



Sustainable policy and structural improvements to civic education and voter participation in Uganda

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A Publication of The Africa Leadership Institute with collaborative technical support from FIT Insights Limited and Uganda Management Institute. Funding provided by the Democratic Governance Facility (DGF) which is a basket fund contributed by seven development partners namely Austria, Denmark, the European Union, Ireland, the Netherlands, Norway, and Sweden.

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ISBN



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Preamble to the Policy Brief

Any strong democracy depends on the ability of its citizens to make the correct choices and existence of an enabling environment for them to exercise their choice. This policy brief intends to make a case for strengthening Uganda's democracy through putting in place a sustainable policy and structural improvements to civic education and voter participation in Uganda.

On 14th January 2021 Uganda held General elections to elect the President and the Parliament but like previous elections, observers noted that unfavorable electoral laws, violation of human rights and lack of adequate voter and civic education were some of the factors that undermined the integrity of elections. The Africa Leadership Institute (ALI) tracked parliament deliberations in the Hansard of parliament for quarter one of 2021 and noticed that election related matters were outstanding topical issues in the quarter.



Any strong democracy depends on the ability of its citizens to make the correct choices and existence of an enabling environment for them to exercise their choice.

On Thursday, 28 January 2021 in her opening remarks during the plenary, the Rt.Hon. Speaker of Parliament Rebeca Kadaga congratulated those who were victorious in elections; and observed that for those who were not, it presented an opportunity to take stock of the areas that need rectification. She added that it was an opportunity for them in Parliament to take cognisance of the reports of human rights violations during the electioneering process, characterised by disruption of some campaign activities, arbitrary arrests, detentions and destruction

of property. She urged the administrative and security authorities to respect the rule of law and safeguard human rights, and directed the Committee on Human Rights to take stock of the human rights violations that marred the electoral process and report back to the House within one month.

On 2nd February 2021, the Kira Municipality MP Hon. Ibrahim Ssemuju armed with report of the Legal and Parliamentary Affairs Committee during the plenary informed the Speaker that he had been delegated by Hon. Wilfred Niwagaba to represent him and proceed with the debate on the Constitution (Amendment) Bill, 2019 whose objective is to strengthen democracy and improve the conduct of elections in Uganda. The Speaker deferred debate on the bill because both the chairperson and Vice Chairperson of the Committee were not in the house. On 4th February 2021, the Minister for Internal Affairs Hon. Jeje Odongo read a statement on alleged Human rights violations during elections which attracted reactions from nine MPs who included: Hon. Jackline Amongin (NRM), Hon. Ibrahim Ssemuju (FDC), Hon. Johnson Muyanja (NRM), Hon. Asuman Basalirwa (JEEMA), Hon. Latif Ssebagala (Ind), Hon. Elijah Okupa (FDC), Hon. Silas Aogon (Ind), Hon. Cecilia Ogwai (FDC) and Hon. Ssewungu Gonzaga (DP).

On the 9th February 2021, the Chairperson of the Legal and Parliamentary Affairs Committee Hon. Jacob Oboth Oboth presented the report on Constitution (Amendment) Bill 2019 before the house for debate.

The presentation in this preamble depicts why matters of elections became the preferred topic for research, debate at the National Policy Forum and formed a basis for this policy brief which makes recommendations for improved governance of the country.

Executive Summary

The civic deficit in Uganda is profiled in three documents including; the national draft policy on civic education of 2013 and its revised version of 2015, CSO proposals of 2013 responding to the policy and the Centre for Basic Research (CBR) comprehensive review of civic education of 2019 that illustrate the national civic deficit as; people expecting everything from the government, dereliction of duty by those charged with service delivery, monetization of the vote in an increasingly inflationary political market, failure of the public to hold public servants and politicians accountable.

Earlier studies (CBR 2018), the challenge of public funding of civic education is analyzed, emphasizing with figures and facts that: the budget allocations are low, the funding is fragmented among the several actors, budgeted amounts are seldom released to the actors, the budgeted amount is seldom utilized for the purpose it is allocated and Development Partners who are the main source of funding civic education can take over the agenda, direction and pace of civic education if they so wish.

This policy brief recommends free and compulsory civic education to every citizen of Uganda; collaboration among actors to design schedules and activities for delivery of civic education; National Plan of Action on Civic Education, continuous monitoring and evaluation of the state of civic education, capitation funds to facilitate the provision of civic education in the Commission's financial year budget and involvement of village Local Councils to ensure implementation at grassroots level. Additionally, Government of Uganda should ratify the African Charter on Democracy and Elections and include civic education in the schools' education curriculum.



Voter Education by an Electoral Commission Official



H.E. The President Yoweri Kaguta Museveni exercising his right to vote in the previous elections

Introduction

The promulgation of the 1995 Constitution was meant to herald a new chapter in the country's history where "Power belongs to the people" (Article 1) and consent to be governed is expressed through free and fair elections. Following Uganda's completion of the national election cycle in January 2021, political actors have variously called for soul searching and strengthening of partnerships between political parties, independent political actors and the general population through civic education and voter education which have been confirmed as critical pillars of a nation's political journey (Torney-Purta 2002). This position is also in consideration of Uganda's experience with decades of political unrest and internal conflicts caused by the unsustainable divisive approaches entrenched in political culture of Uganda (Nyombi and Kaddu 2015).

Considering the unimpressive attempts at civic education and voter education and the belligerent nature of politics in Uganda, deliberate effort needs to be taken to strengthen policy to enable harmonious expression of civic rights across the population.

Civic education enables people to be informed about how their government publicizes and clarifies the rights and responsibilities of citizens, publicizes government officials' obligations towards the citizens, identifies and disseminates the key areas of the political process that are most open to citizen involvement and what citizens can do to influence political outcomes (Battistoni, R. M., 2002).

Whereas the National Development Plan (NDP) 2010/11 – 2014/15 recognises that good governance can be achieved through civic education, efforts at civic education delivery have

been inadequate, intermittent and largely uncoordinated hence the call for a National Civic Education Policy in place focusing on; creating and sustaining the awareness of the principles and objectives of the Constitution, encouraging the public to defend the Constitution at all times, against all forms of abuse and violation; inculcation of civic responsibilities in the population alongside appreciation of their rights and obligations as free people. Civic Education in Uganda requires an overarching framework through which it can be effectively delivered that entails; review and harmonization of a curriculum, determination of the curriculum, establishment of institutions to deliver the curriculum and engagement of youth. Scholars of political history argue that realizing a free and democratic society requires knowledge, skills and ethos delivered to citizens through institutional structures (Evans 1997). As such, every society constantly needs succeeding generations to participate in civic education and needs to constantly revise policy frameworks for effective implementation of civic education, voter participation and education.

Concern is growing on the fluctuating voter participation in Uganda largely indicative of the degenerating appreciation of the electoral process at grassroots level. From the trends of voting in 2011, 2016 and 2021, it can be deducted that there are many registered voters but about a quarter of the voters do not vote.

Uganda 2021, 2016, 2011 Presidential Election Results

		2011	2016	2021
	Number of voters	13,954,129	15,277,198	18,103,603
	Total votes	8,272,760	10,329,131	10,744,319
	Invalid votes	334,548	477,319	393,500

SOURCE: Uganda Electoral Commission Website



Making every vote count, an Electoral Commission Official counts votes after polling closed

Policy framework for civic and voter education has to be revisited to improve performance, quality and population understanding of their roles, rights and responsibilities.



Former presidential candidate Robert Kyagulanyi Ssentamu aka Bobi Wine preparing to vote in the last elections

Approach

This policy brief is informed by data obtained through literature review conducted in a study commissioned by Uganda Management Institute and Africa Leadership Institute overseen by Uganda Policy Development and Management Forum. Preliminary findings were discussed at a Public Policy Dialogue to obtain more input from stakeholders including actors from Government of the Republic of Uganda, Civil Society Organizations, Academia and General Public.

Findings

The Legal Framework on Civic Education in Uganda:

There are various aspects of law which relate to civic education currently both at the international level and the domestic level. At the international level, Uganda has ratified covenants that require a policy framework for citizen awareness and participation and laws exist which relate to civic education at the international and the domestic level. Citizen education is recognized as the bedrock of the rule of law and establishing of a just society. The right to civic education is traced in Article 26 of the Universal Declaration of Human Rights (UDHR), Article 28 of the International Convention on Civil and Political Rights, Article 13 & 14 of the

International Convention on Economic, Social and Cultural Rights (ICESR), Article 10 & 14 (d) of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) as well as Article 17(1) of the African Charter on Human & Peoples' Rights. All these guarantee the right of every individual to civic education. International law also recognizes the right to participate freely in the government and the state obligation to respect, protect and promote civic education particularly within the Articles 13 and 14 of the ICESCR.

Finally, there is recognized within the African Charter the State's responsibility to protect morals and traditional values recognized by the community in Article 17 (3) of the Charter.

Article 12 of the African Charter on Democracy, Elections and Governance commits State Parties to implement programs and activities designed to promote democratic principles and practices and consolidate a culture of democracy and peace stating, "To this end, state parties shall integrate civic education in their educational curricula and develop the appropriate programmes and activities."

Uganda signed the Charter on Democracy, Elections and Governance in 2008 but has to date not ratified it.

The domestic legal framework pertaining to civic education and voter education in Uganda entails; Article 17 of the 1995 Constitution of Uganda which sets out the duties of a citizen and Article 30 which provides that 'all persons have a right to education.'

Article 38, the Constitution explicitly stipulates that: every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representative in accordance with law and every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organizations.



Article 38, the Constitution explicitly stipulates that: every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representative in accordance with law.

The Electoral Commission is mandated in Article 61 of the 1995 Constitution of Uganda to formulate and implement voter educational programmes.

The Uganda Human Rights Act 1997 establishes the functions of UHRC (section 7) which include to formulate, implement and oversee programmes intended to inculcate in the citizens of Uganda awareness of their civic responsibilities and an appreciation of their rights and obligations as free people.

The Electoral Commission Act Cap 140 makes provision for the functions of the commission to promote and regulate civic education of the citizens of Uganda. The administrative expenses of the Commission are charged on the consolidated fund.

The behaviors which appear to be most problematic includes the increasing citizen disengagement from the body politic exhibited by apathy towards national programs by citizens.



An elderly Ugandan casting her vote in the last elections



A youthful voter exercising his right to vote in the previous elections. Youth are the majority of the voting population.

Conclusion

While there are numerous national legislations and three policies which directly touch on matters relating to civic education, there is a deficit of legislation that seeks to consolidate civic education and voter education.

While useful in providing a framework for conceptualizing a value system for citizens, the implementation of executive policy is frequently limited.

Recommendations

The policy framework for civic education and voter participation should: provide free, compulsory civic education to every citizen of Uganda; design and implement activities in co-operation with other agencies and civil society to further the delivery of civic education; provide for the continuous monitoring and evaluation of the state of civic education and the vibrance of democracy in Uganda with clear recommendations to parliament on the improvements needed, ensure capitation funds to facilitate the provision of civic education in the Commission's financial year budget.

Government of Uganda should ratify the African Charter on Democracy and Elections which contains specific aspects of civic education, as an illustration of its commitment to civic education.

A stakeholders' map needs to be generated so that synergies are enhanced for the good of civic education and voter participation.

Uganda needs a National Plan of Action on Civic Education specifying what is to be done, by who when, using what resources. As a key step in preparation for the law on civic education, practical issues of capacity and preparedness need to be resolved.

A national recognition award system for exemplary contribution to the public good can act as an incentive to potential contributors to civic education.

The village Local Council (LC1) should be engaged to support civic education interventions in the communities by way of mobilization.

Civic education should begin at the pre-school formative stages through the school system when most of what is learnt in a conducive environment gets imprinted in the memories of those who are involved for the rest of their lives.



An Electoral Commission counts votes together with polling agents of candidates under the watchful eyes of the voters.

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