

**HINDRANCES FACED IN FIGHTING CORRUPTION IN UGANDA; A CASE STUDY,
MBARARA REGION**

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**A DISSERTATION SUBMITTED TO THE COLLEGE OF HUMANITIES IN PARTIAL
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UNIVERSITY**

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DECLARATION

I declare that I am the author of this paper. No one had published this work; however, I recognize that I got some information from the already published literature and other people's contribution, ideas or words. I also certify that this paper was prepared by me specifically for the partial fulfillment for the degree of social work and social administration at Kampala International University

Student's Name.....

Date.....

APPROVAL

This research dissertation entitled “the hindrances faced in fighting corruption in Uganda” has been under my supervision as a university supervisor and is now ready for submission

Signed:.....

Supervisor: Mr. Achoda Denis

Date:.....

DEDICATION

To my parents Mr. Ssebulia Alphuns and Mrs. Mbabazi Juliet who has been there for me since day one in school and supporting me up to this level by giving I financial help to carry out this research. I thank them so much may God reward them abundantly.

ACKNOWLEDGMENT

I acknowledge the grace of God for bringing me this far to the completion of this research. Also my efforts towards the completion of this book and all the data necessary in it to be in place.

I am greatly indebted to a number of people who financially, morally, spiritually materially led to the successful completion of my research for the book, I would like to acknowledge my supervisor Mr. Achoda Denis who was our course coordinator who guided me in whatever I was doing and his encouragements towards the completion of this research.

In a unique manner my thanks goes to my sister. Aruho Judith who was there for me financially and encouraged me to work hard, lastly I thank the administration of Mbarara District for providing me with information, data that I needed and with their cooperation with me. May the good Lord bless them abundantly?

LIST OF ACRONYMS/ABBREVIATION

ACT	-	Anti-Corruption Threshold Program
CID	-	Criminal Investigations Department
IG	-	Inspectorate of Government
ISO	-	Internal Security Organization
MOLG	-	Ministry of Local Government
CHOGM	-	Common Wealth Head of Government
CSOS	-	Citizen Sector Organization
CBOS	-	Community Based Organizations
LGS	-	Local Government
LC	-	Local Council
HCC	-	High Court Case
NGO	-	Non Governmental Organization
URA	-	Uganda Revenue Authority
DPP	-	Directorate of Public Prosecutions
NIS	-	National Integrity Survey
USAID	-	United States agency for international Development
NAADS	-	National Agricultural Advisory Services

ABSTRACT

The study was carried out to assess on the hindrances faced in fighting corruption in Uganda and the researcher used Mbarara region as the case study. The research set the objectives which he based on to draft the questionnaire. The objectives were intended to; analyze the legal or institutional mechanism to fight and solve corruption in Uganda mainly in Booma county of Mbarara district local government, examine the hindrances to enforcing the legal or institutional mechanism towards the fight against corruption for the development of Uganda in Booma county of Mbarara district local government and establish the possible solution and recommendation policies or controls to promote and boost the institutional mechanisms for the anti- corruption conventions in bwamba county of Mbarara district local government. In chapter two, the related literature was reviewed which was inline with the objectives and researcher questions. Chapter three focused on the research design, study population, sampling techniques and size that is sampling method and sample size data collection methods and instruments, data analysis and limitations of the study. The researcher had a total population of 70 people from whom only 50 were chosen. Chapter four of this research had the presentation, interpretation and analysis of findings. The data was presented in form of tables, and graphs. The researcher followed the questionnaire from the demographic characteristics of the respondents and then the objectives of the study. As per the demographic characteristics of the respondents, majority were men compared to women. It was implied that male contribute more on combating hindrances that cause corruption compared to women who were few and they have therefore, realized that corruption should be fought. The age bracket of 36-45 had majority of the respondents because they were considered to work harder in fighting corruption than those within the age bracket of 26-35 and those who were above 46 years. In reference to the researchers findings on challenges faced by the legal institutional mechanism, the government needs further strengthening in terms of adequate skilled human resources, funding logistical support, more offices at the regional and district levels, and better remuneration for staff. Proper coordination of the activity of all agencies charged with fighting corruption is needed to avoid wasteful. Chapter five contained the summary of the findings and discussions of findings about the research. The researcher summarized that Uganda as a matter of fact has got comprehensive legal and institutional framework in place to fight corruption, but the golden age question remains why these systems and efforts remain fruitless.

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CHAPTER ONE

INTRODUCTION

1.0 Introduction

This chapter presents the background, statement of the problem, purpose of the study, objectives of the study research questions, scope of the study, significance of the study and the study structure.

1.1 Background to the study

The study was carried out in an effort to find out why corruption remains a permanent vice in Uganda especially at the grassroots levels in some districts like district local government. The study is premised on the fact that combating corruption has proved to be an uphill task, even with all the necessary legal and institutional mechanisms to fight it. Both government and civil society initiatives have remained toothless and their effort fruitless. Though there have been ways put in place to fight it, corruption is still rampant. Therefore the study is to find out why corruption has failed then what could be the hindrance in stopping it.

Mbarara district is located in western Uganda, Ankole sub region founded in 1901, township 1957, municipality 1974. population of mbarara (2014 census is 195,013). Mbarara is located about 290 kilometers (180) mi, by road, south west of kampala the capital city of Uganda It is bordered by Ibanda district to the north, Kiruhura district to the east, Ntungamo District to the south west, Sheema District to the west and Buhwezu District to the north west.

The coordinates of the district are 00 36S 30 36E. It is also part of the Ankole sub region. In the case of Uganda regardless of the legal and institutional anti-corruption mechanisms, corruption is still rampant and is increasing day by day. Cases of corruption among public servants and corporate business men and women are worrying. The global integrity report (2009) called upon Uganda to implement its anti-corruption and public accountability laws in order to improve service delivery to Ugandan. The report says that although Uganda has a strong legal anti-corruption framework, it struggles to translate the laws into practice. Uganda's scores for

government accountability and political financially increased from its 2007 assessment even though it remained below the required standard.

There are global legal effort against corruption such as the United Nations convention against transnational organized crime 2000(the Palermo convention), United Nations convention on the suppression of the financing of terrorism (1999), United Nations convention; World Bank report (2002/040, corruption as a major obstacle to business viewed on.

<http://inweb90.worldbank.org/eca/eca/-nsf/generalnationalanti-corruptionstrategy-2001-2013draft4.3august2008,p.6> ventium (the Vienna convention) against illicit traffic in narcotic drugs and psychotropic substances (1998), united nations security council resolutions 1373, united nations convention against corruption, united nations 20003. Report to parliament by inspectorate of government July - December 2008 anti corruption convention.

1.2 Statement of the problem

Corruption is now recognized to be one of the world's greatest challenges, Uganda is among the most hit by the vice. It is a major hindrance to sustainable development with a disproportionate impact on poor communities and is corrosive on the very fabric of sector which is also considerable. However in the case of Uganda regardless of the legal and institutional anti-corruption mechanisms to fight corruption, it is still rampant and is increasing day by day. It is important to note that cases of corruption among public servants and corporate business men and women are worrying .

Despite the government's efforts to formulate legal and institutional mechanisms to fight corruption in Uganda, corruption is still rampant yet there are mechanisms put in place to stop it. The central argument and question answered by the study is why the legal and institutional mechanisms put in place to fight corruption have failed to deliver. What could be the secret behind the failure of the efforts .The research therefore seeks to find out why corruption remains an untouchable giant amidst some of the most tough policies and institutional frame work to overcome it. Major focus is on laws, institutions and policies put in place by the government with the inspectorate of government as case in point and challenges they face to fighting

corruption Suggestions and recommendations are therefore to be made as possible answers against corruption in Uganda.

1.3 Purpose of the study

The purpose of the study was to assess the hindrances faced in fighting corruption in Uganda, Mbarara region.

1.4 Objectives of the study

1.4.1 Main objective

The study was carried out to establish the definition of corruption by various people, the major legal and institutional mechanisms to fight corruption, hindrances faced in fighting corruption, possible solutions and recommendation policies to boost the institutional mechanisms for the anti- corruption convention in Uganda with special reference to Mbarara local government, Booma County, Mbarara municipality.

1.4.2 Specific objectives of the study

While carrying out the study, the researcher was guided by the following objectives.

To analyze the legal or institutional mechanism to fight and solve corruption in Uganda mainly in Booma county of Mbarara district local government,

To examine the hindrances to enforcing the legal or institutional mechanism towards the fight against corruption for the development of Uganda in Booma county of Mbarara district local government.

To establish the possible solution and recommendation policies or controls to promote and boost the institutional mechanisms for the anti- corruption conventions in bwamba county of Mbarara district local government.

1.5 Research questions

The study was aimed to the leading factors of corruption, wide authority and bribe affecting the legal and institutional mechanisms to fight corruption in Uganda mainly in Mbarara local government.

What are the legal and institutional mechanisms for fighting corruption in mbarara local government

What are the hindrances to enforcing the legal and institutional mechanisms to fight corruption in mbarara local government

What could be the possible solutions to these hindrances of enforcing legal and institutional mechanisms to fight corruption in Mbarara local government, Booma County?

1.6 Scope of the study

1.6.1 Content Scope.

The study was limited on assessing the hindrances faced in fighting corruption in Uganda.

1.6.2 Geographical scope.

The study was limited to areas around Mbarara district but with specific emphasis to Booma County, Mbarara municipality, and Nyamitanga parish, kyikoona village in western Uganda.

1.6.3 Time scope.

The research took a period of one month, to ensure that this research is conducted effectively and produce reliable information.

1.7 Significance of the study

The findings of the study are of great benefits to various groups of people that is local government, policy makers, students, business persons, future researchers as well as the researcher herself.

The findings of the study will the internal community to direct more research related fields like to find out the influence of working as a group on fighting corruption and finally it will act as a reference material for the internal community.

The findings of this study will help the policy makers to see the advantages of working as a team. It will help them to delegate duties in cases where they are busy with the region matters.

Finally the findings of this study will be of great value to future academicians/researchers since it acts as a reference source for a related study.

CHAPTER TWO

LITERATURE REVIEW

2.0. Introduction

This chapter reviews literature on the definition of corruption, the hindrances of enforcing legal and institutional mechanism to fight corruption, their roles, suggestions put across in form of solutions/measures to most of the identified gaps, causes of corruption, their limitations, challenges, and objectives and other aspects concerning the hindrances that include fail of inspectorate of government staff put measures such as critical mass mobilization and sensitization against corruption, personal passion and commitment on the part of IG employees and increased public reporting of corruption all which could work in a flourishing environment of political will against corruption, promoting and fostering the rule of law and principles of natural justice in public offices and enforcing the leadership code by conduct.

2.1 Understanding of corruption by many researchers

Corruption is an intricate term to define because it takes different forms .The Utstein Anti-corruption resource centre looks at corruption as phenomenon that is multifaceted ,that is to say ,it is diverse and complex in terms of actors ,initiators ,profiteers ,causes and consequences and therefore there is no consistency on the exact definition[Sandra Zwart,2003]

Because of the intricacy in defining corruption as stated above, different people and institutions have come up with different definitions depending on the way they understand or see it .below are therefore some of the definitions of corruption.

Kabasa, p.quoting funk and wagnall's standard dictionary definition of corruption deprave dishonest, given bribery and of destroyed fidelity and integrity

According to kabasa, the term corrupt is used to describe something bad, immoral and rotten.

Ruzindana ,et al (1998; 18) ,quoting the inspector general of government in a paper on corruption and mis management in government ‘ ‘ defines corruption as any practice or act or omission by public official that is a deviation from the norm and that cannot be openly acknowledged but must be hidden from the public eye .’ ’Corruption deviates official decision – making from what it has been to what it has not been. introduces discrimination and arbitrariness

in decision making so that rules, regulations and procedures become unimportant and that in extreme cases, decision making is not only transferred to the corrupters but is totally hijacked by and arrogated to the corrupters (ibid).

Corruption is also defined as ‘‘ a conduct or practice by a public official or private individual done in flagrant violation of existing rules and procedures for the realization of personal or group gains .’’(Ruzindana et al, 1998; 18)

Stape nhurtst, R. and shahrzad ,S.,(1999;1) defines corruption as ‘ the abuse of power ,most often for personal gain or for the benefit of a group to which one owes allegiance and it can be motivated by greed ,by the desire to retain or increase ones power ,or perversely enough by the belief in a supposed greater good .’’They argue that, while the term corruption is most often applied to abuse public power by politicians or civil servants, it describes a pattern of behavior that can be found in virtually every sphere of life,(ibid)

The 1970 prevention of corruption Act (POCA) in Uganda. It does not give an explicit definition of corruption. It confines the acts of corruption only to situations involving public officials .the Act therefore looks at corruption in references to ‘‘Any person who shall ,by himself or in conjunction with any other person corruptly solicit or receive ,or agree to receive for himself or for any other person ,or corruptly give a promise or offer to any person whether for the benefit of that person or of another person ,any gratification as an inducement or reward for or otherwise on account of any member, officer or servant of a public body or forbearing to do anything in respect of any matter or transaction’’(P.Kabsa).

The directorate of Ethics and integrity defines corruption as the use of public office for private gain ‘‘.similarly, Transparency International (2006-14) defines it as the misuse of entrusted power for private gain These include among others, acts of embezzlement, bribery, influence peddling and abuse of public office ‘‘.corruption is not only a question of individual criminal actions, but also a result of failure in public administration systems.(ibid)

According to Ha-joon chang (2007-161), corruption is “ a violation of the trust vested by its stakeholders ‘in the holders of offices in any organization, be it the government, a corporation, a trade union or even a Non –Governmental Organization’”.

Osoba, S.O,(2000;472) defines corruption as a form of anti-social behavior by an individual or social group which confers unjust or fraudulent benefits on its perpetrators ,is inconsistent with the established legal norms and prevailing moral ethos of the land and is likely to subvert or diminish the capacity of the legitimate authorities to provide fully for the material and spiritual well being of all members of the society in a just and equitable manner.”

In broad terms corruption is the abuse of public office for private gains. it encompasses unilateral abuses by government officials such as embezzlement and nepotism, as well as abuses linking public and private actors such as bribery ,extortion ,influence peddling and fraud .corruption arises both political and bureaucratic offices and can be petty or grand ,organized or unorganized though corruption often facilitates criminal activities for purposes of understanding the problem and devising remedies ,it is important to keep crime and corruption analytically distinct.

There is no widely accepted definition of hindrances of enforcing legal and institutional mechanism to fight corruption in Uganda today apart from a few measures being put in place such as elimination of corruption, promote and foster the rule of law and principles of natural justice in public in public offices and enforcing the leadership code of conduct according to IG mandate (July- Dec 2008) inspectorate of government report to parliament as view as the international scene different writers, researchers and policy makers have used differing definitions for enforcing legal and institutional mechanisms to fight corruption in Uganda.

The definitions is derived from the local government, civil society, inspectorate of government, courts of laws, policy makers, organizational values, leaders.

Corruption is now recognized to be one of the world’s greatest challenges,, Uganda among the most but by this stormy vice. The World Bank has stated that ‘bribery has become a major disease in business sector 2.1 transparency international (2009) global corruption report. It is a major hindrance to sustainable development, with a disproportionate impact on poor

communities and corrosive in the public sector, the impact of corruption on the private sector is also considerable.

It impedes economic growth, distorts competition and represents serious legal and reputation risks.

Corruption is also very costly for business in many parts of the world with the extra financial burden estimated to add 10% or more to the costs of doing business in many parts of the world.

There are global legal efforts against corruption such as the United Nations Convention against Transnational Organized Crime 2000 (the Palermo Conventions), United Nations Convention on the Suppression of the Financing of Terrorism (1999) United Nations Convention 2, World Bank Report 2002/04, Corruption as a Major Obstacle to Business;

2.2. Mechanisms for fighting corruption/ types of mechanisms that have been put in place to fight corruption in Uganda

Uganda has a strong legal anti-corruption framework put in place but faces major implementation challenges in practice. The Global Integrity 2008 Report underscores this implementation gap. The country scores strongly in terms of the quality of its anti-corruption law and very weakly in terms of enforcement of the law.

Major anti-corruption legislation includes the Penal Code Act (PCA) and the Prevention of Corruption Act which criminalize the offering or receipt of bribes, with penalties reaching up to 10 years in prison. The Inspectorate of Government Act 2002 (LCA), and the Public Prosecution and Disposal of Public Assets Act 2003 further constitute Uganda's legal framework against corruption.

Additional policy measures have translated into the adoption of a code of conduct for public officials (including wealth declarations), and procurement and the managing of public finances.

Uganda has signed and ratified both the UN and the AU conventions against corruption, but they have not yet fully domesticated into law.

According to a detailed 2006 TI study on the implementation of anti-corruption laws in Uganda, the country already has in place the necessary legislative measures to fight corruption but needs

to strengthen measures on protection of witnesses ,participation of civil society ,criminal prosecution and sanctions ,seizures and confiscation of property and financial records ,and the payment of compensation .

The institutional frame work, The legal framework has laid the ground for several anti-corruption institutions such as the inspectorate of government t(IG) ,the directorate of public prosecution DPP .and the Auditors General

The inspectorate of Government (IGG)

The IGG was established in 1986 and has development into an independent public office in charge of protecting and promoting human rights and the rule of law in Uganda .it enforces the LCA and the IGG Act and ,and also functions as an ombudsman, ,with the power to investigate Arrest and prosecute corruption cases, abuses of authority and public office .it has established hotline through which the public can report corruption cases anonymously .The inspector general is appointed by the president .though past criticism has focused on an apparent reluctance to address corruption cases involving high ranking officials, the IGG has lately taken a stronger stances, as demonstrated by the investigation of solicitor. General Lucien Tibaruha over alleged abuse of office .The IGG's recommendations are rarely followed –up by the parliament or by the executive difficulties in implementing asset declaration provisions, as many members of parliament have refused to submit income information.

The directorate of ethics and integrity (DEI)

The DEI was also established in 1986 with a view to coordinating government efforts against corruption through the inter agency forum .Within its mandate, DEI has acquired considerable resource centre .in June 2004, it launched a four year strategy to combat corruption and rebuild integrity in public office, aiming at improving the coordination of existing laws and at involving the public in anti-corruption efforts.

The inter Agency forum

The forum is chaired by the DEI and is composed of Uganda's major anti-corruption institutions, including the judiciary and the police .it has been established to ensure effective coordination of agencies on corruption issues and has allowed inter agency dialogue in the design and

implementation of national anti-corruption strategy ,however ,a lack of funding and capacity has constrained its effectiveness.

The directorate of public prosecution (DPP)

The DPP has a mandate over all prosecution in the country, including cases of corruption and bribery. It does not have the power to conduct investigations, but it can direct the police to investigate any information of criminal nature and initiates criminal proceedings against any person in any court except a court martial.

The Dpp works in close collaboration with the police criminal investigation department and with the judiciary .its director is appointed by the president on the recommendation of the public service and with the approval of parliament. It is not perceived to be a corrupt institution but faces major capacity challenges.

The Auditor General (AG)

The AG audits and reports on the public accounts of all public offices, as well as those of local councils. It submits audits reports to the parliament and other relevant authorities at the local level .yet the institution appears to be largely ignored by the executive and resources and capacity to conduct thorough audits at the local level.

The public procurement and disposal of public assets Authority (PPDA)

The PPDA is an independent agency established in 2003 that sets the rules and regulations for procurement..Open domestic bidding methods is the rule and sole sourcing is legally limited .the PPDA publishes procurement guidelines, open opportunities, contract awards and other

Related information on its website provides advice, guidance and capacity training, while also monitoring and evaluating compliance .it has the power to blacklist corrupt providers .A register of providers has been established to ensure that data is available and open to all stakeholders involved in procurement processes. The PPDA has also introduced a complaints mechanisms .in spite of its comprehensive mandate ,the PPDA ,like Many other institutions ,is both understaffed and under-resourced .According to Global integrity 2007,blacklisted companies have sometimes

been able to circumvent disciplinary measures ,including by bribing their way into bidding processes.(<http://report.globallintegrity.org/Uganda/2007>)

Inspite of a relatively strong legal and institutional framework, the effectiveness of anti-corruption efforts is hampered by the general lack of coordination of under-financed institutions. The general lack of government actions and follow up on anti-corruption agencies recommendations questions the political will to effectively address corruption challenges in the country.

Assessments of Anti-corruption Efforts

Despite some positive aspects of its legal and institutional framework, recent corruption cases and politic developments in Uganda indicates a lack of political backing for the implementation of anti-corruption reforms.

Constitutions amendments that allowed the third presidential mandate, corruption challenges in the defense sector, insecurity in the north of the country, as well as several unresolved cases of political corruption are seen as signs of the government's declining commitment to anti-corruption reforms.

Political decisions have, in some cases, been made in clear contradiction on existing anti-corruption policies .in 2003,forexample ,the IGG recommended sacking a presidential advisor on political affairs for refusing to declare his wealth under the 2002 leadership code Act .the latter took the matter to court and got the president to swear in his support .the case was taken fur there to the high court, on the grounds that the leadership code had given more power to the IGG than to the president. The high court finally nullified the IGG decision on this account, undermining its powers to order or recommend to the president disciplinary measures

Other Anti-corruption Initiatives

Despite fears that recent political developments leading to the election of president Museveni for his third mandate may restrict freedom of speech, limit public participation opportunities and

jeopardize public accountability and transparency, non-governmental actors have taken up the challenge of countering corruption in Uganda.

Civil society

The right association is guaranteed by the constitution and Uganda has vibrant civil society that addresses politically sensitive issues. According to the Bertelsmann foundation report from 2008, however, civil society organizations are vulnerable to legal restrictions such as the manipulation of restrictions of registration requirements or to provisions that can be used to interpret CSO activities as detrimental to state security and interests.

Many civil society organizations are involved in anti-corruption work. The Anti-corruption coalition Uganda (ACCU) is an umbrella group of about 70 CSOs seeking to curb corruption and eradicate poverty. The ACCU organizes an anti-corruption week every year in December and began in 2008 the name and shame book, where civil servants convicted for corruption are named. Transparency International as a chapter in Uganda, which is active in advocacy around the implementation of anti-corruption laws and conventions, public policy monitoring, and the organization of trainings and workshops. The Uganda debt network (UDN) is a coalition of NGOs, institutions and individuals formed in 1998. It focused on lobbying debt relief and advocacy for pro-poor policies. It also monitors use of public resources and ensures borrowed and national resources are managed in an open, accountable manner.

Media

As for freedom of association, freedom of speech and freedom of the press, these are guaranteed by the constitution. An independent print media is at times, highly critical of government. Recently, however, the government has shown signs of growing intolerance towards independent media and has supported press freedom. There have also been instances where journalists have been selectively harassed when opposing NRM officials. The world wide press freedom index 2008 ranks Uganda 112th out of 195 countries and refers to the media landscape as partly free.

Parliamentary approaches corruption.

Uganda was one of the first chapters of the African parliamentarians network against There have been recent initiatives to strengthen the role of parliament in the fight of corruption Uganda chapter(APNAC), established in Africa in 2000.it mainly focuses on networking and advocacy ,especially with regard to the implementation of the UN and AU anti-corruption conventions. AP parliamentary Budget office's also been established to strengthen the capacity of the parliament account committees .(PAC) to carry out its budget over sight responsibility .as budget process are overly complex and members of parliament (MP) often lack the technical capacity to fully play their oversight role ,Uganda has created an independent parliamentary budget processes with expertise ,analysis and reports on key budget related issues .(<http://www2.gtz.de/gender-English/papers/working/-groups/Hannington-Asha-ba-3A.pdf>)

Some of The legal and institutional mechanism put in place includes;

The leadership code of conduct 2008, under inspectorate of government laws, (report to parliament these laws include;

Leadership code of conduct 37

- 1) Parliament shall by law establish a leadership code of conduct for persons holding offices as may be specified by parliament
 - a) the leadership code of conduct shall requires specified officers to declare their incomes, assets and liabilities from time find how they acquired or incurred them.
 - b) Prohibit conduct likely to compromise the honest, impartiality and integrity of specified officers or
 - Wisely to lead to corruption in public affairs or
 - Which is detrimental to the public good or welfare or good government?
 - c) Prescribe the penalties to be imposed for breach of the code, without prejudice to the application of criminal penalties prescribed for the breach in question
 - d) Prescribes powers, procedures and practices for ensuring the effective enforcement of the code.

The code requires the leader to declare his/her income, assets and liabilities to protect and preserve public property and use it only for authorized purposes. It provide for the nature and amount of gift (refer to annex 3) that a leader may accept and prohibit any conduct that is likely to promote with use of public property, undue influence and unfair advantage by a leader from the improper use of his or her office LCA (2002/15) gives the general idea of the intention of the parliament at the time of passing the code. The conduct prohibited by the section indicates that parliament intended to legislate against improper use of official positions in order to obtain property use of official positions in order to obtain property discourage and outlaw favoritism or nepotism and the culture of giving preferential treatment and ensure that public office is not abused by the people who are elected or appointed to public position.

The leadership code act, 2002 provides for a minimum standard of behavior and conduct for leaders. It requires all specified leaders to declare their incomes, assets and liabilities to the inspector general of government, the code ensures integrity transparency and accountability among the specified leaders and prohibits conduct that is likely to comprise their honesty, impartiality and integrity in their conduct of public affair and imposes penalties on those who breach it.

2.4 In Uganda's case the legal and institutional mechanism put in place include;

- The constitution of Uganda 1995
- The penal code act (until the anti-corruption bill in enacted)
- The public finance and accountability act, 2003
- Budget act, 2001, the local governments act, 19997,
- Leadership code act, 2002 inspectorate of government act, 2002. the public procurement and disposal of public assets act, 2003,
- The prevention of corruption act, 1970, access to information act, 2005, public service standing orders,
- The audit act, 2008 among others.

On top of these, there are institutional mechanisms put in place such as directorate of ethics and integrity, auditor general office, anti-corruption court (created under high court in 2008). Directorate of public prosecutions and solicitor general, to mention but a few.

Uganda has also subscribed to a number of international treaties and regional organizations whose operations has direct relevance for the manner in which accountability issues are addressed 3 impediments of battling corruption in Uganda (Ivan Atuyambe may 2011).

Article 223 of the 1995 constitution of republic of Uganda provides for the leadership of the inspectorate of government, the institution is headed by the inspector general of government (DGGS) Both the inspector general of government and the deputy inspector of government are appointed by the president with the approval of the parliament of Uganda. The secretary to the inspectorate of government is the accountant officer and is appointed by the president on the advice of the public service commission (government of Uganda, 1995)

2.5 Corruption as a definition by many researchers in legal and institutional mechanisms

The inspectorate of government act 2002 defines corruption as abuse of public office for private gains and includes but is not limited to embezzlement, bribery, nepotism, influence pending, theft of public funds or assets, fraud lxxvi, forgery, causing financial or property loss, and false accounting in public affairs, corruption, broadly defined as dishonest or illegal behavior, especially of people in authority has today grown into a global vice of disturbing proportions. This essay looks at the nature of corruption explore the legal measures that have been put in place to fight the melody.

We have argued that corruption do not have an independent existence. It resides in society and thus corruption is a social relation. The fight against corruption should be collective fight in which all stakeholders affected by it are involved. Individual cases of corruption in both the public and private sectors have been reported in the Americans several countries in Africa, Asia and Europe. According to transparency international (2004) a whopping US\$ 400Billion per year 16 loss through corruption worldwide in government procurement alone.

Corruption distorts resource allocation and government performance. The causes of its development are many and vary from one country to the next among the contributing factors are policies, programs and activities that are poorly conceived and managed, failing institutions,

poverty, income disparities, inadequate civil services' remuneration, and lack of accountability and transparency. Evidence of corruption becoming accepted behavior can be found in the comments of an elderly lady from Mbale, Uganda during the national integrity survey conducted in 1998.

In fact, this is a common, daily and open practice so that we think government has legalized the payment of bribes in the country.

Public servants, lacking a service mentality, become more interested in seeing themselves than servicing the public, as promised out by a Kasese man. Public servants should realize that they are there to serve the public that can only be done when government listens and implements community decisions. At that point a lack of political commitment and resource institutional, human and financial hampers anti-corruption effort, for the average person, a bribe is the most obvious evidence of corruption.

In many countries, applicants for driver's license building permits, birth certificate etc has learned to expect a surcharge from civil servants in order to obtain these documents. However, the consequences of corruption are more pervasive and profound than these bribes suggest. Corruption diverts leads funding resulting in services of poor quality or that are simply unavailable.

Corruption is a complex phenomenon in terms of definition, form and manifestations, Bardham (1997) defines corruption as the use of public office for private gain S. Rose-Ackerman (1999) describes corruption as a symptom that something has gone wrong in the management of the state. The point of the nature of corruption is to understand the society in which it (corruption) thrives. I believe and I would like to tell of us know that we are utterly responsible for where we live, corruption the machinery used by the rich and privileged to exploit the poor and less privileged. It is a crime committed by its minority against the majority. The only silver bullet to end corruption as a matter of fact is the poor and the less privileged rising against the rich and privileged. In fact Kligard (1995a, 1995b) and rose Ackerman (1978, 1994a) have formulated a

corruption equator which shows that corruption is a product of monopoly plus discretion in the absence of transparency (corruption = monopoly + discretion - transparency (in governance)).

Corruption can also come as bribe-bribes have from time to time been reported to have flourished in the public service where there is strategy disproportion between citizen demands for services goods and the ability of public administration to supply those services and goods in sufficient quantities.

2.6. Causes and responses to corruption

Institutional causes - institutional responses

Wide authority - limits authority for example privatization, liberation, competitive procurement, competition in public service.

Minimal accountability - Improve accountability through transparency for example freedom of information legislation, financial disclosure, open budget process, financial management system.

Over sight e.g. audit officers, inspector general/omnibus/men/anti-corruption agency, legislative, oversight, hot lines, and whistle blower protection

Sadiums e.g. electoral criminal and administrative sadium, judicial reform

Perverse incentive - realign incentives for example living wage, performance based incentives professionalization, ethic codes, eliminating redundant and ghost workers.

Societal causes - societal responses

Anti-system attitudes - raise awareness about costs of corruption and mobilize political will for reform, for example through surveys, public relatives, campaign investigative journalists, civil advocacy organizations, wall ops, internal press.

2.7 Designing a response of corruption (causes of corruption)

- a) Under authority, corruption arises due to wide authority, little accountability and perverse incentives this means the more activities public officials control or regulate, the more opportunities exist for corruption.
- b) By the lower probability of detection and punishment the greater the risk that corruption will take place. In addition, the lower the salaries, the rewards for performance, the security of employment and the professionalism in public service, the greater the incentives for public officials to pursue self serving rather than public serving end. This institutional perspective suggests, fights corruption through the forum.
- c) Redesigns terms of employment in public services (to improve incentives)
- d) Strengthening transparency, oversight and section (to improve accountability)
- e) Reducing the role of government to economic activities (to limit authority)

2.8 Tool / measure in fighting corruption

The approach present in this paper is essentially holistic- corruption is viewed as systemic issue requiring the donors to work on several fronts and to collaborate with all branches of government and many parts of society. The approach is to promote good governance through and among other sectors. Prevention is to help client countries curb corruption and build integrity and therefore improve their public services and create an enabling environment for the private sector.

The governance and anti-corruption program comprises three principal activities' areas'

- a) Improving public sector services delivery by focusing on public sector accountability and legal reform in order to re-introduce rule of law.
- b) Building integrity by promoting governmental accountability and transparency and;
- c) Building a prevention and anti-corruption capacity of the public sector including parliament, watchdog and enforcement agencies and the judiciary an civil society, particularly by strengthening non-governmental organizations (NGOS) and the media.

The program details with other reforms such as public sector management program, which focuses on prevention through civil service reform and public-expenditure planning and management, as well as, on supporting governance activity research and dissemination of findings.

The enforcement of anti-corruption legislation international has hitherto been relatively poor, but this is slowly changing. In developing countries like Uganda and emerging markets, where the opportunity for corruption has been brief because of weak law and regulation, corruption has been a resource of significant political importance and there is growing determination to act and to take these accused of corrupt practices to court. There are also a growing number of examples where developing countries with limited capacity to handle such cases have obtained outside legal assistance to this end the OECD is playing a critical role in ensuring that its member states are developing judicial capacity to enforce the prohibition against any involvement in bribing foreign officials. The declaration of socialism in some east African countries was the beginning of the struggle to build a country where all forms of exploitation and corruption were condemned. This included the adoption of several measures to curb tendencies of corruption. Firstly, the government nationalized all private business that had managed to emerge, especially in the areas of export and import trade, manufacturing and commerce (banks). These were turned into parasitical organizations totality 450 managers, most of who inexperienced were hurriedly approved to manager, these public enterprises, Institutional and legal measures are also trend in the fight against corruption. There are measures that have been put in place and these are mainly through some institutions. The forums against corruption have been increased in number to very many agencies and also include other organizations such as the media and community based organization that are contributing towards the fight against corruption.

The president's office is also outstanding against the vice.

It was in 2009 that the move to fight corruption by the president was named the prevention of corruption war in his intention to wedge a war against corruption. The role of the anti-corruption squads or agencies is to investigate, apprehend and take to court individual who is alleged to have engaged in corruption practices.

The leadership code has been put in place by introduction of some job code of conduct and acts that controls the work and behavior of civil servants for example the 1997 local government act, prohibiting public leaders from engaging in capitalist activity including owning houses for rent, holding directorships, private business, and recurrently more than one salary. In the local

government act, it is clearly stated that civil servants are supposed to be paid from the consolidated fund.

Strengthening the legislative frame work to address corruption, that is there has been the enactment of the leadership code of conduct 2002, which is implemented by the office of the inspector general and this has achieved milestones. This will try to eliminate leaders who are corrupt and leaders will fear to engage in corruption due to fear of penalties and punishments.

Empowering and strengthening the parliamentary accounts committees to carry out investigations in the misuse of public funds. The major public accounts committee includes PAC and LGAC (local government accounts committee). This can help to create a significant level of fear among public officials which can then scare them from getting involved in corruption practices. An example here can be the CHOGM audits and refund of UPE funds by some head teachers.

The public procurement act, of Uganda in procurement boards, there is the public procurement act that the parliament evaded. The act laid down the procedures for public purchase of services goods and material for public purchase of services goods and materials. It emphasized the need for competitiveness and transparency in the procedures of tendering especially when private operators are sought to provide public services (contracting).

Restructuring of government entities/line ministries in order to ensure that there are no linkages with the funds is also a measure to fight the corruption cancer. This has been practiced in Uganda however very few entities even those who low corruption rates has been restructured. This should be improved and strengthened to ensure transparency and accountability for example Uganda revenue authority in 2004 was restructured in order to rationalize functions and reduce linkages in tax administration functions and reduce linkages in tax administration and this led to achievements in terms of improved tax collection mainly in financial year 2006/07 the targeted tax was 2.55538billin and actual collection was 2.62574billion. In addition, small strict attention on the recovery of embezzled public funds should be emphasized. There should be successful investigation and prosecution mainly in some high ranking public officials. The case in point here may include the funds of Uganda sh. 600 million by a former managing director of national

social security fund (NSSF) and Uganda shs.240million by a former minister of health Jim Muhwezi.

2.8.1 Indicators of government performance

Public perception of corruption in the delivery or provision of selected government services as reposed in opinion polls.

Time and real cost to customer of getting a license from selected licensing agency or a connection to utilizes through a government attitude company

Indicator of anti-corruption laws and regulations establish code of conduct or other agency binding statement for elected and government officials.

Indicators of oversight mechanisms on maintenance of ethical standards

Maintenance and adequate funding of an independent auditor general's office or equivalent organizations that regularly audit government documents

Effective of legislative oversight, competition in public service, reduces opportunities for corruption by removing the monopoly power of any on the government extortion since customer can take their business to a company office when confronted with irregular demands or services.

Institutional set goals

The set targets of inspectorate of government in its 2005-09 corporate and development plan have considered in this study to measure the effectiveness of the institution in enforcement of the mandates assed is;

60% annual investigation of report corruption complement

50% annual prosecution of investigated cases

60%verification of assets, income and liabilities of specified officer after 2 years f declaration (inspectorate of government 2005).

2.9 Challenges /hindrances faced by legal and institutional to fighting corruption

Although the corruption barometer of transparency international ,an improvement in Uganda's corruption score from 105 out of 163 in 2006 to 111 out of 179 in 2007(New vision ,Wednesday, September 26,2007),there is no doubt that corruptions is still very prevalent in Uganda. it is

manifest daily in the offices we work in and those that we visit ,along the roads by the traffic ,police ,in people dying because drugs have been stolen ,the junk helicopters tale, the URA incidences, ghost soldiers ,ghost schools ,Global fund saga ,NSSF saga, to mention but a few .Ruzindana,et al ,(1998) equates corruption in Uganda to weed which grows naturally and seeks to choke crops in every garden ,like the dirt that accumulates around human habitation ahead ,like the bacteria that float in the air we breathe. It is said to be native to man's heart .The World Bank estimates t hat over \$ 300 million dollars is lost to corruption annually in Uganda. In Africa and Uganda in particular where corruption still flourishes .it has partly been provided with adequate nutrients by authoritarian governments ,by a poorly developed press ,by an ill informed public and by lack of a democratic tradition which alone provides checks and balances in the exercise of power by government.(Ruzindana,et al,1998) In Uganda therefore, The rising level of corruption is as a result of some of the challenges /hindrances faced by those fighting it;

Lack of political will

Grand corruption in Uganda is mainly very common among high clabber public officials and it has persisted because there is lack of political will to fight it . successful anti-corruption initiatives require a visionary leader or champion who recognizes the costs of a venal bureaucracy (langseth, stapenhurst and pope, 1999; 130), and yet in Uganda corruption ,those in power who are meant to fight it are themselves corrupt. Zie Gariyo,(2001),argues that corruption in Uganda is an institutionalized problem because large scale corruption takes place in government department s.Gariyo points out that government officials involved in perpetrators have either been retired with their full benefits without causing an investigation to establish the fact s .this therefore tends to send a wrong signal that government lacks political will to punish corrupt officials .on top of that ,even where reports by Auditor G general and commissions of inquiry have implicated public officials ,in most cases no action has been taken against them thus making such institutions appear useless an.(Ibid)

Deregulation is also a contributing factor/hindrance to the rampant corruption.

According to Ha-joon chang,(2007: 170),deregulation increases corruption in the private sector .He argues that private sector crookedness is often ignored in the economic literature because corruption is usually defined as the and abuse of public office for private/personal gain

but dishonesty exists in the private sector monopolies which expands the opportunities for their unscrupulous purchasing managers to take bribes from subcontractors .According to Transparency International ,corruption is also being fueled by multinational companies and financial institutions that use bribery and tolerate illicitly gained wealth.

On the other hand ,Ruzindana ,et al ,(1998:19),argue that severe shortages of consumer goods ,limited access to major imported articles ,foreign currency which necessitate considerable center control and regulations given public officials and other positions of influence unlimited discretionary powers to render or withhold service or to control purchases of goods which were in great demand .Because of this ,members of the public anxious to secure the scarce resources and needed services realize that the only way to achieve their objectives is to offer bribes .in line with the above ,corruption is also attributed to the too many market forces .Because of the free market , determined by forces of demand and supply ,monopolies take advantage and exploit the public in whichever way they want ,An example of this is the fuel prices in Uganda.

Moral degeneration and loss of value for integrity

The loss of value for morality and integrity is deepening each day .in the Daily monitor, November 20,2008,Gerald Bareebe ,quoting the public opinion poll carried out by REEV Consult international reported that members of the society are regarded as heroes even when they're known to have acquired their wealth through corrupt means .on the other hand ,those regarded with little wealth but with integrity are regarded as failures . According to him, this is a highest form of societal betray regarding building moral character, natural value and a just society. The public look up to those who have collected a lot of wealth regardless of when and how they collected it, corruption is almost seen as normal .Also, those who benefit from corruption have, little incentive to change the existing systems and structures. Because of the above, some of the few people with integrity are pushed by societal forces and they also end up being corrupt.

Poverty is another one major hindrance for the raising level of corruption in Uganda

According to the Uganda National Housing Survey” majority of Ugandans are becoming poorer even though the economy is growing with the proportion of those living below the absolute poverty line estimated to have increased from 34% in 1999 to 38%in 2003”(Sandra Zwart,2003).Majority of Uganda’s rural population live in abject poverty (hand to mouth) .Access to the next meal is between life and death .A person in such estate will have no excuse to reject an offer in exchange for a vote or anything else. According to Ha-joon chang, (2007:166), when people are poor ,it is easy to buy their divinity ,starving people find it difficult not to sell their votes for a bag of flour ,soap or sugar”. The rich especially politicians take advantage of the poor peoples situation by buying their votes thus increasing corruption.

Greed is another one hindrances to fighting corruption in Uganda.

Corruption has almost become a way of life in Uganda today. Almost every one serving in public and private sector wants to amass wealth at whatever cost. the most recent incidences in Uganda include the NSSF Saga, the Owino (st.Balikudembe),Nakasero and shawuriyako markets saga where few rich people want to have ownership of the markets at the expense of the many poor market vendors .Sandra Zwart states that, there is an obsession with becoming wealthy and living in excessive comfort especially in Uganda .Because of greed also, most people have been tempted to ask for bribes in exchange for services like employment or even to access medical services .A bribe is defined as transfer of wealth from one person to another (Ha-joon Chang).Bribery is seen as the common form of corruption and is attributed to greed .unfortunately ,most of the private entrepreneurs consider the demand for bribes by public official s frustrate the person seeking a service until they offer a bribe.

Weak sanctions; in Uganda also ,the anti-corruption sanctions are too mild that they cannot act as deterrents .in most cases ,the punitive measures are either transfer sacking or sacking and in extreme cases ,the case just collapses .for example ,Anne Mugisa(T the New vision ,Wednesday, December 17,2008) reports that the Global fund saga which involved the former ministry of health bosses maj.Gen.. Jim Muhwezi, Dr .Alex Kamugisha and Capt. Mike Mukuula is under investigation by the commissions of inquiry. In most cases, these

commissions are just there by name and most of these people end up escaping without any punishment .The anti-corruption laws are generally weak.

Weak financial management /accounting systems and weak administrative controls: most public officials embezzle huge amounts of public funds intended for several purposes like paying salaries, Allowances and financing projects. In my constituency for example ,the approximately ten million (100000000) constituency development fund has never been heard of .The public is not even aware of it and yet no member of parliament has ever held accountable .According to Ruzindana et al,(1998:18),the lack of accountability results in official s with impunity knowing that they will not be asked to account for the money under their control or they could always plead that the documents were looted or went missing .

Corruption itself is also a cause of corruption. The people who claim to fight corruption are themselves corrupt. for example ,Anne Mugisa (The New Vision ,December 17 2008) reports about Cheeye (a former editor of anti-corruption magazine and current director for Uganda centre for Accountability) being accused of several counts of corruption with some involving 112 million and 100 million respectively .Not only that ,arms of government put in place to fight corruption like the police ,the commissions of inquiry and criminal investigation s all perpetuate corruption in one way or another for example asking for bribes by the traffic police is almost normal.

The activities of criminal investigation department (CID) greatly hampered by poor remuneration and lack of incentives among the staff, which has encouraged corruption with the police. There is lack of incentives among the staff which has encouraged corruption within the police. There is lack of adequate staff and skilled man power for instance there is only one writing expert in Uganda and very few finger print and ballistic experts. There is lack of logistical support which reduces the speed and capacity the investigate eases. Lack of adequate funding has affected police surveillance work and investigation or corruption reports in a timely manner.

The institutional framework in place to fight corruption in Uganda needs further strengthening in term of adequate skilled human resources; funding logistical support, more offices at the regional and district levels and better remuneration for staff-proper coordination of the activities of all agency charged with fighting corruption is needed to avoid wasteful use of resources these agencies need to be independent as possible of all organs of government.

There is need for specialized well equipped staff able to cope with detention of corrupt practices as technology advances. More offices in all districts of Uganda are relevant so that each office can meet the requirements of the decentralization system.

2.10 Suggestions for dealing with the hindrances to fighting corruption

Curbing corruption is emerging as one of the key concerns within the international community (stapenhurst and shahrzad, 1999:2-2). This is because corruption has a lot of evil on society for example, it creates an impediment to economic progress by interfering with production and distribution of goods and services at all levels and in all sectors of the economy (Ruzindana et al, 1998:51). They also argue that corruption is an impediment to democracy because it subverts the democratic process of elections ,of government administration ,law enforcement ,and the legal process and worst of all, it saps the moral fabric of a nation.

In Uganda therefore ,several efforts have been put in place for example the Inspectorate General of Government (IGG) ,the Directorate of ethics and integrity ,the Directorate of public Prosecutions ,The Criminal Investigations Department of the Police , The Auditor General , The public procurement and Disposal of public Assets Authority and the Public Accounts Committee of parliament .There are also several civil society Organization which have come up to fight corruption for example ,The Anti-corruption Coalition ,Uganda ,Uganda Debt Network ,MS Uganda ,Transparency In jubilee plus –Uganda among others .Despite the attempts of all these institutions ,corruption in Uganda has persisted ..Therefore below are some of the ways suggested for curbing corruption in Uganda?

Media freedom and strengthening their role in fighting corruption:

The media include the New vision , MONITOR and Weekly Observer),magazines ,radios and television .Although the media has its own weakness like presenting facts without critical interpretation and analysis and the journalist witch –hunt ,they play a great role in bringing awareness to the public by publishing corruption cases on newspapers, broadcasting on radio According to Langseth (1999:144),politicians ,civil servants may be more tempted to abuse their positions for private gain when they are confident they run no risk of public exposure and humiliation through the media .A survey conducted by REEV consult in October 2008 shows that the media is doing a good job of example it was the media which exposed the Global Fund Saga and the National Social security fund saga (Edris,kigundu,, The weekly Observer ,December11-17,2008) .if government is to support the media ,a lot can be realized. Thus being one of the solutions to curb corrupt people.

Supporting and strengthening the role of civil society organizations; the

Civil society acts as a link between the government and the public .it also acts as a watch dog ,to monitor if government initiatives are followed up .unfortunately ,the civil society is weak and cannot hold the government accountable .secondly ,the civil society is always under threats (Sandra Zwart,2003) .one of the reasons contributing to the persistence corruption in Ugandan is fear of reporting otherwise if people where being reported when caught in the act ,then corruption would not be rampant. thus to my own perception I would say that corruption is in ones heart even if measure are put in place without one first changing his or her character that is greed ,struggling to become rich and not being contented with what one has ,therefore corruption will not be solved since it is ones heart to first be changed.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This chapter is concerned with the methods applied in the research design, data demystifying, data sources and problems encountered in executing the study

3.2 Study area

The study was carried out in the area of Mbarara district with special emphasis Booma County, Nyamitanga parish Kasanyarazi village, and then Mbarara Municipality. Mbarara district is a big district with a moderate population of people the language used in mbarara District is Runyankole with an ethenic group of Banyankole.

Mbarara being with moderate population actually it's where most of corrupt people are found that is in business sector, administration to mention but a few every one fighting to become rich thus corruption being a daily job. Therefore this study will be carried out to describe how corruption is handled in Mbarara district main emphasis in Nyamitanga parish, kasanyarazi village.

3.3 Research design

For the purpose of meeting the objectives of the study, the researcher used interview approach and analytical research designs in which qualitative and quantitative as well as descriptive data in nature is collected from the available literature sources and views from the respondents, So as To help the researcher to get and show systematic data.

3.4 Population

The population under study included leaders from different categories with the total number of 50 respondents that is local councils I,II, III, IV, and V total number of 15 Civil servants (CAO, CFO, DEO), total number of 15 respondents, business persons total number of 10,

Peasants total number of 10 respondents all equaling to 50 respondents. Reason being helping the researcher get a clear data.

3.5 Sampling Size

The researcher used sample size of 50 respondents both male and female from the population.

3.5.1 Sampling method

The area of the study being large with a great number of leaders from different categories that is business persons, civil servants, local council leaders, the researcher is to use the questionnaires and schedule interviews. This helped the researcher to get the data that he or she wanted to research on that is the hindrances to enforcing legal and institutional mechanisms to fight corruption in Uganda, here the researcher also employees simple random sampling so as to help the researcher to get good and clear data from the respondents.

3.6 Data collection instrument

3.6.1 Use of questionnaires

The researcher used a set of questions to collect the required data. Some of the questionnaires were given to individual civil servants 15 respondents , 15 business men and women, 10 local council leaders I,II,III ,IV, V and peasants from the rest purposively selected members of the population.(10) totaling 50 respondents. The reason is to get clear and accurate data that is needed by the researcher about corruption which is the problem most faced by the people in Uganda most especially in my district Mbarara Municipality.

3.6.2 Interview schedules

In the interest of direct interaction with the respondents, the researcher was engaged in face to face interviews with the relevant persons to collect the required data for the study accomplishment. reason being when using interview schedules ,people are aware of what is going to be asked and then systematic answers are given thus for it being use full and therefore writing clear and systematic data

3.6.3 Observation

The researcher also employed observation as a technique while carrying out the study to investigate the respondents' feeling, motivation and attitudes thus acquiring the data

3.7 Data collection methods

The study used both primary and secondary data collection methods

3.8. Sources of data

3.8.1 Primary data

This data is specifically required for the purpose of answering the research questions. Primary data was collected from civil servants ,business men and women , leaders in the local government, local council leaders that is to LCV, LCIII, LCI and II business persons, non business persons.

3.8.2 Secondary data

This form of data was collected from the already existing sources and they include hand books, financial reports, journals, budget reports, presentation papers, news paper publication and articles with relevant information

3.9 Limitations of the study

In an attempt to carry out a successful study, a number of challenges were encountered and they include the following;

Financial constraints- the researcher need funds for surfing, photocopying, typing, binding, meals and transport to the various field places which were not readily available and this was the major constraint.

Time constraint – the researcher had limited time scope to carry out the study in the midst of other academic and social responsibilities to undertake.

UN co-operative respondents. Some of the respondents were arrogant and refused to provide the information to the researcher.

3.10 Ethical considerations

Public servant must behave ethically or professionally without practicing corruption.

CHAPTER FOUR

PRESENTATION, INTERPRETATION AND ANALYSIS OF THE FINDINGS

4.0 Introduction

This chapter presents the presentation of data analysis, its shows the different respondents from the research respondents, age and sex, composition, response on the level of education, those employed, unemployed, dependent, and those showing Uganda's ranking corruption for the last 13years.

Table 1 represents the sex composition of the research components. The researcher included both male and female sexes while conducting the research.

Response	Frequency	Percentage
Male	33	66
Female	17	34
Total	50	100

Source: Primary Data, May 2015

The statistical data above indicates that the male-sex is dominant in corruption with 66% both young (youth) and old and the females with 34%.

Table 2: presents statistical findings in regard to the age composition

Response age	Frequency	Percentage
18-25	15	30
26-35	13	26
36-45	18	36
46-above	4	08
Total	50	100

Source: Primary Data, May 2015

From the research findings, it is shown that most corrupt people are at the age 36-45yrs (36% followed by those between 18-25yrs who take 30%, then 26-36yrs (26%) and those 46years and above with 08%.

Table 3 presents the findings related to the lack of education of the research respondents

Response	Frequency	Percentage
Primary	08	16
O'level	05	10
A'level	07	14
Diploma	12	24
Degree	15	30
Others	02	04
Total	50	100

Source: Primary Data, May 2015

The findings show that degree holders (30%) dominate the percentage of those in corruption, and the followed by diploma holders (24%), then A 'level holders (14%) lastly those with 4% respectively.

Among the others were business men and women, dropouts and those did not attend school.

Table 4 shows statistical data relating to the number of corrupt people

Response	Frequency	Percentage
None	07	14
1-3	16	32
4-6	17	34
7 and above	10	20
Total	50	100

Source: Primary Data, May 2015

Research findings indicate that of the total respondents 34% are corrupt between 4-6, 32% have 1-3, non corrupt, 20% have 7 and above and only 14 are not corrupt. This larger number of

corrupt people greatly the effects the hindrance of enforcing legal and institutional mechanism to fight corruption in Uganda.

Table 5 indicates the nature of corrupt people

Response	Frequency	Percentage
Corrupt	38	76
Not corrupt	12	24
Total	50	100

Source: Primary Data, May 2015

The researcher found out that 76% of the people are corrupt and only 24% are not corrupt or not yet in the system. This implies that political leaders, civil servants, local government people are the most corrupt who take corruption for granted and think it is not a sin or unethical in the society.

Table 6: shows Uganda is ranking for the last 13 years in corruption

Year	Uganda's score out of 10	Position	Number of countries surveyed
1996	2.7	43	
1998	2.6	73	
1999	2.2	87	
2000	2.3	80	
2001	1.9	88	
2002	2.1	93	
2003	2.2	113	
2004	2.6	102	
2005	2.5	117	
2006	2.7	105	
2008	2.8	111	
2009	2.5	126	

Source: transparency internal CPI tables 1996-2010

Research static shows that in the number of countries surveyed that year, for the last twelve fourteen years Uganda has never scored above 3 out of the available 10 points which indicates that the country has perennially been classified as one of the most corrupt in the world of which the researcher would say it is mainly caused by individuals who tend o take corruption for granted and think it is not a sin or unethical in the society.

Table 7 presents the time the respondents have spent enforcing measure to fight corruption

Response (no. years	Frequency	Percentage
Less than 1 year	10	20
1-3	14	28
4-6	16	32
7 and above	10	20
Total	50	100

Source: Primary Data, May 2015

From the above stastical data it is shown that 32% of the total population have been engaged in putting measure or enforcing legal and institutional mechanism to fight corruption for a period of 4-6years then 1-3years with 28%, 20% for those with less than one year, and those with (7) seven and above with 20% as well. This indicates that most of the measures are being put in places by this legal and institutional mechanism especially the inspectorate to apply ant-corruption laws of government but still there is no change because corruption is within the heart of a person, then no strict measures, sensitization against corruption, mass mobilization hence seeing corruption not being a sin and unethical in the society.

Table 8: shows the responses on whether these legal and institutional mechanisms to fight corruption are working.

Response	Frequency	Percentage
Yes	20	40
No	30	60
Total	50	100

Source: Primary Data, May 2015

The table above shows that 60% of the respondents fully do not see any measure of fighting corruption because though these measures have been put in place less say in books, though conference which are being done every day and on but still corruption is still going one, while only 40% say that measures are being handled and corruption is coming to an end.

4.1 challenges faced by these legal institutional mechanisms

These legal institutions like the inspectorate of government staff are failing to be mobile and in the field, where most of corruption takes place.

The activities of the criminal investigation department (CID) greatly hampered by poor remuneration and lack of incentives among the staff which has encouraged corruption within the police. There is lack of adequate staff and skilled man power. For instance there is only one hand writing expert in Uganda and very few finger print and ballistic experts. There is lack of logistic support which reduces the speed and capacity to investigate cases. Lack of adequate funding has affected police surveillance work and investigative or corruption reports in a timely manner.

What the government does not know in mind is that corruption is from our minds. Corruption in Uganda will not only go or be abolished by posing some laws against corruption but also by being so much strict on those laws and making such laws take their course, therefore as already written that corruption is in mind, it is so much personal to eliminate corruption from our minds and be a corruption free generation than waiting for the government more so to put up some laws against corruption. As already seen Uganda's corruption has been rampant because laws are just set on paper but not implemented by the government and all the citizens. This has been found out through interviews and conferences discussion in some anti-corruption conferences organized by African challenge foundation an anti-corruption and humanitarian organization operating in Uganda.

The institutional framework in place to fight corruption in Uganda needs further strengthening in terms of adequate skilled human resources, funding logistical support, more offices at the regional and district levels, and better remuneration for staff. Proper coordination of the activity of all agencies charged with fighting corruption is needed to avoid wasteful.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.0 Introduction

This chapter discusses the summary of the findings, recommendation and final conclusion of the research report.

5.1 Summary of the finding

The research finding indicate that those involved in corruption are dominated by public leaders, civil servants, business men and woman government officials, and only a few who do take part. This reveals that most of our people in Uganda (our society) today are engaged in corruption. The researcher also revealed that a big number of corrupt people are within our government this indicates that though the measures are put in place especially through the paper, discussions, interviews, conferences, unless the heart of some ones mind is really revised then corruption will still continue to grow and become a leading thing especially in our country today other than other countries.

The research also got to know that Uganda as a matter of fact has got comprehensive legal and institutional framework in place to fight corruption, but the golden age question remains why these systems and efforts remain fruitless. As usual, for long, once again the corruption perception indices of transparency international, 2009 have reled Uganda among the category of the most corrupt countries in the world. The transparency international corruption perception indices are published annually to name and shame the world's most corrupt countries. Uganda has never scored above 3 out of the available 10 points which indicates that the country has perennially been classified as on the most corrupt in the world of which the researcher would say it is mainly caused by individuals who tend to take corruption for granted and think it is not a sin or unethical in the source (source transparency international CPI table 1996-2010).

The researcher also got to know that the government is a very powerful institution which can create a favorable corrupt free Uganda. Categorically, the government has four major roles and they fail under the following heads

- 1) Indicators of government performance
 - a) A public perceptions of corruption in the delivery or provision of selected government services as reported in opinions polls
 - b) Perception of corruption by surveys of business persons or firms attempting to do business with the state.
 - c) Time and real cost to customer of getting licenses from a selected licensing agency or a connection to utilities through a government utilities corruption

- 2) Indicators of anti-corruption laws and regulation

Establishment of a code of conduct or other legally binding statement for elected and government officials.

- 3) Indicators of oversight mechanism on maintenance of ethical standards

- a) Maintenance and adequate funding of an independent auditor general's office equivalent organizations that regularly audits government accounts.

Effectiveness of legislative oversight

Competition in public services reduces the opportunity for corruption by removing the monopoly power of any one on the government office. In so doing it discourages extortion since customers can take their business to a competing office when confronted with irregular demands or services.

5.2 Recommendations

Government should institute strong and efficient monitoring, making sure that any officials found in a corruption scandal is reported immediately to the authorities to promote a corruption free society.

Parliament and other anti-corruption agencies should be allowed to present their own budgets

Capacity building within the anti-corruption agencies in terms of specific investigations accounting skills to fight corruption is needed.

There should be security of tenure, integrity and goal working relationship among anti corruption agencies

It is also necessary to share experiences with countries that have tackled the problem of corruption and to draw useful experiences/lessons for the benefit of our country. Government therefore needs such internal relationship which civil society organizations should use.

Rejecting bribes or bribing officials for jobs or any other assistance of which Museveni get minus bribing an official

Government should put legislative reforms to strengthen parliament role in overseeing the executive but also the passing of new anti-corruption legislation legal reforms that strengthen the rule of law building 'integrity' which means using public powers for the public good" is the casual side of fighting corruption.

There should be mass mobilization and sensitization against corruption, personal passion and commitment of the part of IG employees and increased public reporting of corrupting all which council work in a flourishing environment of political will against corruption.

There should be empowerment and strengthening the parliamentary account committee to carry out quagmire through investigations in the misuse of public funds, the major public accounts committee includes PAC and LGAC (local government accounts committee) this can help to create significant level of fear among public officials which can scare them from getting involved in corruption practices. An example here can be the CHGM auditors and refund of UPE funds by some head teachers.

5.3 Conclusion

From the discussion of findings, the researcher is enlightened that the legal and institutional mechanisms put in place for the anti corruption coalition are so grateful to manage corruption, since most of the respondents seem to suggest it cannot be ended easily. However, with all these measures put in place as we know in mind that corruption begins with the mind, it is so much personal to eliminate corruption from our minds and be corruption free generation than waiting for the government. It is important therefore that those who head the way out of corruption assume their responsibility, public leaders and servants should as well lead by example.

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Appendix 1: Questionnaire: Research instrument

Dear respondent, I am Simbwa Joseph a student of Kampala International UniversityUniversity conducting a research on the hindrances faced in fighting corruption in Uganda the case study being Mbarara Region. This is required as part of the requirement for the fulfillment of the requirements for the award of the Degree of Bachelor of social work and social administration of Kampala International University. Your response to the questions below will be treated with utmost confidentiality and all information be used for only this purpose.

1. GENDER (SEX)

Female Male

2. In which department is corruption highly identified in Mbrara district local government?
3. What legal or institutional mechanisms are used against corruption in Mbarara district local government?
4. What challenges are faced in enforcing legal mechanisms in Mbarara district local government against corruption?
5. What solutions do you recommend to the above challenges?
6. Is the policy against corruption active in Mbarara district local government?
YES
NO
7. At what level is corruption rated in Mbarara district local government?
HIGH
LOW

8. Who is responsible in enforcement of legal mechanisms against corruption in Mbarara district local government?
9. Why have the mechanisms against corruption in Mbarara district local government failed?
10. What is government policy against corruption?
12. Is there anyone who has faced a penalty due to corruption?

QUESTIONS

1. What legal or institutional mechanisms used to fight corruption in Mbarara district local government?
2. What are the challenges /hindrances to enforcing the legal and institutional mechanisms to fight corruption in Mbarara district local Government?
3. What solutions do you think should be established to fight corruption in Mbarara district local government?
4. Who is responsible for the fight against corruption in Mbarara district local Government?
5. At what level is corruption in Mbarara district local Government
 High
 Low
6. Is there a policy governing employees against corruption in Mbarara district local Government
 Yes
 No
 If so, is it functional?
7. What are the recommended policies by government against corruption in Mbarara District local Government?
8. In which department is corruption indentified in Mbarara district?
9. Why have the legal mechanisms put in place to fight corruption failed?
 - i.
 - ii.

iii.

iv.

v.

10. Are there legal institutions in Mbarara district Local Government established to fight against corruption?

Yes No

If so identify

i.

ii.

iii.

APPENDIX II: Research time frame

ACTIVITIES	Early April 2015	Mid April 2015	Late April 2015	Early May 2015	Mid May 2015
Pilot study					
Study analysis					
proposal design					
proposal development					
Submission of proposal for approval					
Final report writing and submission					

APPENDIX III: Proposed budget estimate

Items	QTY	UNIT COST	AMOUNT
Stationery			
Ream of rule paper	2	15,000	50,000=
Pens	5	1,000	5,000=
Pencils	5	200	1,000=
Box files	2	4000	8,000=
Note books	4	1,000	4,000=
Transport			50,000=
Preparing questionnaires interview guide			20,000=
Editing data, printing and binding		150,000	150,000=
Airtime		20,000	20,000=
Motivation and refreshment			50,000=
Miscellaneous		50,000	50,000=
TOTAL			414,000=