

It is high time the public knew the truth about this matter

Every one has helped to make new constitution



By G.W. Kanyeihamba

It has been very sad to listen to and read about menacing utterances of some multipartists both within and outside the CA denouncing the new Uganda constitution, the making of which they were influential instruments.

It is high time the public knew the real truth on this matter.

Of the very influential chairmen and deputy chairmen of the select committees in the CA which discussed and made recommendations on the articles of the constitution, half of them were multipartists. They included such personalities as Ringwegi (UPC), Mulenga (DP) Katenta Apuuli (CP) and Dick Odur (UPC). Their recommendations on the new constitution were accepted and adopted by the CA in plenary sessions, in the open with their eloquent advocacy for adoption.

The influential Rules Committee which guided the CA on rules and procedures was chaired by a UPC delegate, Omara Atubo. The Legal and Drafting Committee which advised the CA on law, constitutional matters and CA disputes and impasses had a multipartist as deputy chairman, Ben

Wacha of the UPC. Other multipartists on this committee included Charles Owor, Dan Nabudere and Owiny Dello.

Presently, there are 287 articles in the draft constitution. There was consensus on nearly 286 of them for it is only on one single article that some multipartists felt sufficiently aggrieved by the democratic decision of the majority in the CA to walk out temporarily. The walkers out were members of the so-called National Caucus for Democracy, the brainchild of Prof Dan Nabudere which often had Mr Ssebuaa Kizito as a spokesman. Their main assault was on the famous original Article 94 which is now Article 69 of the final draft. So that the people of Uganda know that the dissenting multipartists are not revealing the whole truth, it is important to reproduce the contents of that article.

It provides that "(1) The people of Uganda shall have the right to choose and adopt a political system of their choice through free and fair elections or referendum. "(2) The political systems referred to in Clause (1) of this Article shall include (emphasis mine)

(a) the movement political

system

(b) the multiparty political system

(c) any other democratic and representative political system."

It is on the basis of this article that the multipartists who walked out claimed falsely that the majority movementists were excluding political parties and entrenching movement in the Constitution.

In reality, they were only objecting to paragraph (a) of the article which they wanted to delete from the constitution. It is on this provision that some of them temporarily walked out of the CA.

However, any reasonable Ugandan regardless of party or organisation allegiance, can see that by including all possible political systems the CA was being fair and just.

Admittedly, there were one or two minor provisions which also attracted criticism of some of the multipartists.

For instance, they objected to a provision which says that when one political system is in governance for five years, the others not adopted by the people of Uganda shall refrain from engaging in certain activities which confuse the population and lead to instability and chaos in the republic.

Recently, the Business Committee of the CA set up a team consisting of the sixteen chairmen and vice chairmen of all the committees of the Assembly to finalise and proofread the Draft Constitution and to ensure that it accurately reflects the decisions of the CA on reconsideration.

This team's proceedings were dominated by the multipartists who included delegates Mulenga, Odur, Wacha, Owiny Dello, Omara Atubo, Ringwegi and Dick Nyai.

One of these delegates successfully moved a motion to improve one provision which the multipartists had an objection on, and the team in report its adoption of the motion. The team has given the stamp of approval to the draft as accurately reflecting the decisions of the CA.

Just before one of the walkabouts, it was the multipartists in the CA who stated knowledgeably that at that time, 98% of the CA constitution had been made by consensus which included their own support.

On this evidence and fact there can be no justification whatsoever for any Ugandan politician, let alone a CA delegate, to claim that the constitution is a creature of the President of Uganda or of the majority only in the CA.

It is inconceivable that a CA delegate could present a rational reason to discontinue this Constitution, the making of which he or she freely participated in.

It would be a manifest absurdity for any delegate to refuse to be recorded in posterity as having participated in the historic exertion of making a constitution for this country even if it is emphasized that delegate's natures are not required, all for the validation of the constitution.

It would be sheer madness and political irresponsibility for any Ugandan leader, whether within or outside borders, to wish to cause chaos and bloodshed or because of disagreeing with some provisions of the constitution even when it created adequate mechanisms for those who do not agree with some of its provisions to amend it.

Ugandans will judge our politicians correctly, using the evidence available.

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The private life of a public servant

BY PHIL

