

Operationalization of The Decentralized Policy Framework in Uganda: An Examination of the Key Milestones & Challenges

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Abstract:

Decentralization in Uganda has been considered one of the most instrumental and partly successful policies amongst most of the policies that have been implemented under the National Resistance Movement Government. This is attributed to a well streamlined governance structure with connected checks and balances in case of any breach of the rules of procedure of implementation on providing services by a particular individual or individuals working or acting in a particular local government office. Of course there are governance challenges notably corruption, bribery and embezzlement of funds, political pressures and patronage all of which deter local governments from achieving their set goals and objectives. In this paper we attempt to review and assess the governance of the decentralization policy in Uganda concentrating on the key milestones and failures.

KEY WORDS: Governance, Decentralization, Policy, Milestones, Challenges, Uganda.

1. INTRODUCTION

As the world's population grows, matters of service delivery remain a subject of debate especially in developing countries notably those on the African continent that are so much infested with bad governance and all challenges that deter the progress of humanity (Shah & Thompson,2004). Since the year 1989, democratic counties have kept on increasing in the world and the increasing number of the democratic states made decentralization and good governance of both local and central government a prerequisite for improved service delivery (Piccone, 2016).

The world bank's report of (1989) further articulated the essence of good governance and prudent handling of matters of governance of all levels of government in order to realize positive results especially in developing countries notably those on the African continent which were in extreme poverty with significant percentages of their population in abject poverty (Worldbank,1989).

In Uganda, decentralization and the governance of the entire policy took a different shape following the coming into power of the National resistance movement government in 1986. Francis and James (2003) maintain that from 1992 when the decentralization policy of Uganda reformed, the country never looked behind on the governance and implementation of the policy to the extent that it gained recognition around the entire world as one in which powers hand been devolved up to the local level.

Kisakye (1996) reported that the decentralized governance system was part of main mechanism for the new government to instill the idea of democracy and make it to be felt at all levels in the country. Apparently, decentralized governance and the implementation of decentralization policy still continue to be part of the main

agenda of the National Resistance Movement government to the extent that some researchers have had to establish that it one of its strategies of consolidating its self in power (Kisakye, 1996).

This paper is structured in such a way that it commences with the abstract, which is further followed by keywords, the introduction then comes in followed by types of decentralization after which the forms of decentralization are also elucidated. The governance of the decentralization policy in Uganda then follows after which the key milestones are addressed and later aspects like the failures of the decentralization policy in Uganda are addressed and eventually the conclusions, recommendations and references then follow.

2. TYPES OF DECENTRALIZATION

Since Decentralization has worked as a vehicle for transformation in the developed world, different scholars came up with various clarification as to what constitutes of the concept decentralization (Muriu, 2013). Rondinelli and Cheema (2007) who happen to be the key figures in the field of local government and decentralization for example suggested four types of decentralization which are extensively discussed below;

Political Decentralization

Conceptually articulating, this form of decentralization points to a situation in the natives and their respective political representatives whom they themselves vote for are given more powers to make their public discretions that are instrumental in guiding their lives, kind of services they get and other related aspects (Cistulli,2005). Additionally, Hossain (2005) articulated that for political decentralization to formally work and yield the expected results, five key requirements are needed to be in place namely; development of pluralist political parties, constitutional reforms, strengthening of the legislature, creation of local political units and finally supporting the vibrant interest groups in the society.

Administrative Decentralization

This form of decentralization involves the procedural giving of public service powers to various government entities in order to ensure efficiency and effectiveness in service delivery to the citizens (Work, 2002). This form of decentralization arguably was popularized with the advent of the public service reforms that included reforms in performance management, payroll reforms and others (Work,2002). Wagana et al., (2016) maintain that administrative decentralization needs to further redistribute financial resource delivery, authority and responsibility to different levels of government Agencies in order to ensure speedy service delivery.

Fiscal Decentralization

Delving into this form of decentralization calls for examination of the writings of Work (2002) who conceptually elucidated it as one that involves financial resource allocation to the different sub-national levels of government. However, Ahmad et al.,(2005) observed that while implementing fiscal decentralization, maximum attention needs to be paid to certain key components that fully bring out the best in fiscal decentralization namely; Expenditure responsibilities should be allocated by the central government and local layers of government, there should be assignment of taxes to the layers of government, there should be a well-designed allowance mechanism tendered to handle intergovernmental functions and lastly the strict monitoring of financial flows that are reflected in the functioning of sub-national governments.

Market Decentralization

Hossain (2005) maintains that this form of decentralization involves the process of giving the private sector individuals, groups and companies the authority to conduct and play the functions of government. Arguably articulating, Rondinelli and Iacono (1996) supplemented that privatization of government entities is done for this cause and is the best example to further elucidated the meaning embedded in market decentralization.

3. FORMS OF DECENTRALIZATION

There are various forms of decentralization which are very fundamental and have been followed in the implementation of the decentralization policy in Uganda as below;

Deconcentration

This form of decentralization involves the shifting of the different Agents and powers of central government control to different areas that are in most cases geographically dispersed (Ribot,2002).

Devolution

This involves the transfer of rights and assets from the central government to local government. Edmund et al., (2003) contends that devolution involves a lot of procedures that are legally recommended for it to function fully and effectively.

Delegation

This involves the transfer of management responsibility for some specified functions to other government entities that can either be regionally or locally based (Agrawal & Ribot, 1999).

4. GOVERNANCE OF THE DECENTRALIZATION POLICY IN UGANDA

The notion of governance is one of the most critical issues that the African continent still grapples with in the different states both at the national and local levels. The African Development Bank's (ADB) (2001) conceptualization of Governance is twofold; from the political perspective and the economic perspective of governance. The political perspective addresses matters that are in tandem with the way the state is politically led while the economic perspective looks at the resources that are owned by the society and definitely the state are handled that is to say the economic perspective addresses matters of public sector management in a nation (ADB, 2001).

Matters of governance of the decentralization policy in Uganda are handled as below;

Following the launching of the decentralization policy in Uganda, the government of Uganda further created the Ministry of Local governments to be the line ministry in charge of supervising the activities of all the local governments in Uganda (Lubanga,1998). Thus the ministry of local government is politically headed by a minister in charge of local government and this minister is appointed by the president of the republic of Uganda and can be changed any time the president wishes (Constitution of the Republic of Uganda,1995). The permanent secretary technically heads the technical wing of the ministry with the main responsibility of supervising the actions of all technical staff.

The Districts were and are still being established in various regions of Uganda in order to ensure improved service delivery to the citizens in various parts of Uganda (Constitution of the republic of Uganda, 1995). Article 177 of the constitution of the republic of Uganda, 1995, provides for the Districts as key units in the government system of Uganda. In terms of governance, the Districts are constitution supposed to be headed politically by the chairperson Local Council five (LCV) who is elected by the people in that particular District for a five year term after which fresh elections are held to determine the next chairperson and political head of that particular District. The chairperson Local council five is also constitutionally provided for under article 183 of the constitution of the republic of Uganda, 1995 (Constitution of the republic of Uganda, 1995). The Districts also have got district councils which are the top most governing Authorities in the governance structure of a District provided for under Article 180 of the constitution of the republic of Uganda, 1995. Additionally, the District council is still chaired by the chairperson Local council five of that particular District (constitution of the republic of Uganda, 1995). Additionally, there is also the technical wing of the District which is headed by the chief administrative officer of a particular District. The chief Administrative officer is supposed to work together with the political wing of the district to ensure the execution and implementation of plans of the District as set by the central government of Uganda but also by the District council which is the overall governing and policy making body in the district (Local government Act,1997).

Below Districts are counties (Local council four) which recently are dieing away due to the fact that most counties have now been turned into Districts and are operating as independent Districts as opposed to the previous old structure.

Local council three (LCIII) still remains very strong in the local government Administrative structure and just like the Districts, sub-counties have also got sub-county councils which are politically headed by the chairperson local council three who is elected by the citizens of that particular sub-county for a period of five years after

which fresh elections are supposed to be held to determine who becomes the next chairperson local council three of the particular sub-county (Local government Act, 1997). There is also sub-county council at the sub-county level which is further headed by the chairperson local council three (Lubanga, 1998). However, there is also a technical wing which also plays an instrumental role in the governance activities of the sub-county and it is headed by the sub-county chief who is supposed to work together with the political wing to ensure that the key set goals of that particular sub-county are achieved through the execution of the different activities (Local government Act, 1997).

The local council II which structurally is the parish is politically headed by the chairperson local council II who is voted for by the local people for a period of five years after which fresh elections are supposed to be conducted to establish the new chairperson of that particular parish (Local Government Act, 1997). The parish is technically led by the parish chief who is recruited and selected and placed by the District (Lubanga, 1998). The parish chief is charged with supervising all the activities and project of the District and the central government at large in that particular area or parish in to ensure the achievement of the set goals and objectives. The parish chief is further required to report to the sub-county chief in the process of executing his or her duties (Amony, 2010).

The village which is literally local council I in the governance structure of local governments in Uganda is politically led by the chairperson local council I who is voted for by the people in that particular village for a period of five years after which fresh elections are supposed to be held in order to determine the new chairperson local council one (Local Government Act, 1997). There are no technical people employed by the District or by the government of the republic of Uganda to work at the village level (Amony, 2010). This implies that the chairperson local council I and his executive committee have to perform both political and technical roles in some instances especially when it comes to making decisions concerning where boreholes for fresh drinking water should be situated in case the District has got some funding to provide such boreholes (Galiwango, 2008).

5. KEY MILESTONES

Area based planning

The advent of decentralization has been a key driver for the area based planning mode which is more responsive to the citizen needs (Amony, 2010). It should be remembered that initially the central government would plan for both the central entities and the local entities which could pose a lot of challenges related to delays, inadequate involvement of all the relevant stakeholders which could limit the realization of the set goals and objectives. Area based planning is able to accommodate all the demands of the relevant stakeholders which guarantees the ownership of the project, Programme or even the general activities an organization may wish to undertake hence realization of the set goals and objectives (Galiwango, 2008).

Increased access to quality services

It should be remembered that prior to formalization of the decentralization policy in Uganda, most local communities were grappling with quite a lot of hiccups for example safe drinking water was a big challenge to most communities as they would go and fetch water from wells, streams which would be shared with both domestic and wild animals and this was due a limited number of boreholes especially in rural areas (Amony, 2010). The rapid decentralization meant that Districts had to prioritize on the basis of the financial resource envelope they received from the central government or from loans, donations and many others safe drinking water (Amony, 2010).

Empowering citizens to vote their leaders

As it enshrined in the local government Act 1997 and the Constitution of the Republic of Uganda 1995, the District is meant to be politically headed by Chairperson Local Council Five (LCV) and still constitutionally since power belongs to the people, the people have a right to vote and decide who should be their chairperson LCV as this can very instrumental in causing stability and contentment among the voters (Lubanga, 1998). The same applies to the councilors who are supposed to constitute themselves into a District Council that is supposed to make discretions concerning what, how, when where are the financial resources supposed to put for the benefit of everyone in the District including the local people (Lubanga, 1998).

Capacity building

Initially, Uganda's civil service was to a large extent occupied by the Indians even after the exit of the colonial masters (Galiwango, 2008). This was because there little or no avenues for building capacity to prepare the Ugandan citizens for senior positions in the public service. This is exactly the dilemma that decentralization has tried to address since has enabled the Ugandans write from the grass root to practice in Administration some of whom are eventually promoted to top most positions in the mainstream public service to continue serving the government of Uganda, its people and providing improving on the delivery of the required services to grass root citizens who are badly in need of them (Amony,2010).

Decision making

This very critical in every society, small or big, educated or not though it makes more sense when the people are educated. However, initially, key decisions especially concerning the provision of public services to people of Uganda especially those in rural areas were being made at the center which would delay the implementation process leading to failure of the decentralization policy to achieve its set goals and objectives (Galiwango, 2008). The implementation of the decentralization policy in Uganda meant the decentralization of decision making too for instance the District Service Commission which was provided for under Article 198 of the Constitution of the Republic of Uganda, 1995 gives the powers to the members of the commission to recruit, select or to hire and fire the staff members of a particular District (Constitution of the Republic of Uganda,1995). Even though a lot of challenges are facing these District service commissions, the fact remains that a lot has been done to ensure decision making processes and particular decisions taken by them are felt at the grass root which has helped to build confidence in the administrative structures of local governments in Uganda (Lubanga,1998).

6. CHALLENGES FACING DECENTRALIZATION POLICY IN UGANDA

Inadequate financing

It should be remembered that most local governments are entirely dependent on the central government for funds yet the central government has got its own financial challenges (Kakumba, 2008). Additionally, there are too many local governments that have been created in the past two decades which culminated into a lot of financial demands making local government funding one of the biggest shareholders of the main stream National budget (Galiwango,2008). However, matters have been worsened by the fact that most of these local governments have got little or no tax base internally which makes most of them to have little revenue collected from within the territorial boundaries hence worsening the dependency syndrome on the side of the central government (Amony,2010).

Inadequate investment in the local government human resources

Human resources act as the pivot of every organization including even those which use technology in each and everything that they do (Lubanga,1998). However, for the organization to get the best out of its own human resources, continuous training and retraining which is very imperative since it helps in building capacity which elevates the performance of individuals in organization (Amony,2010). Investment in human resources remains a serious challenge in most of local governments in Uganda perpetuated by limited financial resources, negative attitude and many other related factors which lead to failure of local government staff to perform to the expectations of their employers resulting into further conflicts which only worsen the situation (Lubanga,1998).

Weak local government systems and coordination

It should be recalled that the Uganda's local governance system is too comprehensive with all the required systems legally established to oversee the proper implementation of the entire local governance processes for example the District Service Commission was provided for under Article 198 of the Constitution of the republic of Uganda 1995, and given the responsibility of recruiting, selecting and firing of the local government staff (Constitution of the Republic of Uganda, 1995). However, due to poor coordination, and weaknesses in the entire system, there has been gross, corruption, bribery, patronage and other negative aspects that discourage these local governments from achieving the set goals and objectives (Amony, 2010).

Local leadership incompetences

It should be noted most local governments in Uganda have both the political and the technical wings (Local Government Act, 1997). The political wing comprises of mostly leaders who are voted for before they occupy those positions in various local governments. However, the constitution of the republic of Uganda 1995 is silent about the academic qualifications that some individuals need to have before they can qualify to vie for these political positions for instance the chairperson Local council III at the sub-county level is the political head of the sub-county council yet there are no specifications in form of academic qualifications they are required to have (Constitution of the Republic of Uganda,1995). As such, most lower local governments have got mostly uneducated political leaders who cannot read and write yet they are supposed to debate and pass the budget documents for those particular local governments (Amony,2010). This level of incompetence leads to a lot of challenges for example they normally complain of disrespect from the technical staff members and additionally the technical staff members usually take advantage of them by making them sign false document which sometimes lead gross financial losses to local governments (Galiwango,2008).

Poor planning and inequities in plan implementation

It should be remembered that planning is very fundamental ensuring the success of the organization. Additionally, Smoke (2008) contends that proper planning in local governments can result into significant myriads of achievements in a positive direction. However, just like Kauza (2009) observed, many local governments in Uganda have been caught up in a plan implementation dilemma in which plans are set but the implementation is usually marred with corruption, bribery and conflicts which make it hard for most local governments in the country to achieve their previously goals and objectives.

Fiscal Distress

Much as Yilmaz et al.,(2011) provided a framework which suggests that local governments should be in position to finance their activities using the locally generated revenues as this can serve as a basis for improved accountability and responsibility in financial handling, most local governments in Uganda are still grappling with limited tax base which has rendered most of them extremely dependent on the central government for funding most of which are conditional grants and restrict the priorities for the local governments. Additionally, there is too much mismanagement of financial resources in local governments in Uganda which has served as a breeding ground for the failure of most local governments to achieve the objectives (Kauza,2009).

7. CONCLUSION

Decentralization is very instrumental and still remains one of the key policies which the current government can use to better service delivery especially by bringing these services closer to the citizens. However, for all these to work, the government of Uganda needs to step up strict monitoring of the functioning of the various governance structures in all local governments across the country since most of the inequities leading to poor performance of various local governments in Uganda stem from the poor governance practices of the various leaders of these local governments.

Additionally, there is need for serious stakeholder engagements in order to ensure that there is inclusive development and subsequently citizen ownership of all the projects that originate from the various local government as this is very relevant in enforcing and ensuring the sustainability of these projects that are aimed at improving the lives of the people in these local governments.

8. RECOMMENDATIONS

There is need for continuous training and retraining of the local government leaders as a way of reminding them their governance responsibilities that they hold for the various local government offices they hold through leadership seminars organized by the line Ministry that is to say Ministry for Local Government.

Strengthening all the relevant accountability institutions that cause for proper utilization of the allocated funds by the various local governments in Uganda. It should be remembered that most of the local governments in Uganda have got governance frameworks that are unscrupulously dependent on corruption, bribery, patronage

and many other related vices that deter the achievement of the set goal and objectives in the affected local governments.

Performance based financial resource allocation should be embraced by the central government such that local governments that perform well are allocated the biggest share of the budget as this would be in position to propel the governance structures in the local governments to double their efforts to realize the set objectives of the decentralization policy in their respective local governments.

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