UGANDA PROTECTORATE

REPORT OF THE CONSTITUTIONAL COMMITTEE 1959

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NOTE

This report has been published as early as possible after its completion so that it can be publicly examined and debated. There has thus been no opportunity either for the Protectorate Government or for Her Majesty's Government to study it in detail before publication and their position must therefore be fully reserved.

2. Attention is drawn to the fact that Parts III and IV of the report deal with matters which are outside the strict terms of reference of the Committee and for which—as was explained by the Governor when the Committee was appointed—a special responsibility lies directly with Her Majesty's Government.

C. H. HARTWELL,
Chief Secretary.

Entebbe,
12th December, 1959.

REPORT OF THE CONSTITUTIONAL COMMITTEE 1959

UGANDA ... ACE
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Makerere University College,
Kampala.

5th December, 1959.

Your Excellency,

I have the honour to submit the report of the Constitutional Committee which you appointed on the 4th February, 1959.

2. I hope to submit to you a supplementary report recommending constituency boundaries in a few weeks time.

I have the honour to be,
Your Excellency,
Your obedient servant,

J. V. WILD,
Chairman, Canstitutional Committee.

His Excellency the Governor of Uganda,
Sir Frederick Crawford, K.C.M.G., O.B.E.

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UGANDA

REPORT OF CONSTITUTIONAL COMMITTEE, 1959

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REPORT OF COMMITTEE APPOINTED BY HIS EXCELLENCY THE GOVERNOR OF UGANDA TO CONSIDER CERTAIN CONSTITUTIONAL CHANGES

PART I.—Introduction

APPOINTMENT AND TERMS OF REFERENCE

1. On the 17th of November, 1958, His Excellency the Governor, with the agreement of Her Majesty's Government, announced the appointment of a Committee with the following terms of reference :—

> "To consider and to recommend to the Governor the form of direct elections on a common roll for representative members of the Legislative Council to be introduced in 1961, the number of representative seats to be filled under the above system, their allocation among the different areas of the Protectorate and the method of ensuring that there will be adequate representation on the Legislative Council for non-Africans."

These are our strict terms of reference and are dealt with in Part II of our report.

2. In his announcement on the 17th November, 1958, His Excellency the Governor went on to say that during the course of their work and hearing of evidence this Committee would no doubt receive expressions of view regarding the size and composition of the Legislature and also possibly of the Government. He said he must make it clear that these are matters on which a very special responsibility lies directly with Her Majesty's Government and cannot be settled here in Uganda ; but nevertheless he would value any advice the Committee may wish to offer him on these subjects although they are outside their strict terms of reference, as this will assist him in advising the Secretary of State not only on the Committee's recommendations arising from their terms of reference, but also on any other related issues that may be brought before the Committee. These related issues are dealt with in Parts III and IV of our report.

3. The Chief Secretary in a statement in Legislative Council on the 4th February, 1959, announced that the Governor, with the agreement of the

Secretary of State, had appointed the following to be members of this Constitutional Committee :—

The Hon. J. V. Wild, O.B.E., *Chairman*.

Lt.-Col. The Hon. A. A. Baerlein (now C.B.E.).

The Hon. T. B. Bazarrabusa.

The Hon. K. Ingham, M.C.

The Hon. H. K. Jaffer, C.B.E.

The Hon. C. B. Katiti.

Mr. Erisa Kironde.

The Hon. B. K. Kirya.

The Hon. G. B. K. Magezi.

Mr. Balamu Mukasa, O.B.E.

The Hon. W. W. Kajumbula-Nadiope.

The Hon. A. M. Obote.

The Hon. C. J. Obwangor.

The Hon. G. Oda.

The Hon. C. K. Patel, M.B.E. (now C.B.E., Q.C.).

Secretary : Mr. F. K. Kalimuzo.

4. The Chief Secretary concluded his statement with the following words :—

> " It is Government's intention that there should be full discussion in all parts of the country of the problems which have to be settled so that public opinion throughout may have a chance of making itself fully known. With this intention the Committee will tour widely and visit all parts of the Protectorate. If in the course of its examination of the problems involved the Committee finds need of outside expert advice on technical and electoral matters this will promptly be sought and provided."

5. The General Notice (No. 149 of 1959) announcing our composition and terms of reference concluded by announcing that the Committee would report direct to the Governor.

ACTIVITIES OF THE COMMITTEE

6. Members of the public were invited to submit memoranda and to give evidence through notices in the *Gazette* (General Notices Nos. 188 and 500 of 1959), and announcements in the Press and over the radio. Civil servants were also allowed to give evidence. The closing date for the receipt of memoranda was originally fixed for the 7th April, 1959. This was later extended to the 22nd June, 1959, and in the event important memoranda continued to come in

until the day before we began our final discussions on 27th October. A list of the memoranda received by the Committee is to be found at Appendix I. Appendix II gives a list of the witnesses heard by us.

7. The Committee has toured all parts of the Protectorate and has heard evidence at all District Headquarters. The complete list of the places visited by the Committee together with the dates is to be found in Appendix III.

8. We did not hold any public sittings because we felt that witnesses would feel freer to speak their minds if members of the public were not present. We did encourage any members of the public who appeared in the hope of listening to evidence to give evidence themselves, and many availed themselves of such opportunities.

9. Much of the evidence which we received was the result of considerable consultation. For example, many District Councils appointed sub-committees to tour their districts to discuss the matters with which we are concerned before preparing their own evidence; the Central Council of Indian Associations arranged for a sub-committee to tour the country to ascertain the opinion of Indians before presenting its memorandum; the Central Council of Muslim Associations did the same.

10. In Buganda we received evidence from the executive committees of political parties—whose evidence covered the whole of the country—and from individuals and groups. Thirty of the ninety-eight memoranda received originated in Buganda. We have taken careful note of the published views of the Kabaka's Government and of the Lukiiko on those matters which are within our terms of reference, although we received no evidence from the Kabaka's Government or the Buganda Lukiiko. On the 13th February, 1959, the Ministers of the Kabaka's Government wrote to His Excellency the Governor in the following terms :—

> " We have the honour to submit to Your Excellency the views of the Kabaka's Council of Ministers, on the appointment of the Legislative Council Constitutional Committee, the main purpose of which is to assess public opinion on the question of the Common Electoral Roll for Uganda. We would like to refer to our past representations to Your Excellency on this matter. When the introduction of Direct Election was put up for debate in the Legislative Council, its acceptance by Government was conditional to the unqualified acceptance of the idea of a common electoral roll and on giving adequate and effective representation to non-Africans on the Legislative Council. It should be remembered that all African Representative Members of the Legislative Council objected to and voted against that motion.
>
> Your Excellency, we still hold the view that as the question of the Common Electoral Roll is tied up with the question of citizenship, and in all fairness, the right time to consider this matter is after the Uganda Africans have attained independence for Uganda, for this is not a matter which can be decided by the British who are in a position of Trustees to

Uganda Africans. We fail to see, Your Excellency, what useful purpose will be served by the appointed Committee. Furthermore, in the recent memorandum from the Lukiiko it was clearly stated how Buganda would deal with such questions as the recent Committee is empowered to discuss. We, therefore, propose to call a Lukiiko Session to look into these matters."

11. On the 27th February, 1959, the Resident communicated His Excellency's reply in the following terms :—

"His Excellency the Governor feels that the Ministers have perhaps failed to understand the purpose of the Constitutional Committee—which is to receive expressions of view from all persons and bodies interested throughout the whole of Uganda on the subjects covered by the terms of reference of the Committee and to forward those expressions of view to the Governor with their own recommendations.

His Excellency hopes that the Lukiiko will present its views on the subjects which are being considered by the Constitutional Committee as, for example, some Governments and groups have already decided to do (for example Bunyoro) and will not put itself in the position of letting the Buganda view go by default. He also hopes that the people of Buganda will do the same.

His Excellency regrets that the Ministers did not take the opportunity which was given to them of suggesting names of suitable Baganda for appointment to the Constitutional Committee, but wishes the Ministers to know that if they would like to put names to him for consideration his offer is still open. His Excellency was of course unable to appoint any directly elected members from Buganda since none as yet exist."

12. We understand that the Ministers did not put forward names for additional appointments to our Committee ; neither the Ministers nor the Lukiiko have given evidence to us. Discussions are taking place between His Excellency the Governor and the Ministers of the Kabaka's Government on constitutional matters as affecting the Buganda Agreements.

13. We emphasize, therefore, that our recommendations cover the whole of Uganda.

GENERAL BACKGROUND TO OUR WORK

POPULATION

14. The results of the 1959 Non-African Census by comparison with the 1948 Census are shown in Table i.

15. The population by districts according to the preliminary results of the 1959 Census is shown in Table ii, together with the area (excluding swamp and open water) and population density.

16. There are two municipalities in Uganda, Kampala and Jinja, and two Town Councils, Mbale and Masaka. Figures of population of urban areas for 1959 are not yet complete ; such figures as are available are shown in Table III.

17. The non-African population of Uganda is concentrated almost exclusively in municipalities, towns and trading centres.

18. A demographic map is being prepared following the 1959 Census, but is not yet ready.

EXECUTIVE COUNCIL

19. After the Ministerial system of Government was introduced in 1955, the composition of the Executive Council was nine Official Members other than the Governor, six or seven with the status of Ministers, and five Ministers drawn from the public*. In fact, only six Official Ministers were appointed, and two other Official Members, one of whom has since ceased to be a member of Executive Council. The present membership of Executive Council is :—

His Excellency the Governor.	
The Chief Secretary	European civil servant.
The Attorney General	European civil servant.
The Financial Secretary (known as Minister of Finance)	European civil servant.
The Minister of Local Government	European civil servant.
The Minister of Natural Resources	European civil servant.
The Minister of Education and Labour	European civil servant.
The Minister of Commerce and Industry	Asian nominated member.
The Minister of Lands and Mineral Development	African nominated member.
The Minister of Works	African elected member (1955 indirect election in Buganda), now nominated.
The Minister of Social Development	African nominated member.
The Minister of Health	European nominated member.
The Hon. C. A. L. Richards, C.M.G.	European civil servant at present holding the Office of Resident, Buganda.

20. It is constitutionally necessary for acting appointments for Chief Secretary, Attorney General and Financial Secretary to be made during the absence of any of these officers, and officers holding these acting appointments

* Secretary of State's despatch No. 692 dated 20th July, 1955.

sit in Executive Council while holding them. Otherwise, acting appointments of Ministers are not made and the work of a Minister who is absent is carried on by a colleague.

LEGISLATIVE COUNCIL

21. Following the introduction of the Ministerial system in 1955, the appointment of a Speaker to preside over the Legislative Council in January 1958, and the first direct elections of African representative members in October 1958, the Legislative Council is now composed as follows :—

(*a*) The Speaker, appointed by the Governor.

(*b*) THE GOVERNMENT SIDE.

The Government.

All members of Executive Council except the Hon. C. A. L. Richards, C.M.G.

Three civil servants supporting the three *ex-officio* members, namely, the Administrative Secretary, the Solicitor General and the Secretary to the Treasury respectively.

Three Parliamentary Secretaries to the Ministries of Local Government, Education and Labour and Commerce and Industry, all African ; one an African elected member and the other two nominated members of the public.

The Government Backbench.

Fifteen nominated members of whom at present 10 are Africans, 3 Europeans and 2 Asians.

Members of the Government Backbench are people of experience who are free to speak and vote as they like in the Council except on a motion treated by the Government as a motion of confidence.

TOTAL (*Government side*) 32.

(c) THE REPRESENTATIVE SIDE.

Twelve African elected members, namely :

1 from Acholi.
2 from Ankole.
1 from Bukedi.
1 from Bunyoro.
2 from Busoga.
1 from Kigezi.
1 from Lango.
1 from Teso.
1 from Toro.
1 from West Nile and Madi.

All these were directly elected in 1958 except the two from Ankole where the District Council was used as an electoral college.

1 African nominated member from Bugisu, the Bugisu District Council having declined to take any part in the 1958 elections.

There is provision for 5 elected members from Buganda, but no elections were held in Buganda in 1958 in accordance with the wishes of the Kabaka's Government and Lukiiko.

There is no provision for a representative member from Karamoja.

6 nominated European members.

6 nominated Asian members.

TOTAL (*Representative side*) (including 5 vacancies) 30.

22. The Government side, therefore, has a majority of 7 (32 to 25) in the present Council. The Speaker has no vote, original or casting.

23. The composition of the Legislative Council can be analysed in many different ways, but its principal features are :—

(1) The Government has a majority.

(2) *Ex-officio* and nominated members outnumber elected members by 45 to 12 (although it had been intended that the proportions should be 44 to 18.)

(3) There is a majority of Africans over non-Africans.

(4) There is a majority of non-civil servants over civil servants.

(5) When an elected member is appointed to be a Minister or Parliamentary Secretary a by-election is held to fill the vacancy caused on the Representative side.

(6) When a representative member is appointed to be a Minister or Parliamentary Secretary he ceases to be a representative member.

(7) There are five nominated women members of the Council.

24. The powers of the Legislative Council are limited, for example, in the following ways :—

(1) Ordinances passed by the Legislative Council require the Governor's assent.

(2) Her Majesty The Queen has the power of disallowing Ordinances passed by the Legislative Council.

(3) By virtue of Article 5 of the Buganda Agreement, 1900, Ordinances passed by the Legislative Council may not conflict with the provisions of the Buganda Agreements, and if they do, then the provisions of the Buganda Agreements constitute a special exception.

(4) The Council has no power to decide questions concerned with constitutional matters, defence policy, or foreign affairs, which are the prerogative of Her Majesty's Government.

This list is not exhaustive. Legislation covering the whole of Uganda can also be passed by way of Order in Council, without reference to the Legislative Council.

25. The subject of the representation of Buganda in the Legislative Council is dealt with in Article 7 of the Buganda Agreement of 1955 which reads as follows :—

"7. (1) At all times when provision has been made for at least three-fifths of all the Representative Members of the Legislative Council of the Uganda Protectorate to be Africans and for such number of Africans to be appointed as Nominated Members of the Council as will bring the total number of Africans who are members of the Council up to at least one-half of all the members of the Council, excluding the President of the Council, then Buganda shall be represented in the Legislative Council of the Uganda Protectorate, and for that purpose at least one-quarter of the Representative Members of the Council who are Africans shall be persons who represent Buganda.

(2) The Katikkiro shall submit to Her Majesty's Representative, that is to say, the Governor, the names of the candidates for appointment as the Representative Members of the Legislative Council to represent Buganda, that is to say, the persons who have been elected for that purpose in accordance with the provisions of the Second Schedule to the Agreement.

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

(4) Her Majesty's Government shall during the year 1957 arrange for a review by representatives of the Protectorate Government and of the Kabaka's Government of the system of election of Representative Members of the Legislative Council who represent Buganda. In such review consideration will be given to any scheme submitted by the Kabaka's Government for the election of such Representative Members based upon the recommendation contained in the Sixth Schedule to this Agreement. Every effort will be made to give effect to the recommendations resulting from such review in time for the election of the Representative Members of the Legislative Council who represent Buganda when the Legislative Council is generally reconstituted after the general vacation of seats in the Council next following the coming into force of this Agreement."

26. A formal minute accompanying the Buganda Agreement, 1955, includes the following paragraph dealing with appointments to the Government Back-bench :—

"4. The Secretary of State informed the Buganda Drafting Committee that, while the Governor must have discretion to select those persons for appointment to the Government side of the Council whom he considers most suitable, one of the factors which he will take into account when

making future appointments will be the standing of the persons concerned with public opinion in Buganda."

DIRECT ELECTIONS

27. In April 1956, His Excellency the Governor (Sir Andrew Cohen) proposed that the direct elections in Buganda foreshadowed in Article 7 (4) of the Buganda Agreement, 1955, should be regarded as an experiment and that indirect elections should continue to be held in the Eastern, Northern and Western Provinces*. The majority of the people of the Eastern, Northern and Western Provinces, however, felt strongly that they too should be given the opportunity of holding direct elections. Following two debates on elections in the Legislative Council in August and October 1957, the Secretary of State on the 10th October, 1957, made a statement on the introduction of direct elections in Uganda, in the course of which he said :—

> "In the light of all this, I have held discussions with your Governor (Sir Frederick Crawford), and we are both agreed that it will be in the best interests of the political future of Uganda that direct elections for the African Representative Members in the Legislative Council should be introduced next year in all areas that want them, with the exception of Karamoja. In the case of Karamoja we agree that some form of representation should be arranged if possible, in order that this District may advance in step with the other districts of the Protectorate."

28. Although agreement was reached under Article 7 (4) of the Buganda Agreement, 1955, on the arrangements for putting in hand the direct elections in Buganda in 1957, the Kabaka's Government and the Lukiiko subsequently opposed the holding of these direct elections until certain conditions were fulfilled and challenged some provisions of Article 7 of the Buganda Agreement in the courts. The District Council of Ankole preferred to continue indirect elections, and the District Council of Bugisu were against participation in the elections until certain conditions were fulfilled.

29. Thus in the event direct elections in October 1958 were held only in 10 constituencies, namely, 1 in Acholi, 1 in Bukedi, 1 in Bunyoro, 2 in Busoga, 1 in Kigezi, 1 in Lango, 1 in Teso, 1 in Toro, and 1 in West Nile and Madi. They were confined to Africans and a wide qualitative franchise was employed, details of which are to be found in Part II of our report. It was estimated that 785,000 persons would be eligible for registration ; the actual number on the final registers was 626,046. The actual number of persons who cast votes was 534,326.

---

* His Excellency the Governor's Communication from the Chair in Legislative Council on 24th April, 1956.

PART II.—Strict Terms of Reference

INTRODUCTION

30. Our strict terms of reference (paragraph 1 *supra*) are concerned with the representative members of the Legislative Council ; we make it clear that we wish to see changes in the role of representative members in the Legislative Council, which changes we discuss in Part III of our report.

EXTENT OF DIRECT ELECTIONS

31. In accordance with the Secretary of State's statement of the 10th October, 1957 (see paragraph 27 *supra*), the different parts of the country (except Karamoja) were given the option of direct or indirect elections in 1958.

32. Direct elections were held in the following districts :—

Acholi.	Lango.
Bukedi.	Teso.
Bunyoro.	Toro.
Busoga.	West Nile and Madi.
Kigezi.	

33. Indirect elections were held in Ankole, the Eishengyero (District Council) acting as an electoral college.

34. No election was offered to or held in Karamoja.

35. No elections were held in Buganda. The Lukiiko itself originally favoured direct elections to the Legislative Council—*see* Article 7 of the Buganda Agreement, 1955 (quoted in paragraph 25 *supra*), and more particularly the Sixth Schedule to that Agreement which reads as follows :—

> **" Extract from the Report of the Sub-Committee of the Lukiiko set up to examine the recommendations made by the Hancock Committee.**
>
> The Hancock Committee proposed that the Baganda representatives should be elected by the Lukiiko itself. We think, after very careful consideration, that they should be directly elected by the people—whom they will represent."

The Lukiiko subsequently and at the last moment after preliminary preparations for the holding of direct elections in Buganda had begun, opposed direct elections on the grounds contained in their resolution of 3rd March, 1958, the English translation of which reads as follows :—

> " In view of the Lukiiko resolutions Nos. 4/57, 5/57 and 6/57 on the subject of Direct Elections, and in the light of the Governor's reply of 10th February, 1958; wherein the Governor intimated that it would serve no useful purpose to continue with the correspondence. Although it is the Governor's wish to discontinue with this correspondence, the Lukiiko, however, is still desirous of discussing the whole matter with the Governor.
>
> The Lukiiko accepted to have direct elections on condition that it would not be bound by such acceptance if the Common Roll Electoral System with safeguarding the minorities on racial basis in the Legislative Council is imposed, therefore, it is further resolved that the elections be temporarily postponed until negotiations are concluded between Her Majesty's Government and the Lukiiko on the following points :—
>
> (1) The position and status of the Kabaka in Uganda.
>
> (2) The number of African Representative Members on Legislative Council.
>
> (3) The Common Roll Electoral System with safeguards for the minorities."

36. No election was held in Bugisu, whose District Council also laid down conditions. The Governor nominated a member to represent Bugisu.

37. With the exception of the views expressed by some members of the District Council in Karamoja, all the evidence which we have received, and this covers the whole country, is in favour of the next elections being direct.

38. In Karamoja some members of the District Council thought that the elections should be conducted by the District Council, possibly assisted by the Elders of the Tribe, and others felt that the elections should be direct. All agreed that they wanted two representative members, chosen by the District Council, at once.

39. In considering this we feel that there are great advantages in treating the whole country alike. It may well be argued that it is scarcely practicable to introduce direct elections in the conditions obtaining in Karamoja, but these conditions will not substantially alter in the next few years and it is desirable, if not inevitable, that direct elections should be introduced within a comparatively short time. Direct elections have been held in similar areas elsewhere, such as Southern Sudan and Masai.

40. Since the District Council was divided on the subject, and since we feel that the argument for treating the whole country alike is a very strong one,

we recommend that direct elections should be introduced in Karamoja. We also recommend that in the meantime the District Council's request for two representative members to be elected by the District Council at once should be met to the extent of one representative member, which would be more in line with the representation accorded other districts under the present arrangements. We feel that this representative member would help the people in Karamoja to understand the Legislative Council working and functions and prepare the way for direct elections. We do not consider that this would cause any serious repercussions elsewhere.

41. We note that by virtue of Article 7 (3) of the Buganda Agreement (see paragraph 25 *supra*) it is mandatory that direct elections be held in Buganda in 1961, if such a system has not already been introduced.

42. In all these circumstances, we make the following recommendations in the interests of the unity of Uganda and in accordance with the wishes of the very great majority of the people of Uganda :—

(1) that direct elections should be held in all parts of the country on the next occasion ;

(2) that no option should be offered of the alternative of indirect elections.

THE COMMON ROLL

43. It is the stated policy of the Government that the common roll should be introduced in 1961 and it is not strictly within our terms of reference to discuss its merits or demerits. We received so many expressions of opinion on this subject, however, that we feel bound to discuss the issue in this report.

44. We found that opinion was divided on the subject of the immediate introduction of the common roll.

45. It must be said at once that the very great majority of those opposing the common roll did so because they thought that the grant of the vote to Europeans and Asians would give them a claim to citizenship when citizenship was introduced, together with the various benefits which citizenship might carry with it. They felt that the right to decide on citizenship is the prerogative of the indigenous people of Uganda, and therefore that political power should first pass to the indigenous people of Uganda before decisions are taken on these matters. Many of those opposing the common roll also feared that the right to vote itself might confer on non-Africans a right to own land. Most of those opposing the common roll have made it clear that it is their intention that citizenship and voting rights should be granted to people regardless of race in due course.

46. Other grounds for opposition to the common roll mentioned by some witnesses were :—

(1) that the common roll involves a multi-racial Government;

(2) that non-Africans are not subject to the authority of African administrations.

Those who have opposed the immediate introduction of the common roll have often paid tribute to the part played by non-Africans in the development of Uganda and have emphasised that they bear no ill will towards them.

47. It seems clear to us that the weight of evidence is in favour of the introduction of the common roll, provided this does not establish any claim to citizenship.

48. The chief argument in favour of the introduction of the common roll is that it would promote co-operation and unity between races and would remove the impression of racial representation. The following paragraph from the Minority Report of the Committee* which considered the introduction of elections in 1957 puts the case clearly :—

> "In conclusion, we want to make it crystal clear that the system of direct elections on a common roll must be and is the one which offers equal opportunities to all who seek election to our legislature, and not one which is weighted in favour of certain sections of the population. Such a system of direct elections on a common roll creates an atmosphere whereby one stops thinking in terms of different communities, and thinks in terms of individual worth."

The common roll will enable the inhabitants of the country to vote without any racial discrimination.

49. It is, of course, quite incorrect that the common roll will involve the country in a multi-racial Government. We understand a multi-racial Government to be a Government in which all races are necessarily represented by persons of their own races. The common roll will not lead to such a situation.

50. We do not consider that the fact that non-Africans are not at present subject to the authority of African administrations should debar them from participation in national elections, since they are subject to the authority of the Central Government. We are concerned with the national government and national politics, not with local governments and local politics.

51. We are ourselves in favour of the introduction of the common roll, provided that this does not establish any sort of claim on the part of non-Africans to citizenship in due course, or any claim to the alteration of the special arrangements for the protection of Africans in Uganda, such as the Land Transfer Ordinance.

52. We recommend that Her Majesty's Government should be asked to give an assurance that on the introduction of the common roll there will be no question of a claim to citizenship or land rights being

---

* Sessional Paper No. 4 of 1957/8.

established by those admitted to it. We also recommend that wide publicity to all the people of Uganda should be given to this assurance when received. A similar assurance was given by Her Majesty's Government recently in connection with the introduction of the common roll in Basutoland in relationship to the right to hold land.

53. We agree that it is premature to consider the passing of a law dealing with citizenship.

DATE OF THE NEXT ELECTIONS

54 We received a good deal of evidence that the next elections should be held earlier than 1961. Mr. C. P. S. Allen, who was Supervisor of Elections in 1958, described to us the administrative arrangements for elections, and gave it as his opinion, in the light of experience, that elections involving the preparation of new registers would take about twelve months to arrange properly and, therefore, by the time decisions have been taken on our recommendations, it may well be that elections could not be held earlier than 1961.

55. Our recommendation is that direct elections should be held as soon as possible, and certainly not later than early 1961.

THE NUMBER OF REPRESENTATIVE SEATS AND THEIR ALLOCATION AMONG THE DIFFERENT AREAS OF THE PROTECTORATE

56. Most of the evidence which we received was on the basis of a Legislative Council composed mainly of elected members, many witnesses favouring a wholly elected legislature. The evidence which we received is overwhelmingly in favour of representation being based on population. The population ratios put before us have been 1 member per 50,000 of population (the most popular) giving a total of about 130 elected members ; 1 member per 100,000 of population, giving a total of about 65 elected members ; other figures have ranged from 1 member per 40,000 of population to 1 member per 150,000 of population

57. Some witnesses favoured the weighting of constituencies in relation to the areas to be covered by members, and some witnesses also favoured the weighting of constituencies to provide for urban constituencies.

58. The case for a very large increase in the number of elected members rested on the need for proper representation of the people of the country in the Legislative Council ; the relatively poor communications ; the areas involved ; and the difficulties experienced by members in maintaining contact with their constituents.

59. It was also argued that the voice of elected representative members was not at present heard because of their small number, and it was pointed out that Ghana with a smaller population than Uganda has a total membership

of its Assembly of 104. Lack of information services in most of the rural areas, i.e. vernacular newspapers and radio, was another point in favour of a large number of elected representatives, together with the need for maintaining closer contacts between the constituents represented and the Government.

60. The case for a very substantial increase in the number of directly elected representative members is understandable, and we believe unanswerable.

61. The arguments for an increase in the size of the Council to about 130 (a common proposal) apart from those clearly enunciated in the evidence summarized above, appear to us to be that many people feel that if they have more representative members, they will be able to exert real influence, and from that point of view, the more the better. We feel, too, that the majority of the witnesses have been looking at this problem from the point of view of the constituencies to be represented, where the case for smaller constituencies in rural areas is a strong one, rather than from the point of view of the work to be done in the national assembly in the national interests, and the organisation and efficient running of that assembly. We also feel that many witnesses were influenced by the size of their own District Councils, some of which number over 90. They may have felt that for an important national body, it was only right that the numbers should exceed those of a District Council.

62. It seems to us that the arguments against an increase of the magnitude envisaged, i.e. to about 130, are as follows :—

(1) The difficulty of finding candidates of the quality necessary to make a useful contribution (not necessarily by speaking, but also through committee work, etc.) in the Legislative Council.

(2) The difficulties which political parties would experience in putting up candidates for the majority of constituencies, as seem to us desirable, if there were so many as 130, remembering that each constituency should have its own party organisation, and that party headquarters ought to be in close touch with all candidates, to ensure that the party line can be properly put across.

(3) The great majority of 130 elected members would, on the first occasion, necessarily be new members unfamiliar with the practice and procedure of the Legislative Council, and the Council would find it difficult to maintain proper parliamentary procedure with so many new members at one time.

(4) The cost of doubling the size of the Council must be taken into account. Even if meetings are no longer than at present, and even if members' allowances are not increased, it is estimated that the cost of a council of 130 elected members would be of the order of £150,000 per annum as compared with the present cost of £50,000 per annum. There is a lively possibility that the meetings would be longer, and we feel that the case

for an increase in members' allowances—at least up to the level of the Kenya figure of £500 per annum—is a strong one in order to attract good candidates to stand for election.

(5) It would be comparatively easy at a later stage to increase the number of elected members if, after experience, this were shown to be necessary; but it would be very difficult indeed to reduce the number of elected members since this would involve the amalgamation of constituencies.

63. Turning to the suggestions that constituencies might be weighted, the arguments in favour of doing this in areas where the population is sparse are obvious and are well understood. This is one of the principles upon which the Boundary Commission in the United Kingdom works. So far as the suggestion that urban constituencies should be favoured is concerned, there appear to us to be the following arguments in favour :—

(1) An urban constituency, particularly the national capital, includes within its boundaries a great variety of activities such as, in the case of Kampala, Makerere University College, Mulago Hospital, the headquarters of commercial and banking concerns, and housing estates. In looking after his constituents' interests, a member representing an urban constituency would have a greater variety of problems on his hands than a member representing a rural constituency. We realise, of course, that representing his constituents is not the only function of a member.

(2) Urban areas, generally, tend to create problems which are of national significance, such as housing, juvenile delinquency and other social and industrial problems.

(3) It is not uncommon to try and preserve a balance between urban and rural areas, though normally in countries where the population is concentrated in urban areas, it is the rural constituencies which need to be favoured in the drawing of constituency boundaries; whereas in the conditions obtaining in Uganda it is a question of whether urban constituencies should be favoured so as to provide for the proper representation of urban areas.

64. Against the proposal that urban areas should be favoured it must be pointed out that within the urban areas, communications and information services are invariably better than in rural areas and it is, therefore, that much easier for members to represent their constituents.

RECOMMENDATIONS

65. We are entirely satisfied of the need for a very substantial increase in the number of elected members in the Legislative Council. We recommend that this substantial increase should be based on

representation primarily on a population basis, one member to represent approximately 90,000 people, save in areas where population density is less than 50 to the square mile, where the proportion should be one member to approximately 70,000 people.

66. Until figures for population by counties and sub-counties are available, it is not possible to be precise about the effect of these recommendations, but we believe that they would result roughly in the following allocation of seats (see Table II) :—

Buganda Province		20
Eastern Province :		
Bugisu	4	
Bukedi	4	
Busoga	7	
Teso	5	
	—	20
Northern Province :		
Acholi	4	
Karamoja ..	2	
Lango	4	
West Nile and Madi	5	
	—	15
Western Province :		
Ankole	6	
Bunyoro	2	
Kigezi	5	
Toro	4	
	—	17
		—
		72
		—

67. In the drawing of constituency boundaries we do not feel that provincial or district boundaries should necessarily be constituency boundaries, but as a matter of administrative convenience and in accordance with practice elsewhere, **we recommend that, in general, provincial and district boundaries should be followed unless administrative convenience is better served by a constituency crossing those boundaries.** We should make it clear that in weighting areas of sparse population, this should be done on a national basis by the grant of additional representatives, and not by taking representatives away from other parts of the same district, in order to make up for the extra members needed.

68. We propose to submit a supplementary report recommending constituency boundaries as soon as figures of population by counties and sub-counties become available.

69. We are also in favour of weighting constituencies in favour of urban areas at the present time for the reasons given in paragraph 63 above, and **we recommend the creation of the following constituencies in addition to those which we envisage in paragraphs 65 and 66 above :—**

Kampala (a Municipality, the largest town, and the country's capital)	2
Jinja (a Municipality)	1
Mbale (a Town Council)	1
	4

70. We recommend that Kampala should be divided geographically into single member constituencies. We shall include a recommendation about boundaries in our supplementary report (see paragraph 68 *supra*).

THE METHOD OF ENSURING THAT THERE WILL BE ADEQUATE REPRESENTATION IN THE LEGISLATIVE COUNCIL FOR NON-AFRICANS

71. We think it will be useful to review, briefly, the historical background to this question of the adequate representation in the Legislative Council for non-Africans. The Legislative Council was established by Order-in-Council in 1920 and first met in 1921. The intention was that the Legislative Council should include three unofficial members, one of whom should be an Indian. The Indians, however, demanded representation equal to that of the Europeans, in view of the numerical superiority of their race in Uganda. This equal representation was refused on the grounds that members were not held to be representative of any community group, but of the public as a whole. The Indians were not prepared to accept this, and thus the unofficial membership of Legislative Council from 1921 to 1926 consisted of two Europeans only. There were four official members, all of them Europeans.

72. In 1926 the Indians were persuaded to accept nomination of a member of their race on the understanding that their representation by a single member would not prejudice their having a second member in the near future.

73. In 1929 the Indians refused to accept the nomination of a successor to the first Indian member, whose term of office had expired, but they subsequently relented on the assurance that although the constitution of Uganda did not permit community representation, the appointment of a second Indian eventually was not thereby precluded.

74. A second Indian member was appointed in 1933. Her Majesty's Government made it clear at the time* that unofficial members of Legislative Council were appointed in their personal capacity and that the Uganda

* *Hansard*, Vol. 279, 166/7.

constitution did not provide for the representation of different sections of the community on the Council.

75. The first African members of Legislative Council were appointed in 1945. (One was nominated from among his Ministers by the Kabaka of Buganda ; one was nominated from the Katikkiros of the Kingdoms of Ankole, Toro, Bunyoro (each to serve in turn) ; and one was nominated from among the Secretaries of the District Councils of Busoga, Bugisu, Bukedi or Teso (each to serve in turn).) In 1946 the number of European and Asian members was increased from two to three each, giving a total of nine unofficial members. The official majority was preserved by the addition of three more heads of departments.

76. In 1950 the basis of African representation was altered and Provincial Councils were established in each of the Eastern, Northern and Western Provinces ; each of these Councils elected two members to the Legislative Council. Provision was made for one member to be elected by the Buganda Lukiiko, and one to be nominated by the Kabaka. In the event the Buganda Lukiiko refused to elect a member and the Kabaka appointed a second member. The number of Europeans was increased from three to four, and the number of Indians was increased from three to four, so with the eight African members there was a total of 16 unofficial members. Further officials were added to the Government side, bringing the total to 32 for the whole Council.

77. In 1954 the number of unofficial members making up what was then called the representative side of Legislative Council, was increased to seven Asians and seven Europeans nominated by the Governor, and 14 Africans, of whom 11 were to be indirectly elected, one by each district (except Karamoja) and three by the Buganda Lukiiko. Up to that time the European and Asian unofficial members had not been linked with areas of the country or with groups of constituents. The reason given for the increase in the numbers of European and Asian members was to provide for contact between councillors and their constituents, and the establishment of a link, even though quite a loose one, between these members and the different towns and areas of the country.

78. In 1955 the constitution of the Legislative Council was further amended on the introduction of the Ministerial system. The number of representative members drawn from Buganda was increased from three to five, and the number of Asian and European representative members reduced from seven to six each. An additional representative member was allotted to Busoga and to Ankole. The number of African representative members was thus increased to 18. Existing European and Asian representative members of the Legislative Council at the time stated their willingness each to give up one seat so as to enable the membership for Buganda to be increased by two without enlarging the size of the Council.

79. It is also necessary to take note of three statements made by or on behalf of Secretaries of State which have a bearing on the subject. In his

statement to the House of Commons on the 12th March, 1954, the Secretary of State said that when self-government was achieved, the Government of the country would be mainly in the hands of Africans. He went on to say :—

> " The advancement of Africans, and the economic development on which that advancement depends, cannot take place without the help of other races. When the time for self-government eventually comes, Her Majesty's Government will wish to be satisfied that the rights of the minority communities resident in Uganda are properly safeguarded in the constitution, but this will not detract from the primarily African character of the country. "

80. On 24th April, 1956, His Excellency Sir Andrew Cohen stated in the course of a Communication from the Chair in the Legislative Council :—

> " Before agreeing that the common roll should be introduced, Her Majesty's Government will require to be satisfied on all these points, and will wish to be sure that the system includes provision which will secure adequate and effective representation of the non-African communities on the representative side of the Legislative Council under the common roll, whether by reservation of seats or in some other way."

81. On 10th October, 1957, the Secretary of State made a statement in Uganda on the introduction of direct elections, in the course of which he said :—

> " Her Majesty's Government is also convinced that the non-African communities have a valuable contribution to make to the life of this territory, a contribution which will benefit all the inhabitants and, therefore, considers that it will be necessary to preserve to such communities a proper part in the government of the country. Indeed, Her Majesty's Government regards it as its duty to see that this is done. The precise method of ensuring this need not be determined now ; it will be the subject of study and discussion during the life of the next Legislative Council from 1958 to 1961. "

82. Two debates which took place in Legislative Council in August and October, 1957, demonstrated clearly that there was objection on the part of Africans to the introduction of direct elections for Africans being made conditional on the introduction of the common roll, and that there was considerable suspicion and apprehension about Her Majesty's Government's intention with regard to securing adequate and effective representation for non-Africans on the representative side of the Legislative Council in due course.

83. We note that our terms of reference require us simply to consider the method of ensuring that there will be adequate representation on the Legislative Council for non-Africans ; they do not bind us either to such representation being on the representative side or to such representation being by non-Africans.

84. Turning to the evidence which we have recieved on this subject, with one or two individual exceptions, there has been no request for any special representation on the Legislative Council for non-Africans, and indeed the Central Council of Indian Associations, the Central Council of Muslim Associations, and the Toro European Association have all expressed themselves as being opposed to any such special representation.

85. The evidence from Africans on this point may briefly be analysed as follows :—

(*a*) Those who favour the introduction of the common roll for the most part do not favour any special arrangements for non-Africans.

(*b*) Those who do not favour the introduction of the common roll have often suggested that a few seats should be filled by non-Africans nominated by the Governor.

(*c*) Minority views at both extremes have been that there should be some racial nomination in addition to the common roll on the one hand, and on the other hand that there should be no nominations and no common roll.

86. We are satisfied that in the long term, adequate representation on the Legislative Council for non-Africans, as well as for all others, will be secured through the normal process of voting on a common roll, together with the opportunity of standing as candidates, and that a member of any race will be at pains to represent the views of his constituents of all races.

87. It may be that on the occasion of the first elections under a common roll, African nationalist feeling will tend to dominate the elections, particularly in some areas, but we are satisfied that it would do more harm than good to try and counter-balance any such feeling by making special arrangements to try and secure the return of non-Africans as such to the Legislative Council. Any such arrangements specially designed for this purpose, including nomination, would harm relationships between the races, and would not, in practice, safeguard their position—perhaps even the reverse.

88. In these circumstances, and with full appreciation of the history of this subject and the intentions of Her Majesty's Government, **we recommend that adequate representation on the Legislative Council for non-Africans should be secured by their full participation in the common roll arrangements, and we are satisfied that this is the only way in which adequate (in the sense that we understand it) representation can in the long term be achieved.**

QUALIFICATIONS AND DISQUALIFICATIONS OF VOTERS AND CANDIDATES, AND RELATED MATTERS

89. The present qualifications and disqualifications of voters and candidates need review on the introduction of the common roll, and we have had evidence dealing with the present arrangements which seems to us to need examination.

QUALIFICATIONS OF VOTERS

90. The present qualifications of electors are set out under section 9 of the Legislative Council (Elections) Ordinance, 1957, which reads as follows :—

"9. (1) Subject to the provisions of section 10 of this Ordinance any person with the following qualifications shall be entitled to have his name entered on a register of electors in the electoral district in which he resides :

(*a*) he is twenty-one years of age or over, and

(*b*) he is resident in the electoral district, and

(*c*) he—

(i) is the owner of freehold or mailo land in the electoral district, or

(ii) for the two years immediately preceding his application for registration has occupied land on his own account for agricultural or pastoral purposes in the electoral district or for such a period has paid busulu or rent for Crown land in the electoral district or has been lawfully exempted from paying such busulu or rent, or

(iii) is able to read and write his own language, or

(iv) has been employed in the public service of the Protectorate for a continuous period of seven years and his employment has not been terminated with dismissal, or

(v) has been in regular paid employment in agriculture, commerce or industry during seven years out of the eight years immediately prior to his application for registration, or

(vi) has a cash income of Shs. 2,000 or more a year or owns property worth Shs. 8,000 or more.

(2) For the purpose of this section a person shall be deemed to be resident in an electoral district if—

(*a*) he owns either freehold or mailo land in the district, or

(*b*) he holds a kibanja in the district, or

(c) he is entitled to a right of occupancy over land in the district, or

(d) he has lived for not less than three years since his eighteenth birthday in the electoral district or in the administrative area in which the electoral district is situated, and is living in the electoral district on the date on which he applies for registration, or

(e) he owns a business in the district, or

(*f*) he is and has been for the six months prior to applying for registration employed in the district."

91. This section applies only to Africans (by virtue of section 10 (d) of the same Ordinance). So far as the inclusion of non-Africans is concerned,

those who favour the introduction of the common roll have made the following suggestions for their qualifications :—

(1) Three years' residence in Uganda.

(2) Five years' residence in Uganda.

(3) Entitled to a permanent resident's certificate under the immigration legislation.

(4) Normal residence (undefined).

(5) Residents who are citizens of the United Kingdom and Colonies, or British protected persons.

(6) All British protected non-Africans and British subjects who have lived in Uganda for a period of not less than five years and who hold permanent resident's certificates.

92. No witnesses have expressed any desire to have the right to vote in Uganda as well as retaining the right to vote elsewhere.

93. It is clearly desirable that those who are admitted to the register of electors should have a close association and a stake in the country, and it is also desirable that the qualifications laid down should apply regardless of race.

94. We have, therefore, had to bear in mind the position of the very large number of Banyaruanda and other Africans from neighbouring territories and elsewhere, as well as immigrant non-Africans. The Banyaruanda present a particularly difficult problem because they originate from a country which is not within the British Commonwealth, but who nevertheless make a substantial contribution to the economy of the country ; many of them have had the vote already under the present law. We have also had to bear in mind that it would not be easy to determine in the case of immigrant Africans whether or not they are British citizens or British protected persons.

95. Our recommendation is that any person wishing to be an elector must either be entitled to a right of occupancy over land in Uganda, or have lived in Uganda for five years out of the eight years prior to registration. We also recommend that any person who is a citizen of any country (other than a citizen of the United Kingdom and Colonies) should not be allowed to be an elector.

96. Our intention in referring to entitlement to right of occupancy over land is to include all African men and women otherwise qualified who are indigenous to Uganda. With regard to the exclusion of citizens of other countries, it is our intention that persons who are citizens of India or of Pakistan or of the Sudan, for example, should not be entitled to vote in elections in Uganda.

97. With regard to the present provision that an elector must be 21 years of age or over, we have received some evidence that the age should be

reduced to 18, though most of the evidence has been in favour of retaining the age at 21. The fact that men start paying taxes at the age of 18 has been advanced in favour of reducing the age, but we do not regard this argument as strong because most women do not pay taxes at any age in Uganda, and many students over the age of 21 are exempt from tax.

98. We, therefore, recommend that the present age qualification should be maintained.

99. With regard to the qualification that a person should be resident in the electoral district, we did receive a suggestion that every elector must have resided in either the electoral district or the administrative district in which the electoral district is situated for a period of at least six months immediately prior to the date of registration. Residence in this connection was to be construed as provided in the present Ordinance (section 9 (2)). We do not think that this is any improvement on the present law, which appears to have worked well. **We do, however, consider that subsection (2) (a) needs amendment by the inclusion of leasehold land as a qualification, since many non-Africans own leasehold land but do not own freehold or mailo land.**

100. We consider that it should be made clear in this connection that entitlement to right of occupancy over land in the district is intended to include women as well as men. We understand that tribal custom varies in this respect, and the best way of meeting this might, therefore, be, in the case of a woman, to say it is sufficient if her husband or father has or had a right of occupancy over land in the district.

101. Section 9 (1) (c) of the present Ordinance lays down six alternative additional qualifications for electors and represents a wide qualitative franchise. We have received a considerable body of evidence in favour of abolishing this additional requirement and in favour of introducing universal adult suffrage.

102. This was supported by evidence from the Supervisor of Elections and others as to the practical difficulties of applying the present requirements. In particular, because of variations in tribal custom, it happened in 1958 that in some districts virtually all the women were regarded as being qualified under section 9 (1) (c) (ii) whereas in other districts it was held that women could not occupy land on their own account. The fact, therefore, is that in some districts in 1958, universal adult suffrage was, to all intents and purposes, introduced. Other objections to the present system of alternative qualifications have been that they were tied to particular systems of land tenure ; that they were a device for ascertaining whether a person was liable for a higher rate of graduated tax ; and that they were, on occasion, used as an excuse by men to stop women voting.

103. Although we recognise the advantage of trying to secure that an elector should have some stake in the country, we feel that this can be

satisfactorily achieved by the residence qualifications which we have indicated, and **we recommend that no additional qualifications should be needed, in other words, that universal adult suffrage should be introduced.**

DISQUALIFICATIONS OF VOTERS

104. The present disqualifications of electors are set out under section 10 of the Legislative Council (Elections) Ordinance, 1957, which reads as follows :—

> " 10. No person shall be entitled to have his name entered upon a register of electors or to vote at an election notwithstanding that his name has been entered on a register of electors who—
>
> (*a*) is disqualified from registering as an elector under any law for the time being in force in the Protectorate relating to offences connected with elections, or
>
> (*b*) has been sentenced by a court in any part of Her Majesty's dominions to death or to imprisonment (by whatever name called) and has not either suffered the punishment to which he was sentenced or such other punishment as may by a competent authority have been substituted therefor or received a free pardon, or
>
> (c) is of unsound mind having been so adjudged by a competent authority, or is detained as a criminal lunatic under any law in force in Her Majesty's dominions, or
>
> (d) is a non-African. "

105. When the common roll is introduced, disqualification (d) must be deleted.

106. We have no evidence on (*a*) or (c), both of which appear to require no alteration. We did receive some evidence that (*b*) should be amended to allow prisoners to be registered as electors and subsequently to be allowed to vote.

107. We understand that the position in the United Kingdom is that prisoners other than those convicted of treason or felony are eligible to be electors though in practice they can neither register nor vote because of the provisions covering registration and polling, **and we think that there may be something to be said for amending the Uganda law on the subject so that a prisoner is not inherently disqualified from being an elector although he may in practice, as in the United Kingdom, find it impossible either to register or to vote.**

REGISTRATION OF VOTERS

108. Section 12 (3) of the Legislative Council (Elections) Ordinance, 1957, requires an application for registration to be completed in the presence of a registration officer. We received evidence that many people, particularly

from Acholi and the West Nile, working in the Kampala area, were in practice unable to appear before a registration officer to register, and would have liked to register in their home districts.

109. The position was greatly aggravated in 1958 because no elections were held in the Kampala area, so that such persons could not qualify as residents in an electoral district where they were working under sections 9 (2) (*f*) of the Ordinance for example. We feel that if, as we have recommended, elections are held throughout the whole of Uganda, no serious problem will arise on the next occasion. It is true that some people might prefer to register in their own tribal areas, and indeed if they can make the journey, there will be nothing to stop them so doing. We do not recommend that any special arrangements should be made for them to register by post or otherwise in absence, because we are dealing with national elections and are not anxious to encourage tribal voting in this way.

110. An elector sometimes moves to another constituency after registration. We have considered the possibility of recommending some form of postal ballot to meet this situation, but this would involve adequate postal arrangements and a different ballot paper from that normally used, since it would have to be marked. We do not think that any large number of people will be concerned or that the result of the elections is likely to be affected ; nevertheless we do feel that every individual who wishes to vote should be given the chance to do so, if it is practicable, **and we, therefore, recommend that a person who has registered and subsequently moves to another constituency should be allowed to present his registration certificate to a registration officer in the new constituency, and that the registration officer should be empowered to add his name to the final roll of electors in that constituency, arranging for it to be deleted from the final roll of voters in the original constituency.** It is important that the elector's name should appear on the final register, and not merely on the provisional register, of the original constituency. In order to make our intention clear we would add that we recognise that such electors might not be qualified to be electors in the new constituency.

QUALIFICATIONS OF CANDIDATES

111. The present qualifications of candidates are set out in section 17 of the Legislative Council (Elections) Ordinance, 1957, No. 20 of 1957, which reads as follows :—

> " 17. (1) Subject to the provisions of section 18 of this Ordinance any person who—
>
> (*a*) is twenty-seven years of age or over ; and
>
> (*b*) is able to speak, and, unless incapacitated by blindness, to read and write the English language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of the Legislative Council ; and

(c) has been registered as an elector in the administrative area in which the electoral district for which he is standing as a candidate is situated ; and

(d) has himself an annual income of not less than Shs. 4,000 or property belonging to himself or jointly belonging to himself and his spouse worth Shs. 14,000,

shall be qualified to be nominated for election as a representative member and elected as such, and no other person shall be qualified for nomination and election or having been elected shall sit or vote in the Legislative Council."

112. The District Councils of Ankole, Busoga and Teso recommended no change in the qualifying age of candidates. The District Council of the West Nile and the Uganda People's Union recommended that the age should be lowered to 25. The District Councils of Toro, Lango and Madi, the Uganda National Congress and the Democratic Party recommended that the age should be lowered to 21. This was the main evidence which we received on this subject. Apart from the question of principle, that is to say, that there should be no distinction drawn between qualifications of candidates and voters, it was argued in particular, by one political party, that there would be difficulty in finding a very large number of candidates if the age were not reduced to 21.

113. So far as we are aware, no difficulty arose in 1958 with the present age limit. We believe that, in practice, none of the candidates in 1958 was under 30.

114. If the age limit were reduced, the range of candidates would be widened, and if, as we recommend, the number of constituencies is to be very greatly increased, the wider the field of candidates the better. It may also be that the possibility—even though remote—of young candidates being chosen by political parties will encourage younger people to take an interest in those parties.

115. On the other hand, the advantages of confining membership of Legislative Council to older men and women with some experience are obvious, though naturally no one would wish to exclude a particularly able young man or woman.

116. Experience in 1958 indicates that the political parties and the electorate alike prefer older people and we do not feel that any protection of the electorate by law is needed any longer, **and we therefore recommend that the qualifying age be reduced to 21.**

117. The provision under section 17 (1) (*b*) concerning proficiency in the English language is universally accepted as necessary, and should, we recommend, stand.

118. Section 17 (1) (c) of the Ordinance prevents a registered elector belonging to one administrative area standing as a candidate in a constituency in another administrative area. We discussed this with witnesses throughout Uganda, and there was a good deal of evidence in favour of retaining this provision, but it seemed clear that all that the witnesses were really saying was that a candidate standing outside his own tribal area stood little chance of being elected. We received evidence from political parties and some others that there should be no statutory limitation and that candidates should be allowed to stand in any constituency, as in the United Kingdom.

119. Since we are dealing with national elections and are anxious to encourage properly organised and responsible political parties to operate on a national basis, **we recommend that a person need only be registered as an elector in Uganda to be entitled to stand for any constituency in Uganda, provided he is otherwise qualified and not of course disqualified.**

120. It may occasionally happen that a candidate will not have been able to register as an elector in Uganda at the proper time for a good reason, e.g. his absence from Uganda at the time of registration, and in such circumstances, remembering the need for as wide a field of candidates as possible, **we recommend that special arrangements should be introduced to allow bona fide candidates to be registered out of time ;** naturally it would still be necessary for opportunity to be given for objections to such registration.

121. With regard to the property qualification under section 17 (1) (d), most of the evidence which we received was against the retention of this qualification. It was pointed out that it was easy for the qualification to be fulfilled by supporters putting up the necessary money, and that it was extremely difficult in certain cases to establish either an income or property. No candidate was challenged on an election petition following the 1958 elections on this ground.

122. Although we understand and sympathise with the object of this provision, we feel that it has proved itself unnecessary in practice, and since it is difficult to enforce, **we recommend that the property qualification for candidates should be deleted.**

123. For reasons which will become clear in Part III of our report, **we recommend that within a week of nomination day all political parties should be required to furnish the Supervisor of Elections with lists of their official candidates, endorsed by those candidates, and that the Supervisor of Elections should be required to publish those lists at least a week before polling day.**

DISQUALIFICATIONS OF CANDIDATES

124. The present disqualifications of candidates are set out under section 18 of the Legislative Council (Elections) Ordinance, 1957, which reads as follows :—

" 18. No person shall be nominated, elected or sit or vote as an elected Representative Member of the Legislative Council who—

(*a*) has been declared bankrupt by any competent court in the Protectorate or elsewhere and has not received his discharge ; or

(*b*) is of unsound mind having been so adjudged by a competent authority or is detained as a criminal lunatic under any law in force in Her Majesty's dominions ; or

(c) is disqualified from membership of the Legislative Council or from election thereto under the provisions of this Ordinance relating to offences connected with elections ; or

(d) is holding or acting in, any office the functions of which involve :

(i) any responsibility for or in connection with the conduct of any elections to membership of the Legislative Council ; or

(ii) any responsibility for the compilation or revision of any register of electors of members of the Legislative Council ; or

(e) has been convicted of a criminal offence and has been sentenced by a court in any part of Her Majesty's dominions to death, or to imprisonment (by whatever name called) for a term of twelve months or more other than in default of payment of a fine, and has not received a free pardon :

Provided that this disqualification shall cease to have effect on the expiration of three years after such person has been lawfully released from prison ; or

(*f*) holds or is acting in an office of profit in the public service of the Protectorate. "

125. We received no evidence concerning sub-paragraphs (*a*), (*b*), (c) or (d) of this section, and we recommend that these stand unchanged.

126. With regard to (e), the District Councils of Acholi and Lango consider that prisoners should be able to stand as candidates. In favour of this argument it has been said that a person's criminal activities are separate from his political life, and that it is in any event for the electorate to judge. It has been pointed out that at the last General Election in the United Kingdom in 1959, seven prisoners in Belfast were candidates, five of them political internees and two of them felons.

127. We feel, nevertheless, that as the present provision does not exclude deportees from standing as candidates, and since prisoners, even if elected, would not be able to sit until their release, on balance it would be better to retain the present provision subject to the amendment which we recommend in paragraph 128 below. In reaching this conclusion we have been

139. We had no evidence regarding the need for ten supporters in addition to a proposer and seconder and, here again, we feel that this is a useful provision which should be retained to discourage frivolous candidates, particularly those independent of any political party.

140. There is no provision in the present law restricting a candidate's election expenses, and we have had no evidence that it is yet necessary to introduce such a restriction; although the next election—if conducted in accordance with our recommendations—will be of far greater importance than the 1958 elections, we do not consider that it is desirable for a limitation on candidate's expenses to be imposed at this stage. Quite apart from the principle involved, we believe it would be impracticable to impose any restriction effectively.

PART III.—Composition of the Legislative Council and Composition of the Government

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141. Although in accordance with our terms of reference we deal with the composition of the Government, and the composition of the Legislative Council in this, the third part of our report, we emphasize that these questions are of much greater importance even than the important questions discussed in Part II of our report. We realise that the matters with which we deal in this part of our report are matters on which a very special responsibility lies directly with Her Majesty's Government, and are grateful for the opportunity given to us to advise on these subjects, although they are outside our strict terms of reference.

THE AIM

142. In dealing with the question of the composition of the Government and of the composition of the Legislative Council following the next elections, it seems to us essential to be clear about the ultimate aim. Our view about this is quite clear, namely, that the aim should be the development of a national assembly modelled on the House of Commons in the United Kingdom, that is to say, a fully elected legislature with a Cabinet responsible to the legislature. This is in accordance with the wishes of the majority of the people of the country as we understand them through the evidence that we have received. We are well aware that events in certain other countries which have achieved independence have led many to wonder whether it is right to continue to model our institutions on those of the United Kingdom. The substitution of what appear to be dictatorships, often military, for democratic governments in some territories shortly after the achievement of independence is naturally a development which must be viewed with apprehension ; nevertheless, we are certain that the proper course in Uganda is to develop a fully democratic system to which the responsibility of governing can be handed over at the time of independence. The people of the country must have the opportunity of understanding thoroughly the system of democratic government before they are given the responsibility of governing themselves and subsequently making their own decisions about the form of government most suited to them.

POLITICAL PARTIES

143. If the aim, namely, to establish a national assembly on the House of Commons model, is accepted, then it follows that well-organised political

parties commanding the confidence of the majority of the electorate are an essential part of the system. Experience shows that two or, at the most, three parties are best for stability under such a system. It follows that the major political parties are going to occupy a most important position in the country and, therefore, that our recommendations should be designed to encourage the development of political parties capable of operating the parliamentary system.

144. It follows that persons who are genuinely seeking to establish and lead political parties on a national basis in Uganda are performing a vital function in the development of the country's political institutions. It seems worth while to examine some of the difficulties which such men and women face in Uganda today.

145. First and foremost, with the exception of direct elections in ten constituencies in 1958, political parties in Uganda have had no opportunity of contesting elections. Lacking the opportunity of gaining responsibility through the normal process of elections, they have been operating, of necessity, very largely outside the Legislative Council. It is also a natural result of this situation that political parties tend to operate in opposition to an apparently irremovable Government and hence—lacking any opportunity of carrying responsibility—sometimes to behave irresponsibly.

146. There are also severe practical difficulties facing the leaders of a political party seeking to operate over the whole of Uganda. A high proportion of the educated people of the country are employed either in the Civil Service or Local Government and may not take an active part in politics, so that it is not at all easy to find suitable people to staff the branches of political parties or even to accept nominations as candidates. Further, the fact that political parties have been driven to act in opposition to established authority because they have not had an opportunity of sharing in the responsibilities of government, combined with this difficulty of recruiting suitable personnel, has led to their activities being viewed with some suspicion.

147. Uganda is an artificial unit containing within its borders a very wide range of types of country, from arid plains to lush lakeside areas, and a variety of different tribes with different languages and customs. These differences between the various tribes of the country are not the creation of the British Government, but it is argued that the policies followed in the administration of Uganda have done little to break down the barriers which exist, particularly between the various tribal units, but on the contrary have tended to foster them. This is the source of the claim sometimes made that it has been the British Government's aim to divide and rule in Uganda. It is also suggested that District Commissioners in their districts and Provincial Commissioners in their provinces tend to regard their regions as isolated units. The development of the District Councils and the powers given to them on a district (and hence tribal) basis are also quoted as examples of a policy which has perpetuated the divisions of the country. Furthermore, no lingua

franca exists covering the whole of Uganda; an attempt to make Swahili the lingua franca of Uganda was abandoned years ago, and the policy of promoting English has not progressed to the extent where it is of practical use as a lingua franca. Thus the Uganda Broadcasting Service broadcasts programmes in a large number of vernacular languages while the East African Literature Bureau publishes books in an equally large number of vernacular languages. This lack of a lingua franca and this division of the country into tribal units present a political party seeking to operate on a national basis with formidable problems. To give only two examples, a leader of a national political party cannot address meetings in all parts of the country without the assistance of interpreters ; and a political party cannot publish material in one language which will be understood in all parts of Uganda. The Government itself faces all these difficulties, but is better equipped to deal with them.

148. It is scarcely to be wondered at in the circumstances that the political parties in Uganda do not yet present a picture of united leadership, carefully thought out positive policies and fully developed branch organisations. We believe, however, that given the opportunity of participating in the responsibilities of Government, and given a co-operative and helpful attitude towards them on the part of all sections of people in Uganda, political parties which are responsible and properly organised will rapidly emerge. We also believe that different political parties will develop constructive programmes to place before the electorate. These would include not simply the desirability of self-government but also the policies to be pursued if a particular party achieves the power to share in the government. This should enable the electorate to distinguish clearly between the policies of the different parties contesting the elections.

149. We consider, therefore, that it is essential in making our recommendations to provide an opportunity for a political party gaining sufficient seats to assume a real share of the responsibility of governing, and that this is the most important step which can be taken to assist the development of political parties.

150. We think that there may be other ways in which the Government could properly help in the development of political parties without prejudice to their independence. For example, it might be possible to obtain the services of one or two of those concerned with party organisation in the United Kingdom to visit Uganda and take part in a course on the actual organising of a party. **We recommend that this and other possibilities be pursued by the Government in consultation with the leaders of the parties.**

COMPOSITION OF THE LEGISLATIVE COUNCIL

151. The evidence on the subject of the composition of the Legislative Council has indicated very clearly a desire for an enlarged and representative national assembly in which the elected representatives of the people would occupy most, if not all of the seats. At present the Legislative Council is not

regarded as belonging to the people of the country. This is understandable because it is at present composed of a majority of nominated members. Indeed, the majority is a big one, there being 45 *ex-officio* and nominated members as compared with ten directly elected and two indirectly elected members (although the intention was that the proportion should be 44 *ex-officio* and nominated members to 18 elected members). By comparison the Lukiiko and District Councils have, almost without exception, for some time had majorities of elected members. We think, in the circumstances, that there is a great deal in the argument which was put before us that unless the Legislative Council is transformed so that it contains a large proportion of elected members, there is a real danger that the present tendency towards withdrawing within district or provincial boundaries and securing from the Central Government more and more powers for the authorities within those boundaries, will become even more marked.

152. We, therefore, consider that following the next elections the basis of the Legislative Council should be the directly elected members for whom provision is made in paragraphs 66 and 69 of our report. **We recommend that the party which gains a clear majority of elected members should be invited to form the basis of the Government side of the Legislative Council. The remainder should form the basis of the Opposition.** (We recognise that there may be extreme cases, e.g. when a party is pursuing a viciously racial policy, where it will not be possible for such an invitation to be extended.) It would be inadvisable, however, to expect the elected members to shoulder the full responsibilities of government without assistance at this stage. **We, therefore, recommend that the three ex-officio members, namely, the Chief Secretary, Attorney General and Minister of Finance, should be retained on the Government side.**

153. **If no party secures a clear majority of seats, we recommend that the Governor should invite the leader of the party with the most seats to form a coalition with another party or other parties which could form the basis of the government side. If he cannot succeed in doing so, the Governor would invite another possible leader to attempt to form such a coalition. If this fails, the Council should be dissolved and fresh elections held after an interval not exceeding six months, the Governor meanwhile having the power to govern with the advice of a nominated Executive Council as at present, and to have the power to pass legislation with the advice of Executive Council.**

154. We think that the Council may be glad to have the assistance of persons of experience who can help them to perform their respective functions and who by their knowledge and experience can contribute usefully to the discussions in the Legislative Council and ensure proper ventilation of issues which come before the Council. We think it possible that persons of experience from outside the Council may be needed as Ministers or Parliamentary Secretaries. The majority of the Committee are strongly of the opinion that nominated members do not command the confidence of the public, and have come to be regarded as mouthpieces of the government, and that therefore there should be no provision for them in the new Council. **The majority**

of the members of this Committee recommend that to meet this situation there should be created six seats for specially elected members, the whole Council, including the three ex-officio members, to act as an electoral college for the purpose of this election ; and they further recommend that the size of the Council should be fixed to a definite number of seats.

155. Any person who is proposed and seconded by directly elected members of the Council could stand for election to a special seat. The whole Council would then proceed to election on a limited vote system, each member voting for three persons ; this sys em will prevent any one party monopolizing the elections, but will enable the Government, if it wishes, to secure the return of three persons out of the candidates.

156. A minority of the Committee, namely, the Chairman, Lt.-Col. A. A. Baerlein, Dr. K. Ingham, Mr. H. K. Jaffer and Mr. C. K. Patel, do not consider that a system of specially elected members would be the best means of achieving the desired object, and do not consider that the number of persons to be added to the Council who are not directly elected should be limited to six. **This minority of the Committee considers that it will be better for the Governor to have the power to nominate not more than 15 additional members of the Council, in consultation with the leader of the majority party, though they hope that it would not be necessary for this power to be used to the full extent.** They consider that this would be a more convenient and flexible arrangement which might be useful in situations other than those which have been envisaged in paragraph 154 above, such as a situation in which an attempt to conduct direct elections in Karamoja failed and it became necessary to fall back on using the District Council as an electoral college, the Governor nominating those elected by the electoral college. This is one of the ways in which the Governor's power of nomination has been useful in the past.

157. The minority point out that for many years nominated members, so far from being mouthpieces of the government, have provided the majority of the opposition to government and have frequently criticized government.

REPRESENTATION OF SPECIAL INTERESTS

158. We have had some evidence that as an alternative to the common roll non-Africans should be specially represented in the Legislative Council by nomination. We have recommended the introduction of the common roll, and we are not in favour of special representation for non-Africans in any other way, for the reasons which we have explained in paragraph 87 of our report.

159. We have also had suggestions that nominations should be made to represent commercial, industrial and plantation interests ; and suggestions that nominations should be made for women. The basis of these recommendations is that it is unlikely that these interests, or women, will be directly

represented in the Legislative Council following the next general election. It has been suggested that such nominations should only be for an interim period.

160. To deal with the second point first, if there is any substance in the argument, it is unlikely that the situation will change radically within a few years.

161. We feel that the grant of representation to special interests would open the door for requests for representation of other interests not in the original list. For example, mining, trade unions, professions and so on. We also feel that special provision for special interests would mean that the electors concerned would not trouble to vote for candidates on the basis of securing representation of these interests as they are being provided for in another way; similarly, elected members might well be tempted not to concern themselves with special interests for whom special provision has been made.

162. The position is made particularly complicated in Uganda because, as has been admitted to us in evidence, the representation of commercial, industrial and plantation interests would almost certainly involve the nomination or election of non-Africans to the Legislative Council and would be regarded as a means of securing representation of non-Africans by the back-door.

163. We feel that putting special interests in a privileged position would not be to the long-term advantage either of those interests or the country, but would tend to promote a feeling of hostility towards them. It is sometimes suggested that unless some special arrangements of this kind are made, foreign capital might not be attracted to the country, but it seems to us that the essential requirement for the attraction of foreign capital is not the direct representation of the interests concerned, but the stability of the government of the country; and that the stability of the government of a country is not secured by providing representation of special interests against the wishes of the majority of the people of the country.

164. We are satisfied that there is no case, in the circumstances obtaining in Uganda, for special arrangements for the representation of special interests.

THE SPEAKER

165. Although there was some evidence in favour of the Speaker being appointed by Her Majesty The Queen or by the Governor, the majority of witnesses favoured an elected Speaker, some going so far as to suggest that the choice of Speaker should be limited to members of the Council, but most agreeing that the choice should be from among either the members of the Council or people from outside the Council. We understand and share the

desire that the Speaker should in due course be a person elected by the Council, but there are very real practical difficulties about introducing this system immediately the new Council assembles. Even the House of Commons was, we believe, a little embarrassed by the need to have to elect a new Speaker immediately it assembled after a General Election, before there had been time for proper informal discussions among members prior to the actual election. Following the next elections in Uganda, if our recommendations are adopted, there will be a very large number of new members of the Council, and the same difficulty of holding quick informal consultations among members on the subject of the election of a Speaker will arise ; in addition, those elected members capable by virtue of their past experience of holding the office and acceptable to members of all parts of the House, are likely to be in great demand for ministerial, parliamentary secretary and other posts within the Council itself. Finally, we envisage that there might well be some difficulty, in practice, in arranging for the person elected, probably from outside the House, making himself available immediately, as would be essential, to take up his duties, without any prior warning of any kind.

166. These difficulties could be overcome if a Speaker were elected during the lifetime of the present Legislative Council ; but it would not be certain, if this were done, that the person elected would be acceptable to the new Council, owing to the large number of changes in membership which are likely to occur.

167. We therefore think that immediately following the next General Election would be an inappropriate time to introduce the election of a Speaker, and **we recommend that the present practice whereby the Speaker is appointed by the Governor, should be continued.** We assume that the Governor would take such steps as are possible to ensure that his nomination would be acceptable to members of the new Council. **We do, however, feel that it would be proper to introduce in the course of the lifetime of the next Legislative Council, at an appropriate moment, an elected Speaker.** In the event of the person elected having had no previous experience of such work, arrangements could no doubt be made for him to receive training in the United Kingdom before taking up his appointment.

TITLE OF LEGISLATIVE COUNCIL

168. We have received much evidence to the effect that the title Legislative Council will no longer be appropriate and, because of its colonial associations, should be replaced. We have heard many suggestions for a new name. **We ourselves agree that the fundamental change in the character of the Council, which we recommend, can properly be marked by a change in name, and ourselves favour National Assembly.**

THE OPPOSITION

169. We also feel that under the new arrangements it will be both desirable and necessary to recognise the essential part played in a parliamentary

system by the opposition and **we recommend, therefore, the creation of an appointment of a Leader of the Opposition, elected by the elected members of the Opposition and paid a special allowance. We also recommend the creation of an appointment of Opposition Whip, filled by a person elected by the elected members of the Opposition, and the provision of the necessary funds for an Opposition Whip's Office in the same way that at present funds are provided for the offices of the Elected Members' Organisation and Representative Members' Organisation.**

COMPOSITION OF GOVERNMENT

170. We have had some evidence that the Government should be entirely composed of elected members, but the majority of the evidence which we have received favours the retention of the three *ex-officio* members, namely, the Chief Secretary, Attorney General and Minister of Finance, the remaining eight or nine Ministers to be chosen from among the elected members.

171. As we have already indicated, we agree that the Chief Secretary, Attorney General and Minister of Finance should be retained. We consider that to confine the choice of the remaining Ministers to directly elected members may prove unduly restrictive. **The majority of the Committee consider that the choice of the remaining Ministers should be extended to include specially elected members, but should not extend beyond that. The minority of the Committee who prefer to retain the Governor's power of nomination (paragraph 156 above) consider that the choice of Ministers should be extended to include nominated members.**

172. We have had many suggestions about the allocation of work between portfolios and the titles of portfolios. This cannot be settled in advance because we do not know what the needs of the country will be at the time. No doubt the leader of the majority will prepare his own list of proposed Ministers and portfolios. **We recommend that the Governor, in consultation with the leader of the majority, should appoint the Ministers and allocate their portfolios.**

173. We have had much evidence to the effect that Parliamentary Secretaries should be appointed to many, if not all the Ministries, and we are satisfied that these appointments can be valuable. For example, an experienced Parliamentary Secretary might be of great help to an inexperienced Minister, and then again, an experienced Minister might well be able to train an inexperienced Parliamentary Secretary and prepare him for ministerial office in the future. There are also situations in which Assistant Ministers of lower status than full Ministers but of higher status than Parliamentary Secretaries can be useful appointments to make. The arrangement whereby a Parliamentary Secretary or an Assistant Minister works with a Minister depends almost entirely for its success or failure on the personalities involved and it is, therefore,

impossible to say in advance what the most suitable arrangements will be. It may even be that a better solution than either the appointment of a Parliamentary Secretary or an Assistant Minister to a Ministry would be to split the Ministry, because it is often more satisfactory for a person to have complete responsibility for a smaller range of subjects than to give him very limited responsibility under a Minister for a wider range of subjects. **We think, therefore, that the most helpful and useful recommendation which we can make at this stage is that the Governor, in consultation with the leader of the majority, should be free to make such appointments of Assistant Minister and Parliamentary Secretary as seem to him appropriate at the time.**

EXECUTIVE COUNCIL

174. We recommend that the Executive Council should become a Council of Ministers, including the ex-officio members, namely, the Chief Secretary, Attorney General and Minister of Finance, and that no one other than a Minister should be a member of the Council of Ministers.

175. We have considered at some length the question whether at this point the Governor should cease to preside over the Council of Ministers. The majority of the Committee consider that this will be the right time for this to happen, although the Council of Ministers individually and collectively will, they hope, continue to have the advantage of the Governor's experience and advice. **The majority of the Committee recommend that the Council of Ministers should have collective responsibility to the National Assembly and should not be advisory to the Governor. They recommend that the Governor should have reserve powers to veto the decisions of the Council of Ministers and to legislate over the heads of the National Assembly, if necessary, but they hope that, as elsewhere, prior and informal consultation between the Governor and the Council of Ministers would obviate any necessity for him to use such reserve powers. They recommend that the leader of the majority should preside over the Council of Ministers and should have the title of Chief Minister.**

176. A minority of the Committee, namely, the Chairman, Lt.-Col. A. A. Baerlein, Mr. T. B. Bazarrabusa, Dr. K. Ingham and Mr. H. K. Jaffer, consider that initially the Council of Ministers should continue to be advisory to the Governor in the same way as the Executive Council is at present ; but that early in the life of the next Council consideration should be given to making the Council of Ministers fully responsible to the legislature, the Governor having the power of veto over the Council of Ministers and reserve powers of legislation, and to the question who should preside over the Council of Ministers in that event.

PART IV.—Other related issues brought before the Committee

FORM OF GOVERNMENT IN UGANDA

177. We have received a good deal of evidence on the question of the form which the Government of Uganda should take in the future ; that is to say, whether there should be a unitary government or a federal government ; and if a federal government, whether this should be on a provincial or district basis. A very great majority of people in the Eastern, Northern and Western Provinces—according to the evidence which we have received—favour the unitary system of government for Uganda. The relationship of Buganda with the Central Government and the British Government, which appears to many to be a federal relationship and unlikely to be altered in the near future, has caused a number of people in the Eastern, Northern and Western Provinces to think in terms of a federal system of government for the whole of Uganda as the most expedient, though not the most desirable, solution. These thoughts have found expression in at least two areas, namely, Toro and Acholi, in the production of fairly detailed sets of proposals for the organisation of a federal state of Uganda. Examination of these detailed proposals exposes the difficulties of introducing any such system and it needs to be emphasized that there is very far from general support for the ideas which have been mooted, whether for a federal government on a provincial basis, or a federal government on a district basis. People are reluctant to abandon the idea of a unitary government, seeing in that the ideal solution.

178. In Madi and Acholi in the Northern Province, there is support for the creation of a Northern Province Assembly, the object being to deal with Buganda on an equal basis. This idea is not supported by the West Nile, Lango or Karamoja District Councils. It is significant that West Nile, Madi and Acholi have the closest contacts with the Southern Sudan, but it is only in the last two that the idea is current that the interests of the people of the Northern Province could best be safeguarded by a federal system. This feeling is recognised to be illogical by some even in Acholi and Madi, since the situation in Uganda is totally different from the situation in the Sudan. It is felt by many in Acholi and Madi that, in some way, the Sudan situation could be repeated in Uganda and that the whole of Uganda could be dominated by people from Buganda. It is obvious that, with a central government composed of directly elected representatives from all parts of Uganda, the constituencies

being drawn on a population basis, this could not happen, and indeed it seems that the present feeling in Buganda for a greater and greater degree of autonomy and for a federal arrangement derives from a fear that Buganda might be dominated by a coalition from the Eastern, Northern and Western Provinces.

179. The Toro Rukurato and the Eishengyero of Ankole both favoured the federal system because they saw in it the best means of safeguarding their traditional rulers, and wished the federal system to be on a district basis for this reason.

180. These mutual fears between the different parts of Uganda undoubtedly exist and it will be some time before they can be effectively dispersed. They cannot be dispersed successfully merely by constitutional blueprints, however carefully designed, since a constitution will only work if there is a basis of good will between the peoples concerned.

181. There have been several suggestions for a conference of representatives of the various governments and peoples, in order to discuss the relationships between the various parts of the country on the achievement of self-government. We think that there will be advantage in such a conference because the relationships which exist between the various parts of Uganda are ultimately going to be decided by the people of the country themselves.

182. The question which naturally arises, however, is who should properly attend any such conference. The suggestion which has been put to us is that the Enganzi or Katikkiros of the various areas, together with the Secretaries-General, might form the membership of such a conference, but we do not consider that a conference so composed would be sufficiently representative, and we believe strongly that any such conference must also be attended by some directly elected representatives of the people from all parts of Uganda. **We recommend, therefore, that following the next elections, arrangements should be made for the calling of a conference to consider the form of government best suited to Uganda, which conference can be attended by some directly elected representatives of the people as well as others.** We believe that in the meantime, public opinion on the subject may have developed further, and more unanimity of view on the subject be apparent than it is now, together with a greater understanding of the problems involved. **We think that it is at such a conference that a constitutional expert might be able to give useful advice.** Meanwhile, the Agreements will, of course, continue and will, during the constitutional developments which we recommend in this report, continue to secure to the hereditary rulers a position which appropriately reflects their traditional status and prestige, in accordance with the Secretary of State's statement about the future of the traditional rulers in October 1957, and the Governor's address to Legislative Council in November 1958.

SECOND CHAMBER

183. We received from District Councils and others a number of suggestions for the formation of a Second Chamber variously known as a House of Chiefs, a Senate, a House of Assembly, and an Upper House. (Incidentally, the Second Chamber described as a House of Chiefs upon examination was found to contain no Chiefs.) The composition of the proposed Second Chamber varied, the two chief alternatives being :—

(*a*) A House composed of the Rulers and the Heads of those districts where there are no traditional rulers.

(*b*) A House composed of representatives from the component parts of Uganda elected either directly or indirectly.

184. In both cases the functions of the Second Chamber were confined to the ratification of legislation passed by the Lower House with possibly the opportunity of delaying it for a maximum period of one year.

185. We cannot see that any useful purpose would be served by the creation of a Second Chamber at this stage. If it were composed of the traditional rulers and others, it would either affect the operations of the Lower House, or it would not affect them. If it did affect them, this would inevitably lead to that clash between the traditional rulers and the political leaders which it is vital should be avoided if—as is everyone's wish—the traditional rulers are to survive as institutions. If it does not affect the deliberations of the Lower House in any way, then it is unnecessary.

186. If the Second Chamber were composed of elected or nominated members, it may be that at some future date this would serve a useful purpose, particularly when the Governor's reserve powers are no longer available as a check on the activities of the National Assembly. Since the Governor's reserve powers will be available, and since it will not be easy to find suitable people to sit in the Second Chamber in addition to the people who will be needed to serve in the National Assembly, and since a Second Chamber would be expensive, **we recommend that consideration of this possibility should be postponed.**

CONCLUSION

187. We wish to record our very great appreciation of the kindness and hospitality which we have received from all we have met in our extensive tour of Uganda. We are a large committee, variously composed, and this has naturally given rise to many problems of accommodation, particularly in smaller stations. These problems have been most ably overcome by all concerned and we have greatly enjoyed our visits and our experience which have been extremely valuable to us. We have received hospitality wherever we have been in many ways, and we have appreciated this. We are particularly grateful

to the Principal of Makerere University College for allowing us to use the Council Room of the University College for our final discussions, and to the Mayor of Kampala for the use of the Town Hall and Committee Room.

188. We wish to record our appreciation of the work of our Palantypists, Miss McLean, Miss Bunge and Mr. Venkateswaran, who have, in turn, travelled with us and recorded all the evidence and transcribed it—a formidable task, most ably and cheerfully completed. We are also very grateful to our Assistant Secretary, Mrs. Brownbill, who has had to deal with a mass of correspondence, vouchers, cyclostyling and circulation of memoranda; and to Miss Yates, who has typed the drafts and final version of this report.

189. Finally, we wish to pay a very warm tribute to our Secretary, Mr. F. K. Kalimuzo, for all that he has done to make our work possible and pleasant. He has had a formidable task in dealing with a large Committee touring widely. We have been impressed with the way in which he has handled us and our problems with unfailing tact, good temper and efficiency. We were delighted that, in the course of our work, he was confirmed in his appointment as a District Officer, and we wish him every success in his future career in the service of Uganda.

J. V. WILD, *Chairman.*

A. A. BAERLEIN.

T. B. BAZARRABUSA.

K. INGHAM.

H. K. JAFFER.

C. B. KATITI.

ERISA KIRONDE.

B. K. KIRYA.

G. B. K. MAGEZI.

B. J. MUKASA.

W. W. K. NADIOPE.

A. M. OBOTE.

C. J. OBWANGOR.

G. ODA.

C. K. PATEL.

Makerere University College.
5th December, 1959.

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35	(1) Majority recommendation that choice of all Ministers other than Chief Secretary, Attorney General and Minister of Finance, should be confined to directly elected and specially elected members	171	40
35	(2) Minority recommendation that choice of Ministers should be extended to include nominated members	171	40
36	(3) Governor, in consultation with the leader of the majority, to appoint Ministers and allocate their portfolios	172	40
36	(4) Governor, in consultation with the leader of the majority, to be free to make such appointments of Assistant Minister and Parliamentary Secretary as seem to him appropriate at the time	173	40
	19. Executive Council :		
36	(1) Executive Council to become a Council of Ministers	174	41
37	(2) Majority recommendation that Council of Ministers should have collective responsibility to the National Assembly and should not be advisory to the Governor ; Governor to have reserve powers to veto the decisions of the Council of Ministers and to legislate over the heads of the National Assembly. Leader of the majority to preside over the Council of Ministers and to have title of Chief Minister ..	175	41
38			

	Paras.	Page
(3) Minority recommendation that initially the Council of Ministers should continue to be advisory to the Governor; but that early in the life of the next Council consideration should be given to making the Council of Ministers fully responsible to the legislature, the Governor having the power of veto and reserve powers of legislation, and to the question who should preside over the Council of Ministers In that event	176	41

PART IV.—Other related issues brought before the Committee

20. *Form of Government in Uganda :*		
(1) Following the next elections, conference to be called to consider form of government best suited to Uganda	182	43
(2) Suggestion that constitutional expert might be able to give useful advice at such a conference	182	43
21. *Second Chamber :*		
Consideration of possibility of Second Chamber to be postponed	186	44

TABLE I

Non-African Population of Uganda

Race	1948	1959
Europeans	3,448	10,866
Indians/Pakistani	33,767	69,103
Goans	1,448	2,830
Arabs	1,475	1,946
Others	827	2,313
TOTALS ..	40,965	87,058

TABLE II

Population of Uganda by District

District	Area in sq. miles excluding swamp and open water	1948 African	1948 Non-African	1948 Total	1959 African	1959 Non-African	1959 Total	Percentage increase in total	Density per sq. mile
West Mengo	4,618	487,203	18,897	913,716	688,146	37,070	725,216	46·4	157
East Mengo	5,102	407,616			606,598	5,946	612,544		120
Mubende	2,668	84,878	348	85,226	99,066	308	99,374	16·6	37
Masaka	3,837	317,688	2,220	319,908	439,934	3,697	443,631	38·7	116
TOTAL : Buganda	16,225	1,302,162	21,465	1,323,627	1,833,744	47,021	1,880,765	42·1	116
Busoga	3,443	505,998	8,318	514,316	660,320	16,903	677,223	31·7	197
Bukedi	1,575	332,870	3,889	602,910	397,766	2,782	400,548	27·3	254
Bugisu	1,636	262,447			352,966	526	353,492		216
Mbale Town	9	3,704			8,433	5,136	13,569		1,508
Teso	4,306	402,654	2,625	405,279	453,474	4,401	457,875	13·0	106
TOTAL : Eastern Province ..	10,969	1,508,512	14,832	1,523,344	1,872,959	29,748	1,902,707	24·9	173
Karamoja	12,116	125,567	53	125,620	(159,244)	452	(159,696)	(27·1)	(13)
Lango	4,569	265,890	767	266,657	352,943	1,368	354,311	32·9	78
Acholi	10,783	215,655	478	216,133	284,564	1,316	285,880	32·3	27
Madi	1,717	37,756	435	336,498	50,627	110	50,737	29·4	30
West Nile	4,147	298,307			383,589	1,093	384,682		93
TOTAL : Northern Province ..	33,332	943,175	1,733	944,908	(1,230,967)	4,339	(1,235,306)	(30·7)	(37)
Bunyoro	4,752	108,380	926	109,306	126,875	1,323	128,198	17·3	27
Toro	4,745	258,873	501	259,374	347,451	1,875	349,326	34·7	74
Kigezi	1,901	395,529	1,014	396,543	493,444	1,044	494,488	24·7	260
Ankole	5,928	400,924	494	401,418	529,715	1,623	531,338	32·4	90
TOTAL : Western Province ..	17,326	1,163,706	2,935	1,166,641	1,497,485	5,865	1,503,350	28·9	87
TOTAL : UGANDA	77,852	4,917,555	40,965	4,958,520	(6,435,155)	86,973	(6,522,128)	(31·5)	(84)
					Excluding persons in transit				

TABLE III

Population of the 15 Main Towns

	1948	1959
Kampala	33,000	47,000
Jinja	7,000	18,000
Entebbe	3,000	4,000
Mbale	2,000	3,000
Tororo	1,000	2,000
Soroti	1,000	2,000
Lira	1,000	2,000
Gulu	1,000	2,000
Arua	1,000	2,000
Masindi	1,000	2,000
Hoima	1,000	2,000
Fort Portal	1,000	2,000
Kabale	1,000	2,000
Mbale Town	1,000	2,000
Mbale Township	1,000	2,000

TOTAL : Western Province ..	17,326	1,163,706	2,935	1,166,641	1,497,485	5,865	1,503,350	28·9	87
TOTAL : UGANDA	77,852	4,917,555	40,965	4,958,520	(6,435,155)	86,973	(6,522,128)	(31·5)	(84)
					Excluding persons in transit				

TABLE III

Population of the 15 Main Towns

	1948			1959		
	Non-African	African	TOTAL	Non-African	African	TOTAL
Kampala	10,189	(11,905)	(22,094)	22,679		
Jinja	3,965	4,445	8,410	9,913		
Mbale				5,136		
Masaka				2,325		
Soroti				2,027		
Entebbe	902	7,040	7,942	1,854		
Tororo				1,547		
Mbarara				1,120		
Iganga				1,098		
Kamuli				904		
Lira				777		
Kabale				733		
Gulu				727		
Fort Portal ..				670		
Arua				654		

NOTE.—For details of non-African populations of other towns and trading centres see booklet published by the East African Statistical Department in July, 1959.

APPENDIX I

List of Memoranda Received

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
1	27	Toro Rukurato	Constitutional Committee of the Toro Rukurato	P.O. Box 13, Fort Portal.
2	41	Teso District Council	Constitutional Committee of the Teso District Council	P.O. Box 269, Soroti.
3	48	Eishengyero of Ankole..	Sub-Committee of the General Purposes Committee of Eishengyero	P.O. Box 102, Mbarara.
4	46	Bunyoro Rukurato	Constitutional Committee of Rukurato ..	P.O. Box 6, Hoima.
5	60	Bukedi District Council	Constitutional Committee of the Council..	P.O. Box 241, Mbale.
6	61	Lukhobo (KOK) of Bugisu	Constitutional Committee of the Council..	P.O. Box 84, Mbale.
7	64	Mbale Township District Council ..	Constitutional Committee of the Council..	P.O. Mbale.
8	77	Lango District Council	Constitutional Committee of the Council..	P.O. Box 49, Lira.
9	81	Kigezi District Council	Standing Committee of the Council ..	P.O. Box 56, Kabale.
10	83	Acholi District Council	Constitutional Committee of the Council..	P.O. Box 31, Gulu.
11	84	Provincial Advisory Council	Council led by Mr. T. K. Otim	Gulu.
12	92	Busoga District Council	Constitutional Committee of the Council..	P.O. Box 92, Jinja.
13	96	West Nile District Council	General Purposes Committee of the Council	P.O. Arua.
14	88	Madi Sub-District Council	Constitutional Sub-Committee of the Council	Moyo.
15	37	Democratic Party	Central Committee of the Branch ..	Kampala.
16	35	Democratic Party (Masaka) Branch ..	Central Committee of the Branch ..	P.O. Box 290, Masaka.

14	88	Madi Sub-District Council	Constitutional Sub-Committee of the Council	Moyo.

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
15	37	Democratic Party	Central Committee of the Branch ..	Kampala.
16	35	Democratic Party (Masaka) Branch ..	Central Committee of the Branch ..	P.O. Box 290, Masaka.
17	49	Uganda People's Union	Central Committee of the Party	c/o The Hon. M. M. Ngobi, Private Bag, Busoga Growers' Co-operative Union.
18	74	Uganda Action Group	Central Committee of the Group ..	Kampala.
19	51	Uganda National Congress	Central Committee led by Mr. J. W. Kiwanuka and Dr. B. N. Kununka ..	Kampala.
20	97	Uganda National Congress	Central Committee led by Messrs. A. M. Obote and A. K. Mayanja	Kampala.
21	18	Uganda National Congress, Arua Region ..	Central Committee of the Branch ..	Arua.
22	24	Uganda National Congress, Kigezi Branch	Mr. S. L. Itazya	Kabale.
23	29	Uganda National Congress, Samia Region ..	Central Committee of the Branch ..	P.O. Box 13, Majani.
24	67, 69	Uganda National Congress, Mbale Region	Committees of Branches	Mbale.
25	68	Uganda National Congress, Soroti Region	Central Committee of the Branch ..	Soroti.
26	76	Central Council of Muslim Associations ..	Central Committee of the Association ..	Kampala.
27	79	Central Council of Indian Associations ..	Central Committee of the Association ..	Kampala.
28	94	Uganda Chamber of Commerce (Resolution)	Central Committee of the Chamber ..	Kampala.
29	10	Toro European Association	Messrs. Sanger, Simpson and Gunn ..	Fort Portal.
30	12	— ..	Mr. S. C. Desai	P.O. Box 248, Jinja.
31	1	— ..	Mr. Erizafani Banage	Mpumude, Jinja.
32	2	— ..	Mr. Cyprian George Waibi	Jinja College, Jinja.

Appendix I—*continued*

List of Memoranda Received—*continued*

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
33	3	—	Mr. Nathan Kachapulu	Kayunga-Bugerere, East Mengo.
34	4	—	Mr. Alexadeli Musoke	Kakuto, Buddu, Masaka.
35	5	—	Mr. Adoniya Mbaalya	Buguiumbya, Busoga.
36	6	—	Mr. Lazarus Serwanga Bbavubuka	Kalegi, Kyagwe, East Mengo.
37	7	—	Mr. Y. G. Yunju	Mutayi, Butembe-Bunya, Busoga.
38	8	—	Mr. S. K. Kyamuwangire	Baale, Bugerere, East Mengo.
39	9	—	Mr. Y. B. Musoke	Bukomero, Singo, West Mengo.
40	11	—	Mr. Sepiriya Lumu	Nabyewanga, Buddu, Masaka.
41	13	—	Mr. J. B. K. Kahigiriza	P.O. Box 102, Mbarara.
42	14	The Baganda residing in Musoma, Tanganyika (Baganda Association)	Mr. Z. Munabe and his Committee	Musoma, Tanganyika.
43	15	—	Mr. A. D. Kweyamba	P.O. Box 14, Mbarara.
44	16	—	Mr. Y. B. Kizza	Kyesiga, Buddu, Masaka.
45	17	—	Mr. E. L. Masiga	Samia-Bugwe, Bukedi.
46	19	—	Mr. A. G. Katate	P.O. Box 102, Mbarara.
47	20	—	Mr. F. K. Kishekyera	P.O. Box 3, Kabale.
48	21	—	Mr. F. Kemba	Kandama, Bugwere, Bukedi.
49	22	Squatters Committee	Mr. Y. S. Naku	Fort Portal.
50	23	People of Magomboiola of Sabadu and Sabawali Buddu	Mr. Paul Lukwago, C. M. Lwanga, Francis	

48	21	— ..	Mr. F. Kemba	Kandama, Bugwere, Bukedi.

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
49	22	Squatters Committee	Mr. Y. S. Naku	Fort Portal.
50	23	People of Magombolola of Sabadu and Sabawali, Buddu	Mr. Paul Lukwago, C. M. Lwanga, Francis Kalisa and F. Ddamulira	P.O. Box 513, Masaka.
51	25	— ..	Mr. Bulasio Kwebiha	Bundikahuka Bwamba, Toro.
52	26	— ..	Mr. J. W. Kamarumba	Kabale.
53	28	— ..	Mr. E. B. R. Kaberinde	Butiti, Mwenge, Toro.
54	30	— ..	Mr. J. K. Baguma	Rubona, Mwenge, Toro.
55	31	— ..	Mr. Stanley Kunku	Kavule, Gombolola of Sabawali, Kyadondo, West Mengo.
56	32	St. Joseph's Old Boys' Association ..	President and Secretary	P.O. Box 24, Mbarara.
57	33	— ..	Mr. F. B. Bulondo	Kapeeka, Bombo, Bulemezi, East Mengo.
58	34	— ..	Mr. E. P. O. Ecoku	Serere, P.O. Box 269, Soroti.
59	36	Ankole Catholic Council	Executive Committee of the Council ..	Mbarara.
60	38	— ..	Mr. Caesar Magara	P.O. Box 3, Tororo.
61	39	— ..	Mr. P. J. Habenga Okondo	P.O. Box 431, Kampala.
62	40	— ..	Mr. P. M. Isooba	P.O. Box 24, Entebbe.
63	42	— ..	Mr. Y. B. Meihaho	Bulindi, Bugahya, Bunyoro.
64	43	— ..	Mr. Y. Malabason	Halukanda, Mawero, Bukedi.
65	44	— ..	Mr. K. Wamala	Kayunga, Bugerere, East Mengo.

Appendix I—*continued*

List of Memoranda Received—*continued*

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
66	45	—	Mr. P. W. Ruzhwengyibwe	P.O. Box 40, Mbarara.
67	47	Busoga Women Club leaders	Miss Sanders and a group of women club leaders	P.O. Box 560, Jinja.
68	50	Aba Masindi (The Masindi Community)	Mr. S. M. Katana and his Committee	P.O. Box 16, Masindi.
69	52	—	Messrs. M. Lukwita and F. Osinde	P.O. Box 10, Entebbe.
70	54	African Muslim Community	(Sgd.) J. M. Masagazi as Secretary	P.O. Box 1391, Kampala.
71	55	—	Sheikh Haji Zayidi Mugenyi	P.O. Box 1391, Kampala.
72	56	—	Mr. N. K. Basalirwa and seven others	P.O. Box 21, Iganga.
73	57	—	Mr. P. W. Ngobi	P.O. Box 126, Kamuli.
74	58	—	Mr. Y. T. N. Kawaaluko	P.O. Box 126, Kamuli.
75	59	Bataka of Busoga	Mr. Y. G. Munaba	P.O. Box 73, Iganga.
76	62	—	Mr. E. L. Masiga	Samia, Bugwe, Bukedi.
77	63	Masaba Students' Association	Mr. N. E. N. Masaba, President	P.O. Box 262, Kampala.
78	65	—	Mr. J. S. Kalulu	P.O. Box 11, Kamuli.
79	66	People of Nakaloke	Mr. Henry Kyabire, Chairman of a Committee selected to give views to the Constitutional Committee	Nakaloke, Bukedi.
80	70	—	Mr. Erukana E. Emuron	P.O. Box 22, Kaberamaido.

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
81	71	Madera Women	Madera Women Committee	Madera Mission, P.O. Box 258, Soroti.
82	72	—	Mr. Blasio Nyakapanka	P.O. Box 14, Mbarara.

			mittee selected to give views to the Constitutional Committee	Nakaloke, Bukedi.
80	70	— ..	Mr. Erukana E. Emuron	P.O. Box 22, Kaberamaido.

Serial No.	Memorandum No.	Organisation Represented	Author of Memorandum	Address of Author
81	71	Madera Women	Madera Women Committee	Madera Mission, P.O. Box 2SB, Soroti.
B2	72	— ..	Mr. Blasio Nyakapanka	P.O. Box 14, Mbarara.
83	73	— ..	Mr. S. A. Ojur	Usuku, Toroma, Teso.
84	7S	— ..	Mr. P. Wankulu	P.O. Box 24, Entebbe.
8S	7B	— ..	Mr. A. Tibyangye	Kyamugorani, Kashari (near Mbarara), Ankole.
86	80	Uganda Makerere Students' Association ..	*Ad hoc* Committee of the Association ..	P.O. Box 262, Kampala.
87	82	Hereditary Rulers of Busoga	Mr. D. K. Ngobi	P.O. Box S9, Iganga.
B8	8S	— ..	Mr. Adonia Ocula and Mr. Yonasani Odur ..	Gulu, Acholi.
89	86	— ..	Mr. W. J. A. Orach	Gulu, Acholi.
90	B7	— ..	Mr. Jamal Mikla Onyango	P.O. Box 130, Gulu.
91	B9	— ..	Mr. V. J. Opote	Warr Junior Secondary School, P.O. Private Bag, Arua.
92	90	— ..	Sheikh Khamisi Matovu	P.O. Box 374, Kampala.
93	91	Uganda Students' Association (India) Bombay Branch	Mr. F. A. Mmiro and his Committee ..	Grant Medical College, Bombay B, India.
94	93	— ..	Mr. G. S. K. Ibingira	36, Great Cumberland Place, London, W.1.
95	95	— ..	Mr. D. Masembe	Kamukalo-Kooki, Masaka.
96	9B	— ..	Mr. A. Lwanga Muwanga	P.O. Box 1481, Kampala.
97	99	Natives and Residents of the Lost Counties of Bunyoro–Kitala	Mubende Banyoro Committee	P.O. Box 68, Kampala.
98	100	— ..	Mr. P. K. Ssemogerere	P.O. Box 24, Fort Portal.

APPENDIX II

List of Witnesses

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
1	15	Eishengyero of Ankole	Sub-Committee of the General Purposes Committee of the Eishengyero	Mbarara.
2	21	Kigezi District Council	The Standing Committee of the Council	Kabale.
3	38	Rukurato of Toro	The Constitutional Committee of the Rukurato ..	Fort Portal.
4	42	Rukurato of Bunyoro	The Constitutional Committee of the Rukurato ..	Hoima.
S	47	Busoga District Council	The Constitutional Committee of the Council ..	Jinja.
6	88	Bukedi District Council	The Constitutional Committee of the Council ..	Mbale.
7	10S	Lukhobo (KOK) of Bugisu District	The Constitutional Committee of the Lukhobo ..	Mbale.
B	108	Mbale Township District Council	The Constitutional Committee of the Council ..	Mbale.
9	123	Teso District Council	The Constitutional Committee of the Council ..	Soroti.
10	138	Karamoja District Council	The Standing Committee of the Council	Moroto.
11	144	Lango District Council	The Constitutional Committee of the Council ..	Lira.
12	149	Acholi District Council	The Constitutional Committee of the Council ..	Gulu.
13	1S0	Northern Province Advisory Council ..	The Advisory Council	Gulu.
14	1S4	Madi Sub-District Council	The Constitutional Sub-Committee of the Council ..	Moyo.
1S	1SS	West Nile District Council	The General Purposes Committee of the Council ..	Arua.
16	162	The Democratic Party	A delegation consisting of: Messrs. B. K. Kiwanuka (President), and Mpiima (Executive Officer) ..	Kampala.
17	4	Democratic Party, Masaka	A delegation consisting of: Messrs. P. Sendikwanawa, Apoliinaris M. Kiyimba, M. Lwanga and S. Kayongo..	Masaka.

15	155	West Nile District Council	The General Purposes Committee of the Council ..	Arua.
16	162	The Democratic Party	A delegation consisting of: Messrs. B. K. Kiwanuka (President), and Mpiima (Executive Officer) ..	Kampala.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
17	4	Democratic Party, Masaka	A delegation consisting of: Messrs. P. Sendikwanawa, Apollinaris M. Kiyimba, M. Lwanga and S. Kayongo..	Masaka.
18	34	Democratic Party, Kigezi Branch	A delegation led by Mr. Babukika	Kabale.
19	161	The Uganda National Congress	A delegation consisting of: Mr. J. W. Kiwanuka, Dr. B. N. Kununka and four members of the Central Committee	Kampala.
20	172	The Uganda National Congress	A delegation consisting of: Messrs. A. K. Mayanja, Y. Engur, and Hon. P. Oola	Kampala.
21	22	The Uganda National Congress, Kigezi Branch..	Mr. S. L. Itazya	Kabale.
22	95	The Uganda National Congress, Tororo ..	A delegation consisting of: Messrs. G. Maluku, Henry Kyabire, Yosia Sendegea, Enoki Odeke	Tororo.
23	116	The Uganda National Congress, Mbale Region	A delegation consisting of: Messrs. J. Wasukulu, Y. Kasaja, E. Ambugo, I. Bidondere, A. Wanabi, I. Kyome and Mubi	Mbale.
24	130	The Uganda National Congress, Soroti Region..	A delegation consisting of: Messrs. Sitefano Ejoku and Ibulaimu Ekino	Soroti.
25	145	The Uganda National Congress, Lango Region..	A delegation of 17 members led by Mr. Y. Engur ..	Lira.
26	148	The Uganda National Congress, Kitgum Region	A delegation consisting of: Messrs. Janayo Owona, Juma Marajan and Mateo Oliny	Kitgum.
27	157	The Uganda National Congress, West Nile Region	A delegation led by Mr. A. N. Abanya	Arua.
28	163	The Uganda Action Group	A delegation led by: Messrs. Gurdial Singh, S. Paul Singh, and A. B. Misri	Kampala.
29	165	The Uganda People's Union	Hon. W. W. Rwetsiba and Hon. M. M. Ngobi ..	Kampala.

Appendix II—*continued*

List of Witnesses—*continued*

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
30	168	The Central Council of Muslim Associations ..	A delegation led by Count B. K. S. Verjee	Kampala.
31	174	The Central Council of Indian Associations ..	A delegation led by Mr. Mehta	Kampala.
32	166	The Uganda Chamber of Commerce.. ..	A delegation led by Mr. E. A. Hughes	Kampala.
33	39	The Toro European Association	A delegation consisting of : Messrs. Sanger, Simpson and Gunn	Fort Portal.
34	3	— ..	Mr. S. C. Desai, an Advocate in Jinja	Kampala.
35	44	Masindi Commercial Community	A delegation consisting of : Messrs. Hassanali Pirbhal, J. Pereira, A. G. Vohra and Mohammedali Kamrudin	Masindi.
36	45	— ..	Mr. F. M. Kapasi, an Indian businessman of Holma ..	Masindi.
37	50	— ..	Messrs. M. Yusaf and M. T. Butt	Jinja.
38	158	— ..	Messrs. Nathwani, B. K. Joshi and G. S. Atwal ..	Arua.
39	1	— ..	The Hon. Mrs. B. Saben, M.B.E.	Kampala.
40	7	— ..	Mr. B. L. Jacobs	Masaka.
41	138	Rutome Mission (N.A.C.)	The Rev. John Robb	Moroto.
42	169	— ..	Mr. J. H. Gaunt..	Kampala.
43	2	— ..	Mr. S. M. Mukombe of Kabale	Kampala.
44	S	— ..	Mr. Leonard Mugwanya	Masaka.
45	6	The people of Kabwoko	A delegation consisting of : Messrs. Paul Lukwago, Charles M. Lwanga and Francis Kalisa	Masaka.

43	2	— ..	Mr. S. M. Mukombe of Kabale	Kampala.
44	5	— ..	Mr. Leonard Mugwanya	Masaka.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
45	6	The people of Kabwoko	A delegation consisting of: Messrs. Paul Lukwago, Charles M. Lwanga and Francis Kalisa	Masaka.
46	8	— ..	Mr. B. B. Kakinda	Masaka.
47	9	— ..	Mr. A. K. Musoke	Masaka.
48	10	— ..	Mr. J. B. K. Kahigiriza	Mbarara.
49	11	— ..	Mr. H. K. Bukenye	Mbarara.
50	12	— ..	Mr. A. D. Kweyamba	Mbarara.
51	13	— ..	Mr. Bazil Bataringaya	Mbarara.
52	14	— ..	The Rev. E. Kamujanduzi	Mbarara.
53	16	— ..	Mr. J. E. M. Bwerere	Mbarara.
54	17	— ..	Mr. E. S. Kapa	Mbarara.
55	18	— ..	Mr. Biassio Nyakapanka	Mbarara.
56	19	— ..	Mr. A. G. Katate	Mbarara.
57	20	— ..	A group consisting of: Omw. L. Kamugungunu, M.B.E., the Rev. Canon Y. Buninguire, M.B.E., Omw. E. G. Mugoha	Mbarara.
58	23	— ..	Mr. M. Rwankwenda	Kabale.
59	24	— ..	Mr. F. Biramahire	Kabale.
60	25	— ..	Mr. K. Rutabyama	Kabale.
61	26	— ..	Mr. Y. Tinzara	Kabale.

Appendix II—*continued*

List of Witnesses—*continued*

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
62	27	— ..	Mr. Z. Misango	Kabale.
63	28	— ..	Mr. F. K. Kishekyera	Kabale.
64	29	— ..	Mr. T. R. N. Masozera	Kabale.
65	30	— ..	Mr. J. W. Kamarumba	Kabale.
66	31	— ..	Mr. F. K. Kacwezi	Kabale.
67	32	— ..	Mr. S. Karaka	Kabale.
68	33	— ..	Mr. J. Rurecera	Kabale.
69	35	— ..	Mr. Stanley Sebacuzi	Kabale.
70	36	— ..	Mr. Kezironi Ntauruhunga	Kabale.
71	37	— ..	Mr. Zadoki Nyeihuri	Kabale.
72	40	— ..	Mr. E. B. R. Kaberinde	Fort Portal.
73	41	— ..	Mr. P. R. Katorogo	Fort Portal.
74	43	— ..	Mr. Firimoni Kabaru	Hoima.
75	46	Masindi African Community Aba Masindi ..	A delegation of 25 people led by Mr. S. M. Katana and the Rev. Fr. Katalimulingo	Masindi.
76	48	Busoga Women Club Leaders	A delegation consisting of: Miss B. J. Sanders and eight women club leaders	Jinja.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
77	49	— ..	Mr. Y. Yunju	Jinja.
78	51	— ..	Mr. William Leta	Kamuli.

76	48	Busoga Women Club Leaders	A delegation consisting of : Miss B. J. Sanders and eight women club leaders	Jinja.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
77	49	— ..	Mr. Y. Yunju	Jinja.
78	51	— ..	Mr. William Leta	Kamuli.
79	52	— ..	Mr. Valeriano Damba	Kamuli.
80	53	— ..	Mr. Zakayo Mugadya	Kamuli.
81	54	— ..	Mr. Musa Kizibwe	Kamuli.
82	55	— ..	Mr. Rajab Kakairi	Kamuli.
83	56	—	Mr. Juma Ngobi	Kamuli.
84	57	— ..	Mr. Samwiri Bozanya	Kamuli.
85	58	— ..	Mr. Habib Mukoli	Kamuli.
86	59	— ..	Mr. Efulaimu Katawere	Kamuli.
87	60	— ..	Mr. Safari Kigaliro	Kamuli.
88	61	— ..	Mr. Erizafani Waiswa	Kamuli.
89	62	— ..	Mr. Agustini Bogere	Kamuli.
90	63	— ..	Mr. Sayibu Kinatondo	Kamuli.
91	64	— ..	Mr. Erusaniya Ngogoro	Kamuli.
92	65	— ..	Mr. Adiriani Kizito	Kamuli.
93	66	— ..	Mr. Asani Byete	Kamuli.
94	67	—	Mr. Paulo Malude	Kamuli.
95	68	— ..	Mr. Tomasi Munyaka	Kamuli.

Appendix II—*continued*

List of Witnesses—*continued*

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
96	69	—	Mr. Katakuwange	Kamuli.
97	70	The Bugabula Kwegata Association	A delegation of eight members	Kamuli.
98	71	—	A group consisting of : Messrs. Yonasani Zirabamuzale, Azalia Ngero, Yafesi Mulumba, Isaka Ziraba, Sirivesti Kirunde, Everetio Obutanaziba, Gasita Bazanya	Kamuli.
99	72	—	A group consisting of : Messrs. Petero Ngobi, Ibulaimu Mugaino, Yokosofati Mongoyi, Eriazali Kafuko, Jemusi Nsajja	Kamuli.
100	73	Abataka	A delegation consisting of : Messrs. Walsagwa, Erinesti Amunde, Ali Kasanafu, Yekosafati Lugwire, Kezironi Kabale, Daudi Nsobani	Iganga.
101	74	—	Mr. Kene	Iganga.
102	75	Uganda Freedom Convention	A delegation consisting of : Messrs. Abdullah Gulere, N. Mbowa, Sulemani Katuntu and Alimansi Kisambira	Iganga.
103	76	—	Mr. George Katumba	Iganga.
104	77	—	Mr. Yeremiya Idibya	Iganga.
105	78	—	Mr. Paulo Kaule	Iganga.
106	79	—	Mr. James Dhamuzungu	Iganga.
107	80	—	Mr. A. J. Nswemu	Iganga.
108	81	—	Mr. Alimansi Wambuzi	Iganga.

106	79	— ..	Mr. James Dhamuzungu	Iganga.
107	80	— ..	Mr. A. J. Nswemu	Iganga.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
108	81	— ..	Mr. Alimansi Wambuzi	Iganga.
109	82	— ..	Mr. Owuma Muganda	Iganga.
110	83	— ..	A group consisting of : Messrs. Fenekansi Zeyongera, Yowasi Ogweze and Aminsi Mutyaba	Iganga.
111	84	— ..	Mr. Kisojo	Iganga.
112	—	— ..	Mr. Wakibi Walulumba	Iganga.
113	86	— ..	Mr. Ziyadi Wasoma	Iganga.
114	87	— ..	Mr. Edirisa Kaboja	Iganga.
115	89	— ..	Mr. B. J. Mukhumya	Mbale.
116	90	— ..	Mr. S. W. Munabi	Mbale.
117	91	— ..	Mr. Yokana Kibuka	Mbale.
118	92	— ..	Mr. Edirisa Kitali	Mbale.
119	93	— ..	Mr. Tito Drake Sajabi	Mbale.
120	94	— ..	Mr. Yafesi Keba..	Mbale.
121	96	— ..	Mr. E. L. Masiga	Tororo.
122	97	— ..	Mr. Caesar Magara	Tororo.
123	98	— ..	Mr. Y. Malabason	Tororo.
124	99	— ..	Mr. Yokana Obwana	Tororo.
125	100	— ..	Mr. Leoben Langa	Tororo.

Appendix II—*continued*

List of Witnesses—*continued*

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
126	101	— ..	Mr. Yosia Seku	Tororo.
127	102	— ..	Mr. Desami Okello	Tororo.
128	103	— ..	Mr. Ali Kakande	Tororo.
129	104	— ..	Mr. A. O. Majanga	Tororo.
130	106	Nabumali High School Group	Messrs. J. M. Aryada and D. W. Kiondo	Mbale.
131	107	— ..	Mr. Cheburion	Mbale.
132	109	— ..	The Hon. Y. B. Mungoma, M.L.C.	Mbale.
133	110	— ..	Mr. Wakiro	Mbale.
134	111	— ..	Mr. F. D. Gureme	Mbale.
135	112	— ..	Mr. Idi Wamindi	Mbale.
136	113	— ..	Mr. Andereya Minoki	Mbale.
137	114	— ..	Mr. Yayiro Nangalama	Mbale.
138	115	— ..	A group consisting of: Messrs. Asumani Kibumbwa. Elukana Mazune, Yowasi Mayoge. Yosamu Wabuya, Yoweri Wanyama	Mbale.
139	117	— ..	A group consisting of: Messrs. Henry Kyabire, Lebeni Kamala, Yekolamu Lanja. Musa Matafali, Yafesi Mutenderi and Lameka Musana	Mbale.
140	118	— ..	Mr. Erisa Feet	Mbale.
141	119	— ..	A group consisting of: Messrs. Levi Muwoye. Aliseni Kintu. Yafesi Kigenyi, Pasitino Kawumba. Elukana Kasakya, Sadiki Bahire, Zedi Haumba	Mbale.

			Yafesi Hutenderi and Lameka Husana	Mbale.
140	118	— ..	Mr. Erisa Feet	Mbale.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
141	119	— ..	A group consisting of: Messrs. Levi Muwoye, Aliseni Kintu, Yafesi Kigenyi, Pasitino Kawumba, Elukana Kasakya, Sadiki Bahire, Zedi Haumba	Mbale.
142	120	— ..	Messrs. Wanzala and Walala	Mbale.
143	121	— ..	A group consisting of: Messrs. Muhamadi Jafali, Muhamadi Mwanje and Sabani Walusimbi ..	Mbale.
144	122	— ..	Messrs. Enoka Makoba and Ezera Nabwoyo	Mbale.
145	124	— ..	Mr. E. Ejoku	Soroti.
146	125	— ..	Mr. E. Oluma	Soroti.
147	126	— ..	Mr. R. Imalangat	Soroti.
148	127	— ..	Mr. P. Erongot	Soroti.
149	128	— ..	Mr. E. Emuron	Soroti.
150	129	— ..	Mr. J. O. Anyoti	Soroti.
151	131	Madera Women	A delegation of Madera Women consisting of: Miss Elizabeth Amoding, Miss Cotida Ekilai, Miss Claudia Ibenu, Mrs. Norberta Ajot, Mrs. C. Malinga, Mrs. E. Otenger, and Mrs. B. Oedo	Soroti.
152	132	— ..	Mr. A. Oumo	Soroti.
153	133	— ..	Mr. Safatia Achorol	Soroti.
154	134	— ..	Mr. Gamaliel Emulit	Soroti.
155	135	— ..	Mr. K. Ewaani	Soroti.
156	136	— ..	Mr. D. Odeke	Soroti.

Appendix II—*continued*

List of Witnesses—*continued*

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
157	137	—	Mr. N. Echweru	Soroti.
158	140	—	Mr. Adeleyo Lorya	Moroto.
159	141	—	Messrs. D. Lobunei, J. Loram and J. Loruk	Moroto.
160	142	—	Messrs. Kwirino Ocen and Lwiji Orebo	Moroto.
161	143	—	Messrs. 5. Lomelu, D. Apuun and Tebanya	Moroto.
162	146	—	Haji Asumani Ogwal	Lira.
163	147	—	Mr. Peter Opio	Lira.
164	151	—	Messrs. Adonia Ocula and Yonasani Odur	Gulu.
165	152	—	Mr. W. J. A. Orach	Gulu.
166	153	—	Mr. Jamal Mikla Onyango	Gulu.
167	156	The African Civil Servants' Association, Arua Branch	A delegation consisting of: Messrs. C. O. Nyeko, A. E. Elugo, M. Nigo and 5. E. K. Dranimva	Arua.
168	159	—	Mr. Zedekia Opio	Arua.
169	160	—	Mr. B. J. Opote	Arua.
170	164	Uganda Makerere 5tudents' Association	A delegation consisting of: Messrs. L. Komakec, E. Nyanzi, E. P. Kibuka and S. Munabi	Kampala.
171	167	—	Mr. P. J. Habenga Okondo	Kampala.

171	167	— ..	Mr. P. J. Habenga Okondo	Kampala.

Serial No.	Evidence No.	Organisation Represented	Name of Witness	Place where Evidence Given
172	170	— ..	Mr. Y. K. Sempa	Kampala.
173	171	— ..	Mr. Peter Matovu	Kampala.
174	173	— ..	Mr. Alexander Muwanga	Kampala.
175	175	— ..	Messrs. P. B. Namugara and P. P. Mukibi	Kampala.
176	176	— ..	Mr. Abdullah Mulinde	Kampala.
177	177	— ..	Mr. E. Kalule-Setala	Kampala.
178	178	Mubende Banyoro Committee	A delegation of 72 members led by : Messrs. Erisa Kalisa, Kosea Lwebembera and Yozefu Kazairwe ..	Mubende.
179	179	— ..	Mr. Laurensio Semakula	Mubende.
180	180	— ..	Mr. Antonio Sajabi	Mubende.
181	181	— ..	Mr. C. P. S. Allen	Kampala.

APPENDIX III

List of Places where the Constitutional Committee sat

Date	Place	District	Province
13th April, 1959	Legislative Council Committee Room, Kampala	Mengo	Buganda.
14th April, 1959 ..	Masaka Town Hall, Masaka	Masaka	
15th April, 1959 ..			
16th April, 1959 ..	Gait Memorial Hall, Mbarara	Ankole	Western Province.
17th April, 1959 ..			
20th April, 1959 ..	Kigezi District Council Hall, Kabale	Kigezi	
21st April, 1959 ..			
23rd April, 1959 ..	Partly in Rukurato Hall and partly in the Provincial Commissioner's Conference Room, Fort Portal	Toro	
24th April, 1959 ..			
12th May, 1959	Partly in the Bulange Hall and partly in the District Court Room, Hoima	Bunyoro	
13th May, 1959	Partly in the Court Room at Hoima and partly in the Court Room at Masindi		
22nd June, 1959	Busoga District Council Hall, Bugembe (near Jinja) ..	Busoga	Eastern Province.
23rd June, 1959	District Commissioner's Committee Room, Jinja		
24th June, 1959	Saza Lukiko Hall, Kamuli		
25th June, 1959	Saza Lukiko Hall, Iganga		
26th June, 1959	Partly in the Provincial Commissioner's Conference Room and partly in the Bukedi District Council Hall (Maluku), Mbale	(To hear Bukedi) Mbale Township	
27th June, 1959	The Assistant District Commissioner's Committee Room, Tororo ..	Bukedi	
29th June, 1959	Bugisu Co-operative Union Hall, Mbale	(To hear Bugisu) Mbale Township	
30th June, 1959	Partly in Mbale Township District Council, partly in the Bugisu Co-operative Union Hall and partly in the Provincial Commissioner's Conference Room, Mbale	Mbale Township ..	
2nd July, 1959 ..	Teso District Administration Committee Room, Soroti	Teso	
3rd July, 1959 ..			

Date	Place	District	Province
6th July, 1959	Moroto Rural Training Centre, Moroto	Karamoja	Northern Province.
29th September, 1959 30th September, 1959	Lango District Council Committee Room, Lira	Lango	
1st October, 1959 ..	Assistant District Commissioner's Office, Kitgum	Acholi	
2nd October, 1959 3rd October, 1959	County Court Room, Gulu		
5th October, 1959 ..	Madi Sub-District Council Hall, Moyo	Madi Sub-District of the West Nile District ..	
6th October, 1959 ..	West Nile District Council Board Room, Arua	West Nile	
From 19th to 23rd October, 1959	Town Hall, Kampala	Mengo	Buganda.
26th October, 1959 ..	District Court Room, Mubende..	Mubende	

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15th April, 1959 ..			
16th April, 1959 ..	Galt Memorial Hall, Mbarara	Ankole	Western Province.
17th April, 1959 ..			
20th April, 1959 ..	Kigezi District Council Hall, Kabale	Kigezi	
21st April, 1959 ..			
23rd April, 1959 ..	Partly in Rukurato Hall and partly in the Provincial Commissioner's Conference Room, Fort Portal	Toro	
24th April, 1959 ..			
12th May, 1959	Partly in the Bulange Hall and partly in the District Court Room, Hoima	Bunyoro	
13th May, 1959	Partly in the Court Room at Hoima and partly in the Court Room at Masindi		
22nd June, 1959	Busoga District Council Hall, Bugembe (near Jinja) ..	Busoga	Eastern Province.
23rd June, 1959	District Commissioner's Committee Room, Jinja		
24th June, 1959	Saza Lukiko Hall, Kamuli		
25th June, 1959	Saza Lukiko Hall, Iganga		
26th June, 1959	Partly in the Provincial Commissioner's Conference Room and partly in the Bukedi District Council Hall (Maluku), Mbale	(To hear Bukedi) Mbale Township	
27th June, 1959	The Assistant District Commissioner's Committee Room, Tororo ..	Bukedi	
29th June, 1959	Bugisu Co-operative Union Hall, Mbale	(To hear Bugisu) Mbale Township	
30th June, 1959	Partly in Mbale Township District Council, partly in the Bugisu Co-operative Union Hall and partly in the Provincial Commissioner's Conference Room, Mbale	Mbale Township ..	
2nd July, 1959 ..	Teso District Administration Committee Room, Soroti	Teso	
3rd July, 1959 ..			

Date	Place	District	Province
6th July, 1959	Moroto Rural Training Centre, Moroto	Karamoja	Northern Province.
29th September, 1959 30th September, 1959	Lango District Council Committee Room, Lira	Lango	
1st October, 1959 ..	Assistant District Commissioner's Office, Kitgum		
2nd October, 1959 3rd October, 1959	County Court Room, Gulu	Acholi	
5th October, 1959 ..	Madi Sub-District Council Hall, Moyo	Madi Sub-District of the West Nile District ..	
6th October, 1959 ..	West Nile District Council Board Room, Arua	West Nile	
From 19th to 23rd October, 1959	Town Hall, Kampala	Mengo	Buganda.
26th October, 1959 ..	District Court Room, Mubende..	Mubende	

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