

### The Functioning of A Multiparty System in Local Government

Challenges of Transition from the Movement System in Uganda



Elijah D. Mushemeza

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This policy briefing paper provides a summary of key interventions that are necessary for the functioning of multi-party democracy in local governments. The paper is derived from a research conducted by ACODE on the functioning of multi-party system in local governments. The briefing paper has been prepared as part of ACODE's ongoing initiative to stimulate strategic and focused policy discourse that affect governance and democratization under a new political dispensation – multi party democracy.

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#### 1. Introduction

Uganda transited from the Movement political system to a multiparty political system in July 2005 through a national referendum. The process of adopting a multiparty system of governance, the conduct of the first multi-party elections in 2006, and the character and quality of the debate during and after these elections have essentially highlighted the challenges and dilemmas of the country's capacity to manage the democratization process. Uganda is now governed under a multi-party system and has a parliament that has an opposition and an official leader of the opposition at the level of a Cabinet Minister. However, the opposition in Uganda faces several challenges in a sense that it is young, fragile and weak - consisting of not more than 70 MPs in a parliament of 332 MPs; and is yet to establish a strong base at the grass root level. It remains to be seen over the next coming years how, and to what extent, political pluralism and parliamentary democracy will be consolidated both at national and local levels. It is evident that what remains critical in the new political dispensation is the need for the population to have a deep understanding of what multiparty democracy means, how it functions, its demands, and its safeguards for the better functioning of the system particularly in local governments.

Indeed, the last two years (2005-2007) have shown the challenges of democratic transition. The electoral process still produces election results which are controversial – resulting into numerous electoral petitions in the courts of law. Similarly there has been little urgency by the Government of Uganda in following up on the recommendations of the Supreme Court ruling and the various election observers' reports. While there has been much progress in the hearing

of election petitions, with the Judiciary prioritizing their clearance, the number of elected MPs that have lost their seats as a result of the petitions is a clear indicator of serious irregularities within the electoral processes and in particular, the negation of the principle of free and fair election. A new dispensation requires appropriate laws and regulations, a civic competent population and change of attitudes towards embracing the basic principles and best practices under multi-party system.

#### 2. Statement of the Issue

Under this research, we interrogated the operation of a multi party system in local governments between 2005 and 2007. Consequently, this policy briefing paper provides information that will stimulate informed debate on contemporary governance issues, public accountability in order to promote a platform for bi-partisan dialogue and democratic practices in Uganda.

The paper argues that since Uganda is grappling with the challenge of deepening democracy under a new multiparty dispensation, the functioning of multi-party in local governments should be given adequate attention. It is important therefore to raise the following questions: First, will the multi-party politics and the system in general integrate decentralization existing in local governments to promote democracy and good governance? Second, will multiparty politics consolidate peace and stability in all parts of Uganda that has hitherto been achieved in most parts of the country? Third, will the political actors be able to manage conflicts that may arise from multiparty competition? Fourth, are there safeguards in terms of rules and procedures and code of

conduct for political parties to guarantee better functioning of multiparty system in local governments? Fifth, what fears, challenges, and expectations do the people have in the new dispensation? Sixth, what appropriate interventions should be made to deepen democracy in local governments under the multiparty system?

#### 3. Methodology

This policy briefing paper is a summary of the findings and recommendations from a research carried out by ACODE in selected Districts of Uganda. The research team used both quantitative and qualitative research methodology. It took a case study design by focusing on four selected districts of Uganda. The choice was purposive and consisted of the districts of Gulu, Mbarara, Amuria and Kampala drawn from the four traditional regions of Uganda- Northern, Western, Eastern and Central. The sampling took into consideration rural –urban dichotomy, old and newly created district entities.

Qualitative data was generated through documentary evidence, interviews, and focus group discussions. In order to capture the feelings of the population about the understanding of the multiparty system, focus group discussions were conducted in the communities within the selected districts.

The other method that generated valuable qualitative data was the interview method. This involved use of an interview guide to carry out in-depth interviews with key informants. The respondents included public officers and political leaders at the local and national levels; and leaders in selected civil society organizations.

To achieve the objectives of the research the methodology sought to establish the level of awareness and actual practices among the selected district councils on key issues about multiparty system, establish their attitudes, opinions, and fears. This was done using quantitative methods of data collection and analysis. A total of 296 respondents out of 340 councilors from selected local governments in the four traditional regions of Uganda were interviewed. The methodology also enabled the research team to record people's recommendations on how to have a better functioning of a multi-party system in local governments.

#### 4. Findings

#### 4.1. Levels of Awareness

The study found out that there is a high level of awareness on various issues within the District and sub-county councils. On the other hand, results from the focus group discussions in the communities showed variations according to the districts.

There was a fair knowledge on what multiparty system entails in Bungatira sub-county, and Patiko sub-county (Gulu District); Acwa sub-county, and Kuju sub-county (Amuria District); and Kawempe Division, Makindve Division (Kampala District)

There was low awareness in Ndaija sub-county and Rwanyamahembe Sub-county (Mbarara District). In the selected sub-counties of Mbarara; multiparty system was associated with high commodity prices, the attitude of the ruling party towards the opposition and relationship between the opposition and government. For instance, to them the

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multiparty system is the creation of an opposition block that always blames the government for being responsible for all social, political and economic problems. There were individuals who also associated multi-party system with choosing between good and bad leadership through elections, and sharing ideas on national development.

However, the key informants – opinion leaders, public officers, and religious leaders had a sound knowledge of what constitutes a multiparty system. Although the participants in the focus group discussion in Gulu and Amuria showed a fair understanding of what multi-party system entails, they submitted that in many villages the communities' associate the multiparty system with system that is likely to 'rescue' them from the current regime. There is little knowledge on what constitutes a multiparty system and how it is expected to fuction. Emphasis during the focus group discussions was that each party participates actively without being suppressed, each person practices politics freely without suppression, reduction of aggression in electoral politics, restoring term limits for the office of the President, delivery of services as well as internal democracy within parties.

In Kampala, the communities were found to possess a fair understanding of what a multiparty system is. They wondered why the leaders both in local governments and at national levels were not following the principles of multiparty system. However, they did not know that they have the power to compel leaders to govern in accordance with the constitution.

Generally it was found out that there is high level awareness among stakeholders in councils interviewed. There are a number of reasons to explain this: First, the majority of councilors had attained ordinary level of education while others were University graduates. Even those in the primary level category, it was found that they are a special group with unique qualities. They are able to grasp issues of governance beyond what was expected of them.

Second, all respondents in local government councils had attended several seminars and workshops on governance and democracy issues. In the Districts of Gulu, Amuria and Kampala, the councils had gone through the Ministry of Local Government (MoLG) induction workshops where some of the issues under study were discussed.

Third, the respondents in local government councils have access to radio and majority read news papers both in English and vernacular languages. This means they follow debates in both the print and electronic media.

In the communities' of all the districts investigated, access to information is limited to radio broadcasts and sometimes the message is presented in a complex manner. The point was made that even when programmes are supposed to be in vernacular, presenters mix english in their explanations. Therefore, programmes designed for communities must be well thought out with clear messages in a language they can understand easily. Nevertheless radio remains one of the ideal means of communicating with the communities.

#### 4.2. Development and Access to Resources

The respondents showed a high level of awareness on issues of development and access to resources in local governments.

The Functioning of A Multiparty System

This implies that people in local governments are prepared to work together regardless of their political affiliations. It is therefore important to have rules that allow cooperation among the parties in local governments to avoid a situation where political belonging stifles development.

For example there was high level of awareness that opposition councilors should not oppose good programmes of government (86.49%). Similarly, there was high level of awareness that councilors from the ruling party should not oppose good proposals from the opposition parties (84.12%).

#### 4.3. The Practice in Local Governments

### 4.3.1. Legal and Regulatory Framework

In spite of the awareness actual practices in local governments showed that they were still operating as they did under the Movement system. This was because of number failures both at the national and local levels to put in place mechanisms and procedures to facilitate the functioning of the multiparty system.

The Local councils lacked rules of procedure consistent with the multiparty system. For example the local government council regulations (Third Schedule) of the Local Government Act CAP. 243 undermine the role of political parties in guiding



Gulu LC5 Chairman Nobert Mao presenting a paper on the Fuctioning of the Multiparty System at Local Government level in Gulu

members and holding them accountable.

The regulations still uphold the right of recall but this principle was removed during the constitutional amendment in 2005 and is not applicable under a multi party system. The rules would have defined the relationship between political parties in councils, the sitting arrangements, collaboration/ alliances, conflict resolution, and why the policies of the ruling party should take precedence in the council. The rules would also define how the whips of the parties represented in the councils can meet regularly to harmonize issues for debate etc.

The Local Government Act CAP 243 still reflects the spirit of the Movement system. There were concerns by some key respondents that Uganda may need to reflect on whether multiparty system should be limited to the national and district levels. The people in the communities whom the local governments serve are more interested in service delivery than the parties they belong to.

One could also argue that this is the influence of the Movement system. People have not yet fully appreciated the virtues of multiparty system.

#### **4.3.2.** Mechanisms for Oversight not Functional

Political parties at the national level lack both institutional mechanisms and internal democracy to inspire the lower branches which are expected to be the actors in local governments. In particular, they lack or have weak secretariats, their offices at the district and Sub-counties are non functional, the organs of the political parties rarely hold meetings; and parties lack financial resources to run party activities.

#### 4.3.3. Advisory Mechanisms

The Ministry of Local Government with a mandate to give advisory service to the councils had delayed to do so in terms of designing model rules of procedure and initiating a process to amend the Local Government Act.

During the research, there were opinions that the Uganda Local Government Association (ULGA) with its infrastructure and experience could play a positive role by sensitizing and initiating legislative changes that would improve the functioning of multiparty system in local governments.

# 4.3.4. Poor Resource Mobilization and Financial Management

There is poor resource mobilization and financial management in Local governments. The political parties in councils have not yet taken their oversight function very seriously.

A detailed study of resource mobilization and financial management of Kampala City Council revealed the following:

• Poor management skills in terms of financial management and record keeping, lack of supervision, monitoring, implementation of policy guidelines as stipulated under the financial guidelines. There was also apparent decay in professional ethics which has affected revenue collections. Top management has not been vigilant in implementing the above roles and responsibilities;

- Audit findings and recommendations are never implemented at the right time especially in cases of financial loss. Related to the above, record keeping is not done properly. It is not easy to follow up some transactions consistently for a number of years due to missing records and un updated records;
- Late delivery of Government financial support and unfulfilled grants support was found to have affected planning and budget performance; and
- Delayed policy revision and implementation have resulted into under performance and poor service delivery in some areas. A case in point is the trading and licensing Act which has not been revised since 1969. This has limited revenue collection to the sources which were in place by then, leaving out the ever upcoming sources like internets, super markets, telecommunications, private education and banking institutions.

Despite the above shortfalls, there was no evidence to indicate that the politcal parties councils in the excercised have oversight their address role to the situation. It is undisputed that proper functioning



A Cross - Section of Local Council Leaders attending a two - day workshop in Mbarara town aimed at strenthening the Multiparty System at Local levels.

of a multiparty system at the local level can improve resource

mobilization and management. Consequentely, there is need to induct political parties in councils to appreciate their oversight role in resource management. This action will yield results if other compliment ary actions are taken. These can include:

- Punishing disrespect for the Local government Act, financial rules and regulations by the council and district management. Every action and decision taken should be guided and supported by the Local government financial rules and regulations;
- Maintaining proper documentation for further reference and proper book keeping by management. This also acts as evidence that proper procedures are followed;
- Improving staff motivation in terms of salary increment, enough facilitation to staff in order to sensitize the public on the role of Councils and their role as tax payers;
- Enforcing compliance with audit recommendations so as to improve financial and accounting performance; and
- The local government should emphasize the roles and responsibilities of council management which include: monitoring, supervision, time management, implementation of audit findings and recommendations.

Although financial management and resource mobilization in the local governments of Mbarara, Gulu and Amuria were not studied in detail, the factors that would affect them either positively or negatively are the same as in Kampala.

#### 4.3.5. Attitudes (Fears and Challenges)

#### 4.3.5.1. Negative Attitudes Towards Multiparty System

Generally, approximately half (56.19%) of the respondents were in agreement with the fears and challenges listed below:

- First, there was fear that political parties are associated with conflict and chaos (44.93%). Respondents felt that Political Parties do not stick to the rules of the "game";
- Second, there is fear that Uganda is likely to go to back to bad days of parties fighting one another (47.97%);
- Third, there was also fear that leaders in local governments are not committed to multiparty system (47.30%);
- Fourth, that all political parties do not practice internal democracy (46.28 %) and lack financial resources to run their activities;
- Fifth, that public officers and security personnel behave in a partisan manner during elections and this may undermine the operation of multi party system (68.58%); and
- Sixth, that there was inadequate sensitization about multiparty system before its introduction (82.09%). Civil society organizations and other mandated institutions of the state had not lived up to the expectations of the people in carrying out civic education.

The majority of respondents were in agreement (69.53%) with the following expectations:

#### 4.3.5.2. Positive Expectations about Multiparty System

 Most people see the system as an opportunity for resource mobilization and good financial management. Also, the multiparty system is viewed as a system that provides alternative policies and programmes, respect of human rights, and better administration in local governments. However, the proportion of respondents who disagree with the positive expectations of multiparty system is large (30.47%). This shows there are many actors in local governments who still have reservations about the multiparty system as a better system of governance for Uganda.

#### 5. Recommendations

The paper makes the following recommendations for action by all stakeholders for effective functioning of the multi party system in Uganda.

### 5.1. The State/Government should Contribute Finances to Political Parties According to their Strength in Councils

Political parties in Uganda are still young and lack the financial resources to build capacity. Since political parties are vehicles for accessing political power, they should benefit from state funding so that those in opposition build strong and credible alternative governments in waiting. The ruling party too needs funding to be reminded that they owe their loyalty to the nation.

# 5.2. Civil Society Organizations (CSOs) and the Media should make Strategic Partnership to carry out Civic Education

CSO-Media partnership is very crucial because any civic education programme that truly national is should have a strong media component. should It have communication а strategy that, on the one hand uses media



Civil Society Organisations Media Partnership: Mr. Semujju Nganda, Political Editor with the Observer Newspaper presenting a paper at a workshop organised by ACODE and Kampala City Council (KCC).

for delivering tailored civic education programmes and, on the other hand, accesses the media for publicity on a variety of National Civic Education Programme activities and incidents.

CSOs have been providing civic education for some time in Uganda and therefore it is important to build on the experience they have so far gained particularly, by targeting their respective constituents.

## 5.3. Sensitization about the Operations of Multiparty System is Urgently Needed

Most of the population of Uganda particularly those living in the rural areas; multiparty system is still viewed negatively. Similarly, a number of leaders appear not to appreciate the ground rules for a viable multiparty system. For multiparty system to work well in Uganda political parties and organizations should cooperate with each other in mutual trust and in good faith to foster cordial relations and amicable consultations on national issues.

It is also important that an institutionalized frame work for inter-party consultations be operationalised to ensure that opposition parties do not oppose for the sake of it, but offer constructive criticism to promote the common good.

The Uganda Local Government Association should workout a partnership with civil society organizations and other government institutions such as Uganda Human Rights Commission and the Electoral Commission undertake sensitisation about the functioning of a multi-party system. Without a population that is aware of their duties, rights and obligations democracy at local level will not be consolidated.

#### 5.4. Develop a Code of Conduct for Parties

The code of conduct for political parties and organizations should be urgently put in place and vigorously enforced to promote harmony and ensure that the activities of political parties and organizations do not endanger the common good.

Since all organs of the state derive their authority from the people and use it in the service of the people, a legal framework for consultations between the heads of the three organs of the government should be provided for to enable them to consult on major issues of public concern and the protection and promotion of the common good.

# 5.5. Security Forces should be sensitised about the New Dispensation of Multiparty Politics

The new political dispensation requires stability. The security sector should be strengthened and trained in human rights observance and the functioning of multiparty system. Uganda needs to strengthen civil-military relations so that Uganda Peoples Defense Force (UPDF) does not get involved in partisan politics while at the same time remains committed to defend the common good. Similarly other security organsthe police, intelligence agencies should be sensitized to appreciate why they should be non-partisan in a multiparty dispensation.

## 5.6. Local Government Act should be Reviewed to Harmonize it with the Operations of Multiparty System

There are provisions in the laws which are inconsistent with the constitution and multi-party system. There is an urgent need to review the Local Government Act to facilitate the functioning of the multiparty system in Local governments. The provisions on corruption should leave no doubt in the minds of public officers that their loot would be confiscated and the proceeds returned to the public purse (Treasury).

#### 5.7. Ministry of Local Government should Guide Local Governments on Rules of Procedure and Operations of MultiParty System

Although local governments have powers to make their own rules of procedure, many of them lack the competence to do so. It is therefore urgent for the Ministry of Local Government to design model rules of procedure for the local governments to adjust and adopt. Rules of procedure would clearly define the relationship of parties within the councils, the centrality of government programmes in case the council is controlled by the opposition parties. Similarly, the leadership of accountability committees for purposes of checks and balances in the councils should be led by the party in opposition.

#### 6. Conclusion

This paper has examined the operations of the multiparty system in local governments with a view to point out areas of concern and for improvement. This is important because deepening democracy in Uganda would be a futile process without focusing on local governments where the majority of the population live and expect good service delivery.

The paper makes a number of recommendations for effective functioning of the multiparty system both in local governments and at the national level. Some of the recommendations include the need for political parties to cooperate with one another in mutual trust and in good faith to foster cordial relations and amicable consultations among them, practicing internal democracy within parties, financial support for registered parties and organizations, an institutionalized framework for inter-party consultations, and a code of conduct for political parties and organizations.

Furthermore, the paper recommends that for pluralism to take root, civil society organisations in partnership with the media should play a positive role of supporting and delivering civic education. This is important because the understanding about the operations of a multiparty system is urgent for all to appreciate the challenges of political transition from the Movement system and the demands on every citizen to make a contribution for the multiparty system to work in order to deepen democracy in Uganda.

Sensitisation should go hand in hand with amending the existing laws to be consistent with the constitution vis-à-vis party politics and designing model rules of procedure for councils that are consistent with multiparty system.

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