKANGA COUNTY	ISINGIRO	
82. BYARUGABA ALEX BAKUNDA	ISINGIRO COUNTY SOUTH	ISINGIRO	NRM
83. BYARUGABA GRACE ISINGOMA	DISTRICT WOMAN REPRESENTATIVE	ISINGIRO	NRM
84. BYENKYA BEATRICE NYAKAISIKI	DISTRICT WOMAN REPRESENTATIVE	HOIMA	NRM
85. CHEKAMONDO RUYKIYA KULANY	DISTRICT WOMAN REPRESENTATIVE	KAPCHORWA	NRM
86. D'UJANGA SIMON GIW	OKORO COUNTY	NEBBI	INDEPENDENT
87. DOMBO EMMANUEL LUMALA	BUNYOLE COUNTY	BUTALEJA	NRM
88. EBONG DAVID	MARUZI COUNTY	APAC	NRM

89. ECWERU MUSA FRANCIS	AMURIA COUNTY	AMURIA	FDC
90. EJUA SIMON	VURRA COUNTY	ARUA	FDC
91. EKANYA GEOFFREY	TORORO COUNTY	TORORO	FDC
92. EKEMU CHARLES WILLY	SOROTI MUNICIPALITY	SOROTI	FDC
93. EKWAU IBI FLORENCE	DISTRICT WOMAN REPRESENTATIVE	KABERAMAIDO	FDC
94. EMIGU JULIUS PETER	KABERAMAIDO COUNTY	KABERAMAIDO	NRM
95. EPETAIT FRANCIS	NGORA COUNTY	KUMI	UPC
96. ERIYO JESSICA	DISTRICT WOMAN REPRESENTATIVE	ADJUMANI	FDC
97. EUKU SIMON ROSS	KALAKI COUNTY	KABERAMAIDO	NRM
98. FUNGAROO KAPS HASSAN	OBONGI COUNTY	MOYO	NRM
99. GUDOI YAHAYA	BUNGOKHO COUNTY NORTH	MBALE	NRM
100.GUMA GUMISIRIZA DAVID	IBANDA COUNTY NORTH	IBANDA	NRM
101.HASHAKA KABAHEWEZA FLORENCE	DISTRICT WOMAN REPRESENTATIVE	KAMWENGE	NRM
102.HYUHA SAMALI DOROTHY	DISTRICT WOMAN REPRESENTATIVE	BUTALEJA	INDEPENDENT
103.IGEME NATHAN NABETA	JINJA MUNICIPALITY EAST	JINJA	NRM
104.IRIAMA ROSE	DISTRICT WOMAN REPRESENTATIVE	NAKAPIRIPIRIT	NRM
105.JACHAN FRED OMACH MANDIR	JONAM COUNTY	NEBBI	NRM
106.KAAHWA ERISA AMOOTO	BURULI COUNTY	MASINDI	NRM
107.KABAKUMBA LABWOONI MASIKO	BUJENJE COUNTY	MASINDI	INDEPENDENT
108.KABANDA SABANO PHERY	DISTRICT WOMAN REPRESENTATIVE	BUDAKA	INDEPENDENT
109.KABUUSU MOSES WAGABA	KYAMUSWA	KALANGALA	NRM
110.KADDUMUKASA SSOZI JEROME	MITYANA COUNTY SOUTH	MITYANA	NRM
111.KADUNABBI IBRAHIM LUBEGA IGA	BUTAMBALA COUNTY	MPIGI	NRM
112.KAFABUSA MICHAEL WERIKHE	BUNGOKHO COUNTY SOUTH	MBALE	NRM
113.KAGIMU-KIWANUKA	EX-OFFICIO (MINISTER FOR ECONOMIC MONITORING)		NRM
114.KAJARA ASTON PETERSON	MWENGE COUNTY SOUTH	KYENJOJO	FDC
115.KAJURA HENRY	EX-OFFICIAL		NRM
116.KAKOBA ONYANGO	BUIKWE COUNTY NORTH	MUKONO	NRM
117.KAKOOZA JAMES	KABULA COUNTY	RAKAI	NRM
118.SAM BYANAGWA RWAMAFA	RUKIGA COUNTY	KABALE	NRM
119.KALIBA STEVEN	FORT PORTAL MUNICIPALITY	KABAROLE	NRM
120.KAMANDA COS BATALINGAYA	BWAMBA COUNTY	BUNDIBUGYO	NRM
121.KAMBA SALEH M. W.	KIBUKU COUNTY	PALLISA	FDC
122.KAMUNTU EPHRAIM	SHEEMA COUNTY SOUTH	BUSHENYI	NRM
123.KAMYA BETI OLIVE NAMISANGO	RUBAGA DIVISION NORTH	KAMPALA	NRM
124.KASAIJA MATIA	BUYANJA COUNTY	KIBAALE	NRM
125.KASAIJA STEPHEN KAGWERA	BURAHYA COUNTY	KABAROLE	NRM
126.KASAMBA MATHIAS	KAKUUTO COUNTY	RAKAI	FDC
127.KASHAJA ROBERT	YOUTH REPRESENTATIVE,	WESTERN REGION	NRM
128.KASIGWA HARRY	JINJA MUNICIPALITY WEST	JINJA	NRM
129. KASIRIVU ATWOOKI (DR)	EX-OFFICIO (MINISTER OF STATE FOR LANDS)		NRM
130. KASULE JUSTINE LUMUMBA	DISTRICT WOMAN REPRESENTATIVE	BUGIRI	
131. KASULE ROBERT SSEBUNYA	KYADONDO COUNTY NORTH	WAKISO	NRM
132. KATEGAYA ERIYA	EX-OFFICIAL		NRM
133. KATENDE GORDON SEMATIKO	MITYANA COUNTY NORTH	MITYANA	FDC
134. KATONGOLE BADHUL	KYAKA COUNTY	KYENJOJO	NRM
135. KATUNTU ABDU	BUGWERI COUNTY	IGANGA	DP
136. KATURAMU HOOD KIRIBEDDA	PWD WESTERN REGION		DP
137. KAWANGA JOHN BAPTIST	MASAKA MUNICIPALITY	MASAKA	NRM

138.	KAWUMA MOHAMED	ENTEBBE MUNICIPALITY	WAKISO	NRM
139.	KAYAGI SARAH NETALISIRE	DISTRICT WOMAN REPRESENTATIVE	MANAFWA	NRM
140.	KAZIBWE MUSISI TOM	NTENJERU COUNTY SOUTH	KAYUNGA	FDC
141.	KHIDDU MAKUBUYA EDWARD	KATIKAMU COUNTY SOUTH	LUWEERO	NRM
142.	KIBANZANGA CHRISTOPHER TABAN	BUSONGORA COUNTY SOUTH	KASESE	NRM
143.	KIBEDI ZAAKE WANUME	YOUTH REPRESENTATIVE,	EASTERN REGION	NRM
144.	KIBOIJANA MARGARET N.	DISTRICT WOMAN REPRESENTATIVE	IBANDA	FDC
145.	KIIZA RWEBEMBERA JAMES	BUGAHYA COUNTY	HOIMA	DP
146.	KIIZA WINIFRED	DISTRICT WOMAN REPRESENTATIVE	KASESE	NRM
147.	KIKUNGWE ISSA	KYADONDO COUNTY SOUTH	WAKISO	NRM
148.	KINOBE JAMES (MAJ. RTD)	EX-OFFICIO (MINISTER OF STATE FOR YOUTHS AND CHILDREN AFFAIRS)		NRM
149.	KIRUNDA KIVEJINJA ALI MUWABE	EX-OFFICIAL		NRM
150.	KIRYAPAWO LOI KAGANI	BUDAKA COUNTY	PALLISA	NRM
151.	KISIRA MARGARET	DISTRICT WOMAN REPRESENTATIVE	KALIRO	NRM
152.	KITATTA ABOUD	BUKOTO WEST	MASAKA	NRM
153.	KITHENDE KALIBOGHA APOLINARIS	BUKONJO COUNTY EAST	KASESE	INDEPENDENT
154.	KIYINGI ASUMAN	BUGABULA COUNTY SOUTH	KAMULI	NRM
155.	KIYONGA CHRISPUS WALTER	BUKONJO COUNTY WEST	KASESE	NRM
156.	KIYONGA FRANCIS ADAMSON	UPE COUNTY	NAKAPIRIPIRIT	NRM
157.	KUBEKETERYA JAMES	BUNYA COUNTY EAST	MAYUGE	NRM
158.	KUTEESA SAM KAHAMBA	MAWOGOLA COUNTY	SSEMBABULE	NRM
159.	KWEBIHA JOYCE	DISTRICT WOMAN REPRESENTATIVE	KYENJOJO	
160.	KWIZERA EUDIA	DISTRICT WOMAN REPRESENTATIVE	KISORO	JEEMA
161.	KYAHURWENDA ABWOOLI K. TOMSON	BUHAGUZI COUNTY	HOIMA	NRM
162.	KYAMULESIRE RAMADHAN (COL.)	UPDF REPRESENTATIVE		NRM
163.	KYANJO HUSSEIN	MAKINDYE DIVISION WEST	KAMPALA	JEEMA
164.	KYATUHEIRE JACQUELINE	DISTRICT WOMAN REPRESENTATIVE	KANUNGU	
165.	KYETUNDA ELIJAH	BUSONGORA COUNTY NORTH	KASESE	NRM
166.	KYEYAGO JOWALI KAGWA	BUNYA COUNTY SOUTH	MAYUGE	NRM
167.	KYOMUGISHA GRACE (LT.)	UPDF REPRESENTATIVE		NRM
168.	LOKERIS PETER T. AIMAT	CHEKWII COUNTY (KADAM)	NAKAPIRIPIRIT	INDEPENDENT
169.	LOKII PETER ABRAHAMS	JIE COUNTY	KOTIDO	NRM
170.	LOKODO SIMON (REV. FR.)	DODOTH COUNTY	KAABONG	DP
171.	LUBYAYI IDDI KISIKI	BUKOMANSIMBI COUNTY	MASAKA	INDEPENDENT
172.	LUBYAYI JOHN-BOSCO SSEGUYA	MAWOKOTA COUNTY SOUTH	MPIGI	NRM
173.	LUKWAGO ERIAS	KAMPALA CENTRAL	KAMPALA	DP
174.	LUKWAGO REBECCA NALWANGA	DISTRICT WOMAN REPRESENTATIVE	LUWEERO	NRM
175.	LULUME BAYIGA MICHAEL	BUIKWE COUNTY SOUTH	MUKONO	INDEPENDENT
176.	LYOMOKI SAM	WORKERS' REPRESENTATIVE		NRM
177.	MABIKKE MICHAEL	MAKINDYE DIVISION EAST	KAMPALA	DP
178.	MADADA KYBAKOZE SULEIMAN	BBALE COUNTY	KAYUNGA	INDEPENDENT
179.	MAGoola ZIRABAMUZAAL BEATRICE	DISTRICT WOMAN REPRESENTATIVE	IGANGA	
180.	MAGULUMAALI MUGUMYA ERASMUS	KOOKI COUNTY	RAKAI	INDEPENDENT
181.	MAKUMBI JAMES (BRIG. DR.)	UPDF REPRESENTATIVE		NRM
182.	MALINGA JOHNSON	KAPELEBYONG	AMURIA	
183.	MALLINGA STEPHEN OSCAR	BUTEBO COUNTY	PALLISA	NRM
184.	MANONI PHINEHAS KATIRIMA (COL.)	UPDF REPRESENTATIVE		NRM
185.	MASIKO WINIFRED KOMUHANGI	DISTRICT WOMAN REPRESENTATIVE	RUKUNGIRI	NRM
186.	MATTE JOSEPH SIBALINGHANA	BUGHENDERA COUNTY	BUNDIRUGYO	

187.	MAWIYA LULE UMAR	KALUNGU	MASAKA	NRM
188.	MBAGADHI FREDERICK NKAYI	KAGOMA COUNTY	JINJA	NRM
189.	MBAGUTA SEZI	EX-OFFICIAL		
190.	MENHYA GERALD SIMON	BUGABULA COUNTY NORTH	KAMULI	NRM
191.	MIGEREKO DAUDI	BUTEMBE COUNTY	JINJA	NRM
192.	MPABWA SARAH (CAPT.)	UPDF REPRESENTATIVE		NRM
193.	MPAIRWE BEATRICE	DISTRICT WOMAN REPRESENTATIVE	BULIISA	NRM
194.	MUGAMBE JOSEPH KIFOMUSANA	NAKIFUMA COUNTY	MUKONO	NRM
195.	MUGISA MUHANGA MARGARET	DISTRICT WOMAN REPRESENTATIVE	KABAROLE	NRM
196.	MUGYENYI RUTAMWEBWA MARY	NYABUSHOZI COUNTY	KIRUHURA	NRM
197.	MUHWEZI JIM KATUGUGU	RUJUMBURA COUNTY	RUKUNGIRI	NRM
198.	MUJUZI PIUS	KYOTERA COUNTY	RAKAI	NRM
199.	MUKAYE WABUDEYA BEATRICE	DISTRICT WOMAN REPRESENTATIVE	SIRONKO	NRM
200.	MUKISA FRED DOUGLAS MWANJA	BUKOLI CENTRAL	BUGIRI	NRM
201.	MUKITALE BIRAAHWA STEPHEN ADYERI	BULIISA COUNTY	MASINDI	NRM
202.	MUKWAYA BALUNZI JANAT	MUKONO COUNTY SOUTH	MUKONO	NRM
203.	MULIRA HAM	EX-OFFICIO (MINISTER FOR IT&C)		NRM
204.	MULUMBA MEDDIE B.	LUUKA COUNTY	IGANGA	NRM
205.	MUNYIRA WABWIRE ROSE O.	DISTRICT WOMAN REPRESENTATIVE	BUSIA	NRM
206.	MUSEVENI JANET KATAHA	RUHAAMA COUNTY	NTUNGAMO	NRM
207.	MUSOKE MOSES MUTABAALI	BUSIKI COUNTY	IGANGA	NRM
208.	MUSUMBA ISAAC ISANGA	BUZAAYA	KAMULI	NRM
209.	MUTAGAMBA MARIA LUBEGA EMILY	DISTRICT WOMAN REPRESENTATIVE	RAKAI	NRM
210.	MUTULUJZA PETER CLAVERI B.	MAWOKOTA COUNTY NORTH	MPIGI	INDEPENDENT
211.	MUWULIZE NORMAN IBRAHIM	BUIKWE COUNTY WEST	MUKONO	NRM
212.	MUWUMA MILTON KALULU	KIGULU COUNTY SOUTH	IGANGA	NRM
213.	MUYOMBA JOSEPH KASOZI	YOUTH REPRESENTATIVE,	CENTRAL REGION	NRM
214.	MWESIGE ADOLF	BUNYANGABU COUNTY	KABAROLE	NRM
215.	MWESIGYE RUHINDI HOPE	DISTRICT WOMAN REPRESENTATIVE	KABALE	NRM
216.	NAJJEMBA ROSEMARY MUYINDA	GOMBA COUNTY	MPIGI	NRM
217.	NAJJUMA FARIDAH KASASA	DISTRICT WOMAN REPRESENTATIVE	MUBENDE	NRM
218.	NAKADAMA LUKIA	DISTRICT WOMAN REPRESENTATIVE	MAYUGE	FDC
219.	NAKAWUKI SUSAN	BUSIRO COUNTY EAST	WAKISO	NRM
220.	NAKWANG CHRISTINE TUBBO	DISTRICT WOMAN REPRESENTATIVE	KAABONG	INDEPENDENT
221.	NALUBEGA MARIAM	NATIONAL FEMALE YOUTH REPRESENTATIVE		NRM
222.	NALUGO SEKIZIYIVU MARY MARGARET	DISTRICT WOMAN REPRESENTATIVE	MUKONO	NRM
223.	NALULE SAFIA	PWD FEMALE REPRESENTATIVE		INDEPENDENT
224.	NAMARA GRACE	DISTRICT WOMAN REPRESENTATIVE	LYANTONDE	NRM
225.	NAMAYANJA ROSE NSEREKO	DISTRICT WOMAN REPRESENTATIVE	NAKASEKE	NRM
226.	NAMIREMBE GERALDINE BITAMAZIRE	DISTRICT WOMAN REPRESENTATIVE	MPIGI	NRM
227.	NAMOE STELLA NYOMERA	DISTRICT WOMAN REPRESENTATIVE	MOROTO	CP
228.	NAMPIJJA LUKYAMUZI SUSAN	RUBAGA DIVISION SOUTH	KAMPALA	NRM
229.	NAMUYANGU KACHA JENNIPHER	DISTRICT WOMAN REPRESENTATIVE	PALLISA	NRM
230.	NANDALA MAFABI NATHAN	BUDADIRI COUNTY WEST	SIRONKO	NRM
231.	NANKABIRWA RUTH SENTAMU	DISTRICT WOMAN REPRESENTATIVE	KIBOGA	NRM
232.	NASASIRA JOHN MWOONO	KAZO COUNTY	KIRUHURA	NRM
233.	NAYIGA FLORENCE SSEKABIRA	DISTRICT WOMAN REPRESENTATIVE	KAYUNGA	NRM
234.	NDAWULA EDWARD MIKE KAWEESI	KIBOGA COUNTY WEST	KIBOGA	NRM
235.	NDEEZI ALEX	PWD CENTRAL REGION		NRM

236. NDUHUURA RICHARD BARUGAHARE	IGARA COUNTY EAST	BUSHENYI	NRM
237. NGABIRANO CHARLES	RWAMPARA COUNTY	MBARARA	NRM
238. NIWAGABA WILFRED	NDORWA COUNTY EAST	KABALE	FDC
239. NJUBA SAMUEL KALEGA	KYADONDO COUNTY EAST	WAKISO	NRM
240. NOKRACH WILSON WILLIAM	PWD NORTHTERN REGION		
241. NVUMETTA RUTH KAVUMA	DISTRICT WOMAN REPRESENTATIVE	KALANGALA	NRM
242. NYAGO LYDIA KIBWIKA	DISTRICT WOMAN REPRESENTATIVE		NRM
243. NYANZI VINCENT	BUSUJU COUNTY	MITYANA	NRM
244. NYEKO OCULA MICHAEL	KILAK COUNTY	GULU	NRM
245. NYOMBI NANSUBUGA SARAH	NTENJERU COUNTY NORTH	KAYUNGA	FDC
246. NYOMBI PETER	NAKASONGOLA COUNTY	NAKASONGOLA	NRM
247. NYOMBI THEMBO G.W	KASSANDA COUNTY SOUTH	MUBENDE	INDEPENDENT
248. OBUA DENIS HAMSON	YOUTH REPRESENTATIVE, NORTHERN REGION		NRM
249. OBUA-OGWAL BENSON	MOROTO COUNTY	LIRA	NRM
250. OBURU GRACE	DISTRICT WOMAN REPRESENTATIVE	TORORO	UPC
251. OCENG D. ALEX PENYTOO	GULU MUNICIPAL COUNCIL	GULU	NRM
252. OCHIENG PETER PATRICK	BUKOOLI SOUTH	BUGIRI	FDC
253. ODI JOHN	ERUTE COUNTY SOUTH	LIRA	NRM
254. ODONG JEJE	EX-OFFICIAL		UPC
255. ODONGA SAMUEL OTTO	ARUU COUNTY	PADER	FDC
256. ODUMAN ALBERT CHARLES OKELLO	BUKEDEA COUNTY	KUMI	NRM
257. OGENGA LATIGOMORRIS W.	AGAGO COUNTY	PADER	FDC
258. OGWANG JOHN	KOLE COUNTY	APAC	FDC
259. OGWEL LOOTE SAMMY	MOROTO MUNICIPALITY	MOROTO	UPC
260. OJOK B'LEO	KIOGA COUNTY	AMOLATAR	INDEPENDENT
261. OKECHO WILLIAM	WEST BUDAMA COUNTY NORTH	TORORO	INDEPENDENT
262. OKELLO FRANCIS (BRIG.)	UPDF REPRESENTATIVE		INDEPENDENT
263. OKELLO OKELLO JOHN LIVINGSTONE	CHUA COUNTY	KITGUM	
264. OKETTA JULIUS FACKI (MAJ. GEN.)	UPDF REPRESENTATIVE		UPC
265. OKORIMOE JANET GRACE AKECH	DISTRICT WOMAN REPRESENTATIVE	KOTIDO	
266. OKOT OGONG FELIX	DOKOLO COUNTY	LIRA	NRM
267. OKUMU RONALD REAGAN	ASWA COUNTY	GULU	NRM
268. OKUPA ELIJAH	KASILO COUNTY	SOROTI	FDC
269. OLEGA ASHRAF NOAH	ARINGA COUNTY	YUMBE	FDC
270. OLENY CHARLES OJOK	USUK COUNTY	KATAKWI	NRM
271. OLERU HUDA	DISTRICT WOMAN REPRESENTATIVE	YUMBE	INDEPENDENT
272. OMOLO PETER	SOROTI COUNTY	SOROTI	INDEPENDENT
273. ONEK OBALOKER HILARY	LAMWO COUNTY	KITGUM	NRM
274. OPANGE LOUIS	PALLISA COUNTY	PALLISA	NRM
275. OPIO GABRIEL SAMIA	BUGWE COUNTY SOUTH	BUSIA	INDEPENDENT
276. ORYEM OKELLO	EX-OFFICIAL		NRM
277. OTAFIIRE KAHINDA (MAJ. GEN)	RUHINDA COUNTY	BUSHENYI	NRM
278. OTEKAT JOHN EMILLY	SERERE COUNTY	SOROTI	NRM
279. OTIAM OTAALA EMMANUEL	WEST BUDAMA COUNTY SOUTH	TORORO	INDEPENDENT
280. OTTO ISHAA AMIZA	OYAM SOUTH	APAC	NRM
281. OWOR AMOOTI OTADA	KIBANDA COUNTY	MASINDI	UPC
282. OYET SIMON	NWOYA COUNTY	GULU	NRM
283. PAJOBBO JORAM BRUNO	WORKERS' REPRESENTATIVE		FDC
284. PIRO SANTOS ERUAGA	EAST MOYO	ADJUMANI	NRM

285. RINGE CHAN DAVID	PADYERE COUNTY	NEBBI	INDEPENDENT
286. RUHAKANA RUGUNDA (DR)	EX-OFFICIO (MINISTER FOR INTERNAL AFFAIRS		NRM
287. RUHINDI FREDDIE	NAKAWA DIVISION	KAMPALA	NRM
288. RUKUNDO SERAPIO	KABALE MUNICIPALITY	KABALE	NRM
289. RUKUTANA MWESIGWA	RUSHENYI COUNTY	NTUNGAMO	NRM
290. RWAKIMARI BEATRICE	DISTRICT WOMAN REPRESENTATIVE	NTUNGAMO	NRM
291. RWAMIRAMA KANYONTORE BRIGHT	ISINGIRO COUNTY NORTH	ISINGIRO	NRM
292. SABILA HERBERT KAALE	TINGEY COUNTY	KAPCHORWA	NRM
293. SEBAGGALA ABDLATIF SSENGENDO	KAWEMPE DIVISION NORTH	KAMPALA	NRM
294. SEBULIBA MUTUMBA RICHARD	KAWEMPE DIVISION SOUTH	KAMPALA	DP
295. SEJJOBA ISAAC	BUKOTO MID-WEST	MASAKA	DP
296. SEKITOLEKO KABONESA JULIET KIBIRIGE	DISTRICT WOMAN REPRESENTATIVE	KIBAALE	INDEPENDENT
297. SEKYANZI NDAWULA ALI	BAMUNANIKA COUNTY	LUWEERO	NRM
298. SEMAKULA KIWANUKA	EX-OFFICIO (MINISTER OF STATE FOR INVESTMENTS		NRM
299. SEMPALA NAGGAYI NABILAH	DISTRICT WOMAN REPRESENTATIVE	KAMPALA	NRM
300. SENINDE ROSEMARY NANSUBUGA	DISTRICT WOMAN REPRESENTATIVE	WAKISO	FDC
301. SERUNJOGI LASTUS KATENDE	KIBOGA COUNTY EAST	KIBOGA	NRM
302. SSALABAYA HARUUNA	KASSANDA COUNTY NORTH	MUBENDE	NRM
303. SSEKANDI EDWARD KIWANUKA	BUKOTO CENTRAL	MASAKA	NRM
304. SSEKIKUBO THEODORE	LWEMIYAGA COUNTY	SSEMBABULE	NRM
305. SSENTONGO NABULYA THEOPISTA	WORKERS' REPRESENTATIVE		NRM
306. SSERUNJOGI JAMES MUKIIBI	KALUNGU EAST	MASAKA	NRM
307. SSINABULYA SYLVIA NAMABIDDE	DISTRICT WOMAN REPRESENTATIV	MITYANA	NRM
308. TANNA SANJAY	TORORO MUNICIPALITY	TORORO	INDEPENDENT
309. TASHOBYA N. STEPHEN	KAJARA COUNTY	NTUNGAMO	NRM
310. TETE CHELANGAT EVERLINE	DISTRICT WOMAN REPRESENTATIVE	BUKWO	NRM
311. TIBAMANYA URBAN P.K.	KASHARI COUNTY	MBARARA	NRM
312. TINDAMANYIRE KABONDO GAUDIOSO	BUNYARUGURU COUNTY	BUSHENYI	NRM
313. TINKASIIMIRE BARNABAS	BUYAGA COUNTY	KIBAALE	NRM
314. TINYEFUZA DAVID (GEN.)	UPDF REPRESENTATIVE		
315. TOOLIT SIMON AKECHA	OMORO COUNTY	GULU	FDC
316. TUBWITA GRACE BAGAYA BUKENYA	DISTRICT WOMAN REPRESENTATIVE	NAKASONGOLA	NRM
317. TUMA RUTH	DISTRICT WOMAN REPRESENTATIVE	JINJA	NRM
318. TUMWEBAZE K. FRANK	KIBALE COUNTY	KAMWENGE	NRM
319. TUMWESIGYE ELIODA	SHEEMA COUNTY NORTH	BUSHENYI	NRM
320. TUMWINE ELLY T. (GEN.)	UPDF REPRESENTATIVE	UPDF	
321. TURYAHIKAYO KEBIRUNGI MARY PAULA	RUBABO COUNTY	RUKUNGIRI	NRM
322. TUUNDE MARY MARION NALUBEGA	WORKERS' FEMALE REPRESENTATIVE		NRM
323. WACHA BEN	OYAM COUNTY NORTH	APAC	INDEPENDENT
324. WADRI KASSIANO EZATI	TEREGO COUNTY	ARUA	FDC
325. WAKIKONA WANDENDEYA DAVID	MANJIYA COUNTY	MANAFWA	NRM
326. WAMAKUYU MUDIMI	BULAMBULI COUNTY	SIRONKO	NRM
327. HON. KAJEKE WILFRED	MBALE MUNICIPALITY	MBALE	FDC
328. WAMBUZI NELSON GAGAWALA	BULAMOGI	KALIRO	NRM
329. WANGWA RUTANGYE NAGUDI ERINAH	DISTRICT WOMAN REPRESENTATIVE	MBALE	NRM
330. WASIKE SARAH MWEBAZA	SAMIA-BUGWE NORTH	BUSIA	NRM
331. WONEKHA OLIVER	DISTRICT WOMAN REPRESENTATIVE	BUDUDA	NRM
332. WOPUWA GEORGE WILLIAM	BUBULO COUNTY EAST	MANAFWA	NRM
333. YIGA ANTHONY	KALUNGU WEST	MASAKA	NRM

NOTE: Highlighted members were also cabinet ministers as at 31st December 2008.

Annex III

Changes in the Remuneration of MPs (2001-2009)

Payment Type	2001 *	2008	2009
	Amount in Uganda Shillings (UGX)		
Salary (per month)	1,461,000	1,507,500	
Gratuity (% of annual salary)	30%		
Gratuity (MPs who are Ministers) (% of annual salary)	40%		
Mileage (Murrum) (per km)	1,042	1,700	
Mileage (Tarmac) (per km)	868	1,400	
Mileage (water) (per nautical mile)	1,520		
Subsistence (per day sitting)	104,000		
Per diem for official duty in-country		60,000	
Per diem for official duty abroad		US\$300	
Consolidated Subsistence Allowance (Monthly)		4,500,000	
Medical Facilitation (Annual?)		2,400,000	
Constituency Mobilizations Allowance (per month)	150,000	150,000	
Const. Mobilization allowance (Special Interest Group MP) (per month)	200,000	200,000	
Committee Sitting Allowance (Committee Chair) (per sitting)	15,000		
Sitting Allowance (Committee Vice Chair) (per sitting)	12,500		
Sitting Allowance (Member) (per sitting)	10,000	10,000	
Members' Transport Facilitation (lump sum)	20,000,000		
Consolidated Subsistence Allowance for Ministers (per month)	3,120,000		
Per diem for official duty abroad/night (Ministers) ¹⁰⁰	\$370	\$620	

Notes: * Effective date – November 1, 2001

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