# Factors that drive Public Participation in local governance and development in Uganda: A case of Butaleja District

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Abstract: This paper examines citizen participation in local governance and development programs in Butaleja District of Uganda. The paper states that citizen participation is key to strengthening democracy and repositioning the local governments to meet the development challenges of the area. The sole purpose of decentralization is to bring required services nearer to the people and this can be achieved effectively through participatory mechanisms. As such, citizen participation in local governance will bring development programs closer to the people and encourage community initiatives and innovation. This paper highlights the concept of participation in the local government structure, rules, and regulations. The paper finds that the levels of participation are connected to political system openness, public value orientation among local managers, and civic organization effectiveness.

**Keywords**—Local governance, participation, human rights

### 1. Introduction

The driving factor of people's participation at the local level is an issue worthy of understanding, chiefly in light of the deteriorating levels of participation in elections, development programs, and political commitments to bolster active citizenship and a sense of political efficacy.1 The primary purpose of local government is to bring services closer to the people, in addition to enhancing civic awareness and political maturity.<sup>2</sup> Participation is perceived as providing the people an opportunity to limit state power through accountability, develop a sense of efficacy, build practical and responsible citizenry, and eliminate indifference, cynicism and passiveness among the people.<sup>3</sup> Exploring the factors that stimulate local participation enables any government to account for the would-be surprising differences between localities. In particular, this paper examines the level and style of participation in Butaleja district of Uganda as shaped by rules and social-economic status.4

Opportunities for local participation are key to the classic justification for decision-making in local governance. Since local government is perceived as an environment in which people can engage more easily, advance their political skills, and practice citizenship.<sup>5</sup> The participation mechanisms at local levels are essential for ensuring that local governance promotes citizen participation.<sup>6</sup> Thus, for a development program to be successfully executed, a participatory measure should be employed, and the effectiveness of local council services delivery has a direct link to direct or indirect participation of the community.<sup>7</sup> This is on the presumption that the local government council will initiate and provide the needed development in consideration of the fact that, local communities have a remarkable expanse of knowledge and information concerning their environments, culture, and beliefs that form the basis for sound and sustainable

<sup>&</sup>lt;sup>1</sup> Vivien Lowndes, Lawrence Pratchett and Gerry Stoker, 'Local Political Participation: The Impact of Rules-in-Use' (2006) 84 Public Administration 539.

<sup>&</sup>lt;sup>2</sup> Frederick Golooba-Mutebi, 'Reassessing Popular Participation in Uganda' (2004) 24 Public Administration and Development 289.

<sup>&</sup>lt;sup>3</sup> Abba Sanda Zanna, 'Citizen Participation in Local Governance and Sustainability of Programmes' (2015) 15 Global Journals Inc. (USA) 6.

<sup>&</sup>lt;sup>4</sup> Vivien Lowndes, Lawrence Pratchett and Gerry Stoker, 'Trends in Public Participation: Part 1 – Local Government Perspectives' (2001) 79 Public Administration 205 <a href="http://dx.doi.org/10.1111/1467-9299.00253">http://dx.doi.org/10.1111/1467-9299.00253</a>>.

<sup>&</sup>lt;sup>5</sup> Henry Bikwibili Tantoh, Mulala Danny Simatele and Eromose Ehije Ebhuoma, 'Shifting the Paradigm in Community-Based Water Resource Management in North-West Cameroon: A Search for an Alternative Management Approach' (2020) 51 Community Development 172

<sup>&</sup>lt;a href="https://doi.org/10.1080/15575330.2019.1659382">https://doi.org/10.1080/15575330.2019.1659382</a>.

<sup>&</sup>lt;sup>6</sup> Zanna (n 3).

<sup>&</sup>lt;sup>7</sup> Ghazala Mansuri and Vijayendra Rao, *Localizing Development: Does Participation Work?*, vol 1 (2013) <a href="http://books.google.com/books?hl=en&lr=&id=ZrXliG07o2MC&oi=fnd&pg=PP1&dq=Localizing+Development:+Does+Participation+Work?&ots=bCtwbczGrD&sig=-OPcyi8LOM9im6hVS4\_dZ1ahyk0>.

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development.<sup>8</sup> Besides, the people have a right to participate in government affairs, individually or through representation.<sup>9</sup>

### 2. CONCEPTUALISATION OF PARTICIPATION

#### 2.1 Definition

There is a wide belief that when a community works together creates greater impacts and enhances a sense of community ownership and inclusion in development programs. 10 Public participation is defined as the process of redistribution of power that supports people with minimal income, who would otherwise be excluded from political and economic processes, to be included purposefully in the future, where the citizens are involved in decision making.<sup>11</sup> The benefits of public participation are tremendous viz; Participation is an essential factor in the achievement of development, peace, and human rights. Related to the principles of self-determination, equality, non-discrimination, and social justice, the concept recognizes that individuals and peoples are the central subjects of their own history. 12 It is the bedrock of democracy; strengthens and maintains good relations between the citizen and the government; it is a two-way learning process where the government learns from the consultative feedback from citizens and citizens also acquire knowledge on how the government operates; it mitigates social equalities; reduces passive participation and regard the citizen, not as the mere spectators or targets waiting for the government to deliver the public services to them<sup>13</sup>

2.2 Nature of public participation

Public participation is considered in treaties every person's right to participate in the affairs of his country either directly or through representatives<sup>14</sup> to improve the well-being of a population, in all areas of economic, cultural, and political spheres,<sup>15</sup> and the state is obligated to promote (legislate), protect (prevent violation and Effective access to judicial and administrative proceedings, including redress and remedy.),<sup>16</sup> and fulfill (provide favorable condition for enjoyment and to facilitate and encourage public awareness) of the right.<sup>17</sup> As was emphasized by the African Commission in the landmark case of, *Centre for Minority Rights Development (Kenya) and Minority Group International on behalf of Endrois Welfare* 

council vs. Kenya (2009, 'That the state 'bears the burden for creating conditions favorable to the people's development, and suitable for participation and to provide adequate compensation and benefits.

#### 3. **Methods**

This study reviewed key justifications of the factors that drive local participation and has both an explanatory and exploratory research design. It further reviews the rules at play in the local governance context, in public participation, public management, and civic life. The study gives an account of how rules shape participation and these were validated by results from interviews conducted across Butaleja district.

### 3.1 ABBREVIATIONS AND ACRONYMS

ACHPR- African Commission on Human and People's Rights

LG- Local Government

**UBOS-** Uganda Bureau of Statistics

UDHR-United Nations Universal Declaration of Human Rights 1948

**UN-United Nations** 

ICCPR- International covenant on civil and political rights DRD-The Declaration on the right to development. 1986

### 4. FACTORS THAT DRIVE LOCAL PARTICIPATION

These factors include but are not limited to, 1- resources, relationships, and legal framework. These are explained in the following sub-sections

## 4.1 Resources

The resource factor is paramount in considering the level of local participation. The resource that the citizens have access to like, money, education, civic skills, and information, 18 determine their level of participation. The public's awareness and a general understanding of the issues surrounding the program, alternative conceivable solutions, and the inferences of different actions are necessary for active and meaningful participation. The social-economic status model has it that,

<sup>&</sup>lt;sup>8</sup> Rifat Mahmud, 'Understanding Institutional Theory in Public Policy' (2017) 34 Dynamics of Public Administration 135.

<sup>&</sup>lt;sup>9</sup> Uganda's National Legislative Bodies, 'Constitution of the Republic of Uganda. 22 September 1995' 1 <a href="http://www.refworld.org/docid/3ae6b5ba0.html">http://www.refworld.org/docid/3ae6b5ba0.html</a>.

<sup>&</sup>lt;sup>10</sup> Happy M Kayuni, 'CHAOS-COMPLEXITY THEORY AND EDUCATION POLICY: LESSONS FROM MALAWI 'S COMMUNITY DAY SECONDARY SCHOOLS' (2010) 4 5.

<sup>&</sup>lt;sup>11</sup> Amalia Duţu and Mihaela Diaconu, 'Community Participation for an Open Public Administration: Empirical Measurements and Conceptual Framework Design' (2017) 4 Cogent Business and Management <a href="http://dx.doi.org/10.1080/23311975.2017.1287980">http://dx.doi.org/10.1080/23311975.2017.1287980</a>. <sup>12</sup> United Nations, *REALIZING THE RIGHT TO DEVELOPMENT Realizing the Right to Development* (2013).

<sup>&</sup>lt;sup>13</sup> Molokwane & Tshombe, 2018

<sup>&</sup>lt;sup>14</sup> The United Nations Universal Declaration of Human Rights 1948, Universal Declaration of human rights (UDHR)Article 21, the international covenant on civil and political rights (ICCPR) in Articles 20 and 27, The 1986 Declaration on the right to development.

<sup>&</sup>lt;sup>15</sup> <u>Public Participation Guide: Introduction to Public Participation | International Cooperation | US EPA</u>

<sup>&</sup>lt;sup>16</sup> The UN Declaration on the right to development 1986, Articles 1 & 2, Article 8 (2)

Fluker, Shaun (June 30, 2015). "The Right to Public Participation in Resources and Environmental Decision-Making in Alberta". Alberta Law Review. 52 (3): 567. doi:10.29173/alr24.
Duţu and Diaconu (n 11).

people with higher income and higher status jobs, higher education, and higher incomes are more active participants in governance<sup>19</sup>. According to statistics, Butaleja district is ranked as one of the poorest and with levels of gross enrolment ratios of children in schools. (UBOS 2017).<sup>20</sup> By implication, the level of participation at the local level is low. As such the successful implementation of government programs and initiatives is minimal. The study can ably conclude that in Butaleja participation is very much dominated by a few who are well resourced, the most highly educated, the rich, and those from the top educational strata. This also signifies the system is dominated by the middle class and a representation of a capitalist mode of governance as advanced by the liberal democratic theory.

The local governments operate under a structure set out by the national constitution which delineates the power of government as part of the social contract as postulated by the Liberal democracy theory. This theory operates under an indirect democratic form of governance such as decentralization or local governments.21 The local governments are comprised of, public servants, councillors, and civil society. 7 out of 10 residents of Butaleja interviewed revealed that these people attain power with the help of the bourgeois and tend to exploit the local governance system in order to protect their interests through improper decisionmaking of planning, resource allocation, awarding of tenders, and contracts for projects. The people claim that the local officials and the well-to-do members of Butaleja district are manipulating the system while precluding the rest of the community's interests. This is the very reason why the Marxists criticized Liberal democracy theory fundamentally class-based, a bourgeois democracy, that in the end, politicians only fight for the rights of the rich (election funders) and therefore can never be democratic or participatory because public interest is systematically corrupted by wealth. In such a system, elections is a more of a sarcastic, systematic attempt to deceive the people by permitting the people to endorse another of the bourgeois' predetermined choices of which political party can best advocate their interests, and once elected they make laws that actively support those interests. Whereas resource is required for the success of local government systems in regards to knowledge, resources, influence, and networking, they must not be used as trappings to exclude the communities, for fear of negative impacts of community exclusion such as equity issues, corruption, and unresponsiveness, that can result in failure of government program and in long run loss of public trust. <sup>23</sup>

# 4.2 Relationships

Social capital models indicate that relationships play a significant role in explaining participation,<sup>24</sup> viz, the formal and informal sociability construct relationships<sup>25</sup> of public trust and reciprocity26 that develop individual capacity for collective action,<sup>27</sup> citizens' trust and participation process are a central component of a vital democracy. <sup>28</sup> The deviation is said to turn the public into passive participants, <sup>29</sup> can indicate a low trust in elected leaders/politicians, and eventually affect participation and public management.30 Public trust is measured by the citizens' expectations from the public institutions, elected officials, and public servants.<sup>31</sup> However, public trust can be affected by citizens' level of education where those with more educated, and informed citizens have a higher level of expectations from the Government and the reverse is true. This implies that good or bad public administration activities are not solely responsible for public lack of trust but the leaders have to understand the kind of relationships that comprise a community.<sup>32</sup> As such, the reasons for non-participation and non-consultation can be found in the lack of trust of the public institution and its representatives who do not consider these relationships which are fueled by dissatisfaction with the activities of the public institution, causing adversity against public institutions, and gloomy sentiment orchestrated by the educated, less educated and non-educated.<sup>33</sup>

In measuring the kind of relationships in terms of expectations of the people of Butaleja district, the Uganda Bureau of Statistics survey of 2017 indicates that Butaleja district has a

<sup>&</sup>lt;sup>19</sup> Thomas Wilson, 'FRAMEWORK FOR ASSESSING PUBLIC ACCESS TO ENVIRONMENTAL DECISION-MAKING' (2012)

<sup>4 1 &</sup>lt;a href="http://www.phiinstitute.org/new-peer-reviewed-paper-published-framework-assessing-wellness-journal-health-and-productivity">http://www.phiinstitute.org/new-peer-reviewed-paper-published-framework-assessing-wellness-journal-health-and-productivity>.

<sup>&</sup>lt;sup>20</sup> Education Statistics by Region, Uganda - knoema.com

<sup>&</sup>lt;sup>21</sup> Anna etal,. *Autocratization Surges – Resistance Grows*. Democracy Report 2020. Varieties of Democracy Institute (V-Dem).

Christopher, Rice (1990). Lenin: Portrait of a Professional Revolutionary. London: Cassell. p. 121. ISBN 978-0-304-31814-8.
Rajitha Perera, 'The "Public Trust" Doctrine' (2021) 9 SSRN Electronic Journal.

<sup>&</sup>lt;sup>24</sup> Shlomo Mizrahi, Eran Vigoda-Gadot and Nissim Cohen, 'Drivers of Trust in Emergency Organizations Networks: The Role of Readiness, Threat Perceptions and Participation in Decision Making' (2021) 23 Public Management Review 233.

<sup>&</sup>lt;sup>25</sup> Dutu and Diaconu (n 11).

<sup>&</sup>lt;sup>26</sup> Brent K Marshall and Robert E Jones, 'Citizen Participation in Natural Resource Management: Does Representativeness Matter?' (2005) 25 Sociological Spectrum 715.

<sup>&</sup>lt;sup>27</sup> Lowndes, Pratchett and Stoker (n 1).

<sup>&</sup>lt;sup>28</sup> Dutu and Diaconu (n 11).

<sup>&</sup>lt;sup>29</sup> John R. Heilbrunn, African Studies Keyword: Oil. 2020

<sup>&</sup>lt;sup>30</sup> Terry L Cooper and others, 'Citizen-Centered Collaborative Public Management Published by: Wiley on Behalf of the American Society for Public Administration Stable URL: Http://Www.Jstor.Org/Stable/4096572 Linked References Are Available on JSTOR for This Article: Citizen-Centered' (2018) 66 76.

<sup>&</sup>lt;sup>31</sup> OECD, 'Reducing Income Inequality While Boosting Economic Growth: Can It Be Done?' 181.

<sup>&</sup>lt;sup>32</sup> Perera (n 23).

<sup>&</sup>lt;sup>33</sup> Duţu and Diaconu (n 11).

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high level of illiteracy.<sup>34</sup> On one hand, implies the people's capacity to participate is low and as such the low levels of education imply low expectations from the government, and justified reasons for non-participation. On the other hand, educated people in the community have higher levels of expectations from the government and have the capacity and opportunity to participate in government programs. However, 8 out of 10 of the interviewed residents contend that participation by the elite class is representative of the interest of the general community interests at large but those of the middle class. Hence the very purpose of local governance of bringing services nearer to the community is not achieved.<sup>35</sup>

## 4.3 Legal framework

The legal framework guide social behaviour, 36 through setting up social structures<sup>37</sup> like institutions of governance,<sup>38</sup> rules, routines, and norms which provide meaning and stability to social life.<sup>39</sup> Effective citizen participation requires an appropriate legal framework that ensures active and meaningful participation of all.<sup>40</sup> For instance, the constitution of Uganda under Article 176 informs the establishment of local governments and a basis for their legitimacy. 41 The local governments are established to ensure people's participation and democratic participation and to bring services closer to the people among others.<sup>42</sup> Regardless, studies have shown that the established mechanisms of districts in Uganda are basically influenced by political factors, and socio-economic factors which makes them not neutral but mere puppets of the ruling party and thus 'play the tunes of the ruling party and as such exclude the citizens from decision-making as the administration will be top-bottom. The interview carried out in Butaleja revealed this to be true in which case the lower communities have remained detached from the local government leadership and this cannot offer good impetus for public accountability and service delivery in the district.

Further, the legal framework is set to ensure effective citizen participation implemented through public institutions such as those created at the local government levels. The Constitution and the local Government Act of Uganda in section 3 describe the setup of local governments to include, district councils and sub-county councils. These institutions are to perform their functions by interacting with the community through, active information, consultation in the planning, and public participation. It is argued however that, the interaction between the local government institutions and the community may not necessarily be achieved because the law provides so, but should be coupled with a proactive involvement and the will of both parties. Willingness to actively participated is usually hampered by, a lack of technical expertise, unfamiliarity with projects, bureaucracy, and emotional attachment. In the control of the coupled with projects, bureaucracy, and emotional attachment.

In a survey carried out across the district, the study found that the people are usually reluctant to understand the complexities associated with government programs due to their low levels of education, and perceptions. The study also revealed that Butaleja has three types of citizens specified by Box R (1998); the first is the free riders. This category is considered mere consumers of public goods and services and will let others get involved in participation. These made make up 50% of those interviewed. Second, are the Activists. These people get involved in public life and are active at the community level. These make up 30% of those interviewed. Third, are the Watchdogs. This category is between the free riders and the activists, these are usually involved only in certain aspects of community life which are relevant to them and these make up 15% of those interviewed. The 5% were not sure where they belong. Therefore, understanding these categories of people in a community is paramount for effective participation and proper local governance, 46 and can provide those in public management with the possibility of formulating sustainable public agenda and proper decisions that impact favourably upon the community.<sup>47</sup>

Similarly, Participation can be effectively measured through demonstration and impact created. <sup>48</sup> For instance, Article 38

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chemicals.aspx%0Ahttp://dx.doi.org/10.1016/j.trsl.2>.

<sup>&</sup>lt;sup>34</sup> Education Statistics by Region, Uganda - knoema.com

<sup>&</sup>lt;sup>35</sup> Ank Michels, 'Citizen Participation in Local Policy Making: Design and Democracy' (2012) 35 International Journal of Public Administration 285.

<sup>&</sup>lt;sup>36</sup> Thokozani Majozi and others, *Springer Texts in Business and Economics International Trade Theory and Policy*, vol 21 (2019) <a href="http://dx.doi.org/10.1016/j.ejor.2013.09.032%0Ahttp://www.sportsbusinessdaily.com/Journal/Issues/2017/06/26/Media/ESPN-main.aspx%0Ahttps://www.bcg.com/publications/2017/manageme">http://www.bcg.com/publications/2017/manageme</a>

<sup>&</sup>lt;sup>37</sup> 'DiMaggio & Powell - Institutional Isomorphism'.

<sup>&</sup>lt;sup>38</sup> The Constitution of the Republic of Uganda 1995 chapter eleven (Art 176-207), the **Local Governments Act (Chapter 243)** 

<sup>&</sup>lt;sup>39</sup> Shelley McKeown, Reeshma Haji and Neil Ferguson, 'Understanding Peace and Conflict Through Social Identity Theory' 3 <a href="http://link.springer.com/10.1007/978-3-319-29869-6">http://link.springer.com/10.1007/978-3-319-29869-6</a>>.

<sup>&</sup>lt;sup>40</sup> Lowndes, Pratchett and Stoker (n 1).

<sup>&</sup>lt;sup>41</sup> Colleen M Eidt, Laxmi P Pant and Gordon M Hickey, 'Platform, Participation, and Power: How Dominant and Minority Stakeholders Shape Agricultural Innovation' (2020) 12 Sustainability (Switzerland).

<sup>&</sup>lt;sup>42</sup> John L Cotton and others, 'Employee Participation: Diverse Forms and Different Outcomes' (1988) 13 Academy of Management Review 8.

 <sup>&</sup>lt;sup>43</sup> The Constitution of the Republic of Uganda 1995 chapter eleven (Art 189), the Local Governments Act (Chapter 243) s.17
<sup>44</sup> Duţu and Diaconu (n 11).

<sup>&</sup>lt;sup>45</sup> M Grisez Kweit and RW Kweit, 'Participation, Perception of Participation, and Citizen Support' (2007) 35 American Politics Research 407.

<sup>&</sup>lt;sup>46</sup> Paul Cairney, 'Complexity Theory in Political Science And' (2012) 10 346.

<sup>&</sup>lt;sup>47</sup> Duţu and Diaconu (n 11).

<sup>&</sup>lt;sup>48</sup> Danny Burns, Frances Heywood, Marilyn Taylor, Pete Wilde and Mandy Wilson, *Making community participation meaningful:* A

of the constitution of Uganda guarantees every citizen's right to participate in decision-making. The National Objective x of the Constitution provides that the *state shall take the necessary steps to involve the people in the formulation and implementation of development plans and programmes that affect them.*"

However, this right is not absolute, implying it can be limited as provided by the same constitution under Article 43, that enjoyment of the rights can be limited in the public interest, and Article 269 limits the powers of the political organizations. The case of *Charles Onyango and Another V.*  $AG^{49}$  Court emphasized that the limitation of enjoyment of the rights must be in line with what is acceptable and demonstrably justifiable in a free and democratic society. That the prohibition should translate into protection of the rights of others as well as protect the public interest.

Ideally, it is possible for those in power to misuse and abuse the provision to protect their own individual and selfish interest under the guise of public interest leading to political persecution and unlawful detentions without trial as a means of preventive measures against those with opposing views. Indeed, 8 out of 10 people interviewed in Butaleja have experienced and/or witnessed how the limitation close is misused by those in power in the district.

The Charlse Onyango case clearly stated that the coexistance of these Articles of protection and limitation of rights in the same constitution does show two competing interests. First the need to uphold and protect the rights, and second the need to check the enjoyment of those rights for the common good, and as there cannot be a conflict but it can only be abuse and misuse of power. Because, the primary objective is human rights protection and limiting is a secondary objective and by implication, the primary objective is dominant that can be overridden only in exceptional circumstances that give rise to the secondary objective.

## 5. CONCLUSION

The study concludes that the lack of effective participation at the local levels of governance has led to the slow attainment of the purposes of decentralization. Meaningful public participation is still lacking in the Butaleja district and this is due to a number of factors like level of education, political will, poverty, and the legal framework. So favorable conditions, like the building of capabilities and poverty eradication and empowerment programs, to be strengthened, to enhance public participation in local governance and

development. Otherwise, the local communities in Butaleja will remain detached from government programs and it will most likely create a lack of trust in their Government.

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