



## PROFILE STEPHEN SSEMAALA

JOURNEY TO THE LAW: FROM UGANDAN DELEGATE TO J.D. IN TRAINING

By Julie H. Case

“What village did you come from” and “did you bring us any peanuts” the other students had asked him, laughing, when the barefoot young man appeared among them in a crisp white shirt, bow tie and navy trousers. Stephen Ssemaala, who grew up not needing shoes in the islands of Uganda’s Lake Victoria, toughed it out.

If he had quit school when he didn’t have shoes, the second-year law student wouldn’t be here today.

“I still remember, when I close my eyes, I can see my first pair of shoes,” he says of the white Converse sneakers that made him walk funny.

Now, here he is, a different kind of student, someone with a different past, a different path. A political refugee and one of those responsible for enacting the Uganda constitution, Ssemaala began his career as a co-founder of an HIV/AIDS education organization—the Samsek Organization—in Uganda. AIDS education was important to Ssemaala and his co-founder and brother Kiwanuka; the two had lost a brother to the disease in 1991.

“AIDS kills faster in Uganda than it does here,” Ssemaala says. “I don’t know any family in Uganda that doesn’t have a victim of AIDS. Here, in Western countries, when they talk about AIDS, it’s like ‘oh yeah, Africans, they became their sexuality, they are animals’ you know? But that’s not it. And my mom was living proof.” In 1993 Ssemaala’s mother, who had been the primary caregiver for his ill brother, died of the disease she contracted from him.

According to Ssemaala, the majority of AIDS cases in Africa aren’t the result of sexual behavior, they are the result of a third-world environment.

“When AIDS first broke out in Uganda, the entire family would be wiped out, the entire family. And the people at first thought, ‘well look, this is voodoo, this is witchcraft.’ You know, the entire family died, even the little ones. And you know why? Because people in Uganda, especially in villages, have wounds.” His was, after all, a society of farmers, of people working in the fields. Manual labor begets scrapes, scratches, cuts. When these people came home to a house with AIDS—when the caretakers were forced to clean the bedding of their infected family members using washboards and basins instead of washing machines and dryers—entire families were snuffed out.

“People die in Uganda like you never know, life expectancy is 43. At 43 you’re good to go,” Ssemaala says. Given that both his brothers died at 35, knowing the political trouble he faced, 41 year-old Ssemaala considers his relative longevity quite a feat.

It was the early death of his brother Kiwanuka that



Photos by Kerry Dahlen

began Ssemaala’s journey to the States. “I sometimes say that my brother guided me when he wasn’t around,” Ssemaala says. “Because after he died, my life turned around, to this day.”

Beginning with a career in politics.

In 1993, while he and Kiwanuka were founding Samsek in the islands of Lake Victoria, the Uganda government called for a new constitution. Kiwanuka ran and was elected to represent the people of the islands in the Constituent’s Assembly, the body responsible for debating and enacting the constitution. Then, in 1994, two months after the election, Kiwanuka died suddenly in a boat accident on Lake Victoria. Suspicious? Yes. The real cause of the accident, Ssemaala says, was never determined.

With Kiwanuka’s death came a vacancy in the Assembly. People began suggesting Ssemaala run for the seat. At first he said no: he didn’t like politics, didn’t have the money, and still had Samsek to run. Plus, he had his newly fatherless nieces and nephews, as well as his own family, to take care of. Eventually, though, he acquiesced, ran, and won the seat.

“I thought about it after they declared me a winner and I thought ‘wow, now what am I going to do?’”

Like those shoeless days in high school, Ssemaala felt out of place. The Assembly was made up, as he says, of the intellectuals of Uganda—doctors, lawyers, professors—and ‘some kid from the islands of Victoria.’ “It took me two months before I could say something,” Ssemaala says. “They wrote in the paper about me, about what was happening, about how ‘the delegate from

Kyamuswa has never said anything in the Assembly'.” Once he got comfortable, once he discovered being educated doesn’t always mean being smart and articulate, Ssemaala started talking in earnest, advocating for his people.

Then, in 1996, the constitution written and promulgated, the country gave the people 39 days to elect a president. Ssemaala supported his best friend, Paul Ssemogerere, as the Democratic Party (DP) opposition candidate to incumbent President Yoweri Museveni. They lost. Perhaps lost is a misnomer. Without any apparent voter intimidation at the polls, United Nations observers concluded the elections free and fair. It’s just that, according to Ssemaala, some voting stations turned out more ballots than voters.

In revolt, some in the DP launched insurgencies. The government cracked down. Though he wasn’t a participant, the crack down extended to Ssemaala. He went underground, with friends hosting him as long as they could without attracting government attention to themselves. Ssemaala reached out to George, a contact at the U.S. Embassy during the Samsek days. George couldn’t provide protection, so he recommended Ssemaala get a visa. He seized the opportunity, left his passport at the embassy for processing, and returned home for the night.

By the next morning his world had changed. En route to the embassy he passed an English-language newspaper bearing the headline “DP men declare war on Museveni.” Ssemaala read with trepidation. The article, based on a faxed press release from Dr. Duncan Kafeero, stated that Kafeero, Ssemaala and former Museveni commerce minister Evaristo Nyazni, had launched an armed struggle under The Uganda Federal Democratic Army and had given President Museveni a “one month ultimatum to make radical amendments to the Constitution—unban political parties and allow federalism—or face full scale war.” According to the article, Kafeero confirmed he was working with Ssemaala and Nyanzi, but refused to disclose their whereabouts.

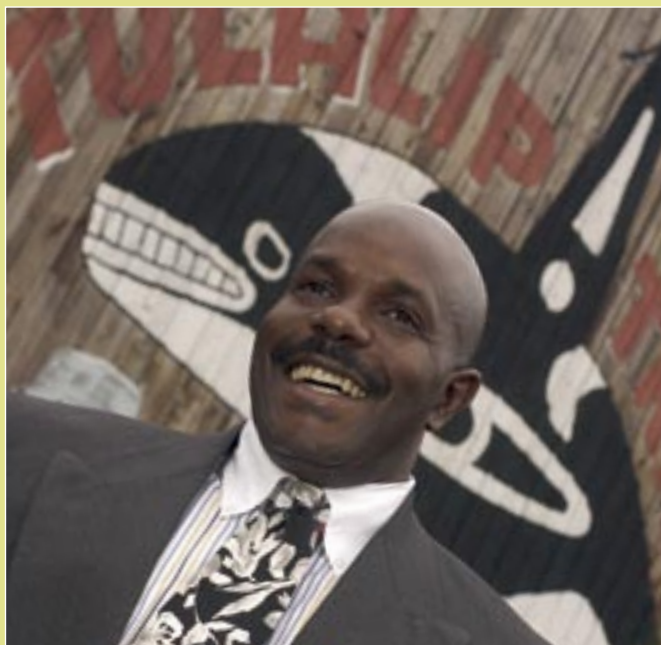
Ssemaala was forced to turn around. Proceeding to the embassy would get him arrested, or worse. He was a wanted man. He went home, sent his wife for his passport and tourist visa, and called a friend who was a cop. Using his police car to bypass roadblocks, the man delivered Ssemaala to the Kenya Uganda border, where he met a border agent who was a loyal DP member. The woman told him to stay put while she found someone to smuggle him across the border. When he woke around 2 a.m. Ssemaala could hardly believe his

eyes. The runner, the only person the agent trusted, was a 13-year-old kid on a motorcycle. Ssemaala climbed on the back of the bike and rode through the bushes and into Kenya. At the airport he bought a ticket from Kenya to San Francisco—it was as far as his money would take him—leaving his family behind.

Arriving in San Francisco with just \$80, one pair of pants and his tourist visa, Ssemaala instantly aroused suspicion. Digging through his belongings and finding the newspaper, Immigration officials retained his passport and arranged for a judicial hearing. Ssemaala’s sister flew him to her home in Seattle, where they hired an immigration attorney and had the case transferred. The “straightforward” case Ssemaala’s lawyer Bart Klein inherited, turned out to be rather complicated. San Francisco immigration, the courts said, had made a mistake. Ssemaala shouldn’t have been freed without first seeing a judge.

“By the time they said that, I was handcuffed and put in jail,” says Ssemaala, who spent all of December 1996 in jail. When Immigration in Seattle contacted the State Department, lawyer and client alike were shocked to discover he was already on their radar. The State Department, though, had no interest in deporting him and referred the decision back to the Seattle judge. “Welcome to my country: you are free to stay,” the judge said, as he granted Ssemaala political asylum. The whole session lasted about five minutes.

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employment law attorney and writer who has written the *Bar Bulletin's* popular "Bar Talk" column since 1993.

#### CLASS OF 1987

**Barry W. Brandon** joined Seneca Gaming Corporation in Niagara Falls, N.Y. as senior vice president and general counsel, where he oversees all legal issues and manages government affairs. Brandon is an enrolled member of the Muscogee (Creek) Nation.

#### CLASS OF 1988

**C. Dennis Brislaw Jr.** is a principal member of multi-state law firm Brislaw Lofton Gregorek, PLLC, and of Wealth Counsel, LLC, a legal education and estate planning software firm. He also hosts "Real Wealth Network," which airs every Sunday at 9 a.m. on Seattle's KVI 570 AM.

**Kevin D. Swan** became a partner with Preston Gates & Ellis LLP in November. His practice focuses on intellectual property law and he works in the firm's Seattle office.

#### CLASS OF 1989

**David Robertson** currently resides in Singapore, where he works for Cargill, Inc., a Minnesota-based agricultural and food company. He is the company's general counsel for the Asia Pacific region and supervises all legal staff.

#### CLASS OF 1990

**Kevin A. Bay** was elected managing director of Ryan, Swanson & Cleveland, PLLC in Seattle. He joined the firm after his law school graduation.

**Tom Weinberg** is now vice president for government relations at DaVita, a provider of kidney dialysis services in 34 states and Washington, D.C. In the fall of 2004



Carl Luckerath & Dean Knight at the Golden Years Luncheon

firm in 1991, Emerson has been active in community, professional and firm leadership roles. She served as

## PROFILE **STEPHEN SSEMAALA** *continued*

Free but poor, Ssemaala went from a delegate to the Constituency Assembly to a white paper Jack-in-the-Box hat and grease stains. Trying to raise enough money to both support his family in Uganda and bring them here, Ssemaala worked in the fast food industry and in manufacturing, before embarking first on an associate's degree, then a B.A. and finally a J.D.



For four years he lived here without his wife and children. Then, in 2000, a conversation with an Everett Community College professor working with the Tulalip Tribe led to a reunion with his family: the Tribe sponsored his family's immigration to the States. Without that sponsorship Ssemaala would likely still be working multiple blue-collar jobs, trying to save up enough money to bring his family over.

Now in his second year at the law school, Ssemaala spent last summer externing with the Tribe. To him, it was an opportunity to give back, to use his knowledge of the law to help the people he considers his tribe in the States. His wife is currently working toward her B.A.; his oldest son is serving in the U.S. Army. As for his three daughters, one is in community college, one is a senior in high school and the ten-year old, well, she doesn't even speak Luganda—Ssemaala's tribal language—any longer. He has family. He has all the shoes he needs. And, he has his dreams. First, to take advantage of every opportunity offered in the country he now calls home. Then, to give back to a society that has given so much to him; his dream job now is to work for the Gates Foundation. And finally, to someday return to Uganda, where he would like to be a leader, perhaps even president, someone people—with shoes and without—could depend on.