

Strengthening Institutions in Uganda

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02210704 | July 2021

Center of Faith Family and Justice



Suggested Citation: Kabahizi, C.B. (2021). *Strengthening institutions in Uganda*. Center of Faith Family and Justice.

Key Words: institutions, systems, Uganda

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CFFJ Policy Brief 02210704

Published by Center of Faith Family and Justice in July 2021

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The Center of Faith, Family and Justice (CFFJ) is a Ugandan Christian Think Tank founded in 2021 to contribute to evidence-based policy, advocacy, and decision making. Our main focus is to investigate how the social, political and economic conditions of life affect faith, family and justice. We aspire to connect policymakers and citizens; and to build transformed, resilient, and integrated communities.

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Executive Summary

It is a well-known phenomenon that many third world countries continue to struggle with corruption albeit numerous interventions put in place to create checks and balances. These interventions themselves are usually not successfully implemented because of internal resistance. Such systematic constraints are what perpetuate the vicious cycles of failure in many African institutions. Uganda for one is still striving to implement structural changes that would strengthen its institutions and propel effective project implementation and service delivery by Government institutions. Whether or not such changes are successfully integrated into the institutional frameworks greatly depends on the system itself and the people in charge.

Uganda's Current Government Institutions

Institutions are easily understood as a set of rules and the ability to enforce them. The Oxford dictionary defines Institutions as 'An established official organization having an important role in society.' (Oxford n.d.). In this case, we view institutions as the means the Government uses to achieve a public good. Governments create the environment in which the way of life is determined. This way of life becomes a culture that includes; motivations, organization styles, and work cultures. Strong institutions provide the rule of law, support economic growth and reduce poverty through basic service provision (Rathmell n.d.)

The Government of Uganda (GoU) has been through several transitions ever since Uganda got independence from the British colonialists on 9th October, 1962. Most of these transitions were for the better, with supportive legislation enacted to strengthen the Government systems. The Anti-Corruption Act, the Public Finance Management Act and the Leadership Code Act are among several supportive legislations that have been enacted to ensure that transactions in public offices have a strong legal.

According to the Global Integrity Report (2009), Uganda has excellent pro-development

laws and regulations in place scoring 99% for its legal framework. However, the actual implementation score was deficient by comparison- at 45%, revealing a significant gap in implementation and which brought down the overall integrity score to 69% which was classified as 'Weak'.

Strong legislature without correspondingly strong judiciary to check these laws and a correspondingly strong executive to implement these laws, allows for inadequate implementation of rules and regulations, which exposes cracks in the institutions.

In their book *Why Nations Fail*, Acemoglu and Johnson argue that institutions in the developing world are extractive because these were the kinds of institutions established by colonialists to facilitate resource extraction from their colonies (Acemoglu and Johnson, 2012). For countries that left these institutions in place after independence, extraction from the countries continued and just changed forms through Kleptocracy, allowing the existing leaders to continue extracting resources from the masses.

Although Uganda has made remarkable development strides over the past few decades, it still suffers from Kleptocracy enabled by the weak institutions currently in place.

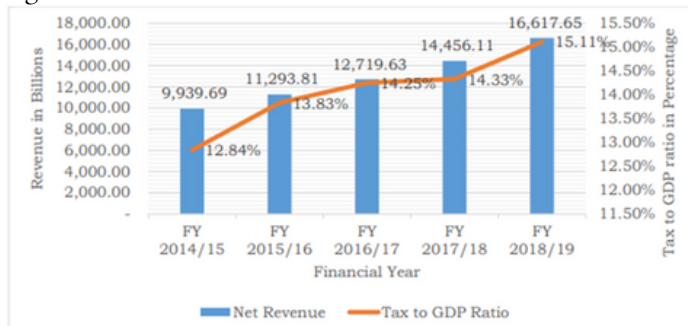
The System

With strong legislatures in place, the reasons for inadequate implementation usually point to the system in place—usually a system resistant to reformation (Bukonya and Muhumuza 2017). The ‘system’ is essentially the ‘rules of the game’—how things work. The system fundamentally determines what gets done and what doesn’t. In a society which rewards a self-above-service culture through impunity, it is hard to inspire a service-above-self attitude.

The crack-down of the corrupt officials happens through several offices like the Inspectorate of Government Office.

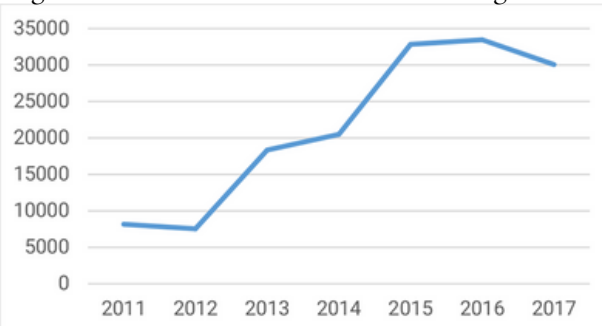
The IGG is mandated by Constitution of Uganda to eliminate corruption and the abuse of public office (IGG n.d.). The Anti-corruption court, a division of the high court that specializes in handling corruption cases, and other such offices, has been immensely beneficial in halting some corrupt officials in their tracks. With all this effort in place, corruption still costs Uganda at least 2 trillion shillings every year, according to Brigadier Nakalema (Okello 2020). This is probably because some sharks remain untouchable because of their strong connections to high offices (HRW 2013).

Figure 1: Revenue and Tax to GDP trends FY 2014/15–FY 2018/19



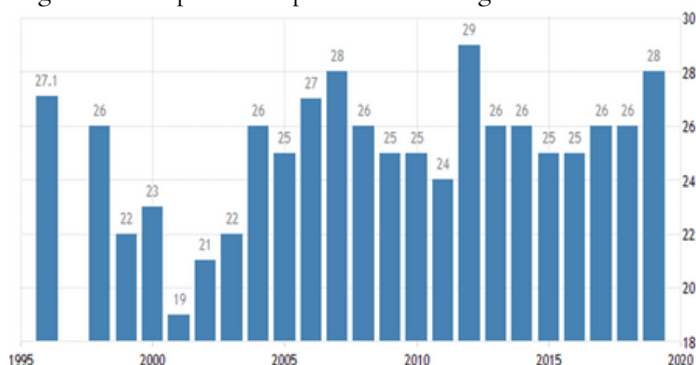
Source: URA Databases, 2019

Figure 2: Total Number of Serious Crimes in Uganda



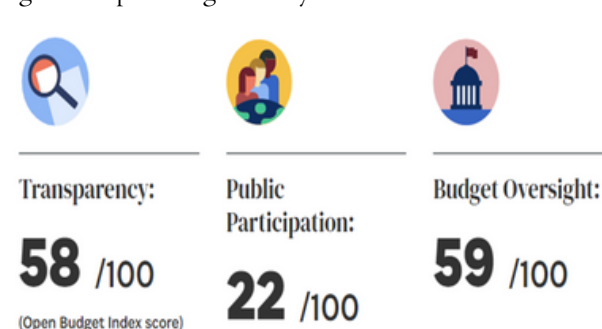
Source: UBOS 2018

Figure 3: Corruption Perception Trend for Uganda



Source: Trading Economics, Transparency International, 2019

Figure 4: Open Budget Survey Score



Source: Open Budget Score, 2019

Policy recommendations

Following the above discussion, we find overwhelming evidence that Uganda's Government institutions still have leaks to plug to increase efficiency. We, thus, offer the following policy recommendations to remedy the current situation:

1. Since almost every country in the world is dealing with some form of corruption, it is safe to say the fault is partly with human nature. Given that it is natural to want to benefit as much as possible at a cost as low as possible, it is important to consider that it is not the systems entirely responsible for the poor performance in society. People are partly responsible, and the **Judicial system must strive to deal with such culprits** for justice to prevail.

2. Importantly, **structures with robust check and balance mechanisms must be put in place** to manage all manners of transactions and interactions more effectively. Public eyes and ears must follow the money and actions of the Government. The GoU and all its agencies must be accountable to the people.

3. There is need to figure out the why and how of the current institutional structures in Uganda. Blindly importing blueprint solutions to Uganda's institutions may prove to be a futile venture. What could work is to engage local policymakers to try out several solution options until some customized solution is the best fit for Uganda's institutional system. Many solutions have been attempted, but few remain effective. Thus, **it is paramount that solutions for Ugandan Government problems be tailored by Ugandans**, with adequate public participation. Uganda needs local reforms that are context-specific to realize the best institutional transformation.

4. Dealing with **kleptocrats may require the intervention of global agencies**, as many culprits usually hide under the wings of those in power.

5. As opposed to a self-above-service culture, a **service-above-self culture should be rewarded** and encouraged to thrive in order to transform the systems in Uganda significantly.

6. **Continuous civic education even for the illiterate**, is paramount and should go along with increased public participation. The citizens' voice must be heard and considered in public dialogue for considerate decision making. Public village meetings, for example, to discuss issues in the communities would allow community members to harness their time and creative energy and resources to solve problems in the community.

7. **Automation of service delivery processes** would go a long way in streamlining service delivery for greater efficiency.

Conclusion

All kinds of corruption thrive in systems that suffer cracks in their checks and balances. The systems preserve the existence of these tendencies because the beneficiaries of these loopholes are usually those in positions of either power or control. The continuation of operations in such a corrupt manner derails the country of its resources and continuously hampers its progress. For justice to prevail, proper checks and balances must be put in place. This would also allow the country to preserve, and best exploit its resources for the development of the nation.

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