The nexus between the traditional system of governance and the local government system in Karamoja, Uganda

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Abstract

In the 1990s several countries in Africa adopted decentralisation policy reforms that coincided with a renewed interest in traditional institutions. This development has since sparked an intense debate on the compatibility of traditional systems of governance with decentralisation. The present article documents a case study conducted in Uganda's Karamoja sub-region, a stronghold of traditionalism despite local government reforms. It concludes that although the traditional system of governance could help to link local communities with the modern local government system, the two structures have not been harmonised. Instead, they run on parallel and contradictory paths, which has had negative consequences for local governance and service delivery. The paper advocates blending the two to form a hybrid system in which they complement each other rather than being a source of conflict.

Keywords: Decentralisation, local government, traditional authority, governance, Karamoja, Uganda

Introduction

This article analyses the problematic relationship between 'modern' local government and the traditional system of governance in Karamoja, Uganda. This is a topic that has attracted limited attention in terms of academic research. Despite the adoption of Western systems of governance by African states since colonial times, traditional authorities have remained popular and the demand for

their reinstatement has persisted. Even where they have not been recognised by African governments, they have continued to wield informal power and legitimacy, and this parallelism has tended to create local-level governance conflicts (Chinsinga 2006; Taabazuing et al. 2012, p. 12). Moreover, recent times have witnessed increased calls for the revival of traditional institutions in Africa, largely due to flaws in the modern Western governance systems (Ubink 2008, p. 13), which have been less inclusive in terms of political participation and social justice (Munkaila and Agbley 2018). This resurgent quest to have traditional authorities recognised and given a role in day-to-day governance systems in many African countries calls for a review of the earlier assumption that modern systems of governance are superior and best suited to bring about development.

The dominant debates in the literature tend to centre on which of the two systems is better; less attention has been paid to how the two can complement each other (Hoehne 2008). Advocates of Western systems sometimes exaggerate their comparative advantage and dismiss the relevance of traditional governance, but they are unable to explain why traditional authorities have not withered away and have instead witnessed a resurgence. This paper's point of departure, in contrast to previous debates, is that rather than dismissing one or the other, attention should focus on the advantages to be derived from the integration of the two systems. While there may be fears of the likely challenges of integration, available examples show that the associated benefits can be overwhelming: Botswana is a case in point (Sharma 2003, p. 7). Thus two central questions addressed by this study are:

1) do traditional authorities have any positive role to play in Uganda's modern system of governance?

2) if so, can they be integrated into the decentralised local government system?

Context and theory

In the 1990s Uganda, like several other governments in Africa, witnessed two watershed developments in its governance reforms. The first was an increased demand for democratisation triggered by local and international pressures to increase citizen participation in public decision-making. The second was a surge in the number of ethnic groups demanding restoration of traditional institutions. In response to such pressures, Uganda's National Resistance Movement (NRM) government both adopted decentralisation policy reforms and recognised traditional authorities, in 1992 and 1993 respectively. Both institutions were enshrined in the 1995 constitution.

Uganda's modern local government system was implemented progressively from 1993 with 13 pilot districts and was later rolled out across Uganda. The system of local government has five tiers: the village (local council one or LC1), parish (LC2), sub-county (LC3), county (LC4) and district (LC5) (Villadsen and Lubanga 1996). Prior to decentralisation, all decisions had to be made in Kampala, thus disenfranchising citizens of their right to determine their destiny. The objectives of decentralising power were to enhance popular participation, accountability and local development (Republic of

Uganda 1997). Reforms devolved administrative, legislative, judicial, planning and financial power to sub-national governments.

At the same time, restoration of traditional authorities in Uganda was granted in recognition of the role played by traditional leaders in the NRM's liberation struggle in the 1980s. It was also intended to redress the historical wrongs committed against traditional authorities by previous regimes. However, their restoration amidst increased demand for democratisation also triggered debates about the compatibility of the new local government system with traditional governance, and the actual role that traditional authorities could play in a modern state (Muriaas 2009, p. 32). This was also a time when the proper role of traditional authorities in modern government processes was being questioned in other sub-Saharan states such as Ghana (Hoffman and Metzroth 2010, p. 15).

Scholarly debate on this issue revolves around two schools of thought, namely democratic pragmatism and organic democracy. The school of democratic pragmatism perceives the traditional system of governance as being incompatible with democratisation and decentralisation: it holds that the autocratic nature of traditional authorities contradicts the fundamental principles and norms of democracy. Its followers posit that traditional governance is anchored in hereditary leadership, which is not subject to universal adult suffrage and under which terms of office are unlimited. Moreover, succession is hereditary in the male lineage, and hence both excludes women and is not based on merit. Therefore, their general view is that the traditional system should be abolished (Mgadla 1998; Dipholo et al. 2008; Hoehne 2008; Chinsinga 2006).

Among this group, the thrust of the discourse against retaining traditional governance hinges on the thesis of the bifurcated state. Mamdani (1996), Chinsinga (2006) and Copans (1998) observe that the colonial state was characterised by different modes of rule. Rural areas were governed using indirect rule under tribal authorities and customary law, while urban populations enjoyed true citizenship and had the privilege of civil rights as well as the freedom to organise civil society. The three authors stress that nothing less than dismantling the bifurcated state would ensure complete democratisation of developing countries and, consequently, facilitate the potential success of decentralisation policy reforms – because only then can both urban and rural areas enjoy a common citizenship. Ntsebeza (2003, p. 56) also opines that democratisation and decentralisation will be impossible to achieve if the traditional system of governance remains intact, since this would perpetuate a series of binary opposites: rights and customs, representation and participation, centralisation and decentralisation, civil society and community.

Despite these criticisms, however, advocates of organic democracy argue that traditional authorities are an important part of the heritage of local communities and cannot just be wished out of existence (Chinsinga 2006). According to Hoehne (2008, p. 3), traditional authorities are "*betwixt and between*", meaning that they are accountable to both their local constituencies and to the state. Also,

given their popular legitimacy, traditional institutions can be agents of social and political stability at both local and national levels. Accordingly, the theory runs, the traditional system is justified as a more effective governance system, given that it is rooted in local cultures and history and, therefore, is better understood and perceived as more legitimate at the community level. The claim that traditional African leaders played a critical political role in governing their societies is supported by recent studies such as those of Mengisteab (2019) and Opasina (2016). Both hold the view that in pre-colonial African societies, traditional authority provided effective institutions for law-making and enforcement, conflict resolution, resource allocation and social control.

The Karamoja sub-region

The Karamoja sub-region in north-eastern Uganda is composed of nine local government districts and is home to numerous ethnic sub-groups. It is characterised by a harsh semi-arid environment with an agro-pastoral economy. Development indicators are the worst in the country. For example, the literacy rate for persons aged 18 years and above in the Kotido and Moroto districts (where this study was carried out) stands at 10.2% and 22.2% respectively, compared to the national average of 74% reported by the Uganda Bureau of Statistics (UBOS) (2017). Also, in 2019–20 65.7% of the Karamoja population lived in absolute poverty, which was the highest proportion in Uganda and nearly three times the national average of 23.5% (UBOS 2020).

Research method

The methodology for this study was situated within the interpretivist paradigm, which seeks to understand phenomena through the meanings that people assign to them (Deetz 1996), and places emphasis on the need to put analysis in context (Reeves and Hedberg 2003, p. 3). The research was qualitative and used a case-study design. The districts of Kotido and Moroto were selected because they were the pilots for decentralisation policy in Karamoja. Data was collected using observation, key informant interviews (KIIs) and focus group discussions (FGDs) bringing together local government officials, political leaders, opinion leaders, traditional leaders, leaders from civil society and non-governmental organisations (NGOs), and ordinary citizens. The 29 KIIs allowed the researchers to collect reliable information from respondents who are knowledgeable and experienced. Five FGDs were organised in each of the districts, each with eight participants drawn from homogeneous groups of females and males. The FGDs allowed probing of contentious issues and collection of data from participants with first-hand experience of those issues and greater knowledge of the local context. A mixture of purposive and random sampling techniques was used to select, respectively, key informants and members of the FGDs. Documentary research was used to supplement the primary data, which was analysed by themes.

Historic and contemporary governance roles of traditional leaders

Unlike the traditional authorities of Buganda, Bunyoro, Ankole and Tooro where supreme authority resided in a king, other ethnic groups in pre-colonial Uganda lacked centralised authority. In the case of Karamoja, traditional authority is based on a gerontocratic system. Power and religious authority were intertwined and vested in a Council of Elders (CoE), assisted by clan leaders, kraal leaders and family heads. Each sub-group, clan and sub-clan had its own CoE, which included not only elderly men but also young males who have completed an initiation process. The CoE was responsible for most governance functions in society (Gulliver 1953), having political, economic, socio-cultural, religious and environmental conservation roles. These roles were mediated through the *akiriket,* a sacred political and judicial form of assembly in which the CoE made decisions for the good of society (Nzita and Niwampa 1996, p. 122).

Tradition also provided for separate councils of women (CoWs) composed of elderly women who were initiated and fully married. The CoW made decisions on behalf of women and this information was then conveyed through influential elders to be discussed by the CoE in *akiriket.* Given the patriarchal nature of the society, women were not supposed to attend *akiriket*. Research for this study indicated that the traditional governance structure for women still exists, although it has also been weakened in the modern era.

The CoE's political role was to ensure the maintenance of peace, security, order and unity in society. Traditional leaders used the *akiriket* to make pronouncements that outlawed certain practices such as elopement or adultery, forced marriage, and alcoholism. It also preached messages of reconciliation and harmony among the different ethnic sub-groups, including respect for their boundaries and traditional grazing grounds. As part of its political role, the CoE was also responsible for enacting community by-laws to maintain the peace, such as those against unauthorised raids. Failure to adhere to the CoE's instructions could result in disaster befalling the recalcitrant actor. There is also a traditional disciplinary mechanism, *ameto,* characterised by harsh punishments such as severe spanking of the offender.

The CoE's socio-cultural roles include blessing marriages, maintaining discipline in the community, especially among the youth, and presiding over initiation ceremonies. In performing its religious roles, the CoE mediates between *Akuj* (God) and the people to avert trouble, sickness or misfortunes in the community (Nzita and Niwampa 1996; Knighton 2005). It also works together with *ngikadwarak* (prophets) to reveal the unforeseen and can order a sacrifice to avert imminent threats or danger to society. Two earlier studies of Karamoja, Novelli (1999, p. 65) and Dyson-Hudson (1966, p. 181), similarly describe the CoE as an intermediary and friend of God. The CoE is thus considered the repository of the 'know-how' to successfully conduct these relationships. Hence, a blessing from the elders is considered a blessing from God, and a curse from them as a curse from God. Similarly,

Dyson-Hudson (1966) submits that the elders' superior status and their advanced age are considered to imply both a wisdom based on long experience in worldly matters, and knowledge of how to approach – and the power to intercede with – the deity when supernatural assistance is required.

The CoE, especially within clan lineages and ethnic sub-groups, was also the custodian of all the resources of society – including livestock, grazing land, water points and cultivable land. It was in charge of decision-making for the community and also responsible for ensuring food security for individual families and communities. During the dry seasons, the CoE planned where to get water and pastures for animals to ensure the survival of livestock, which is central to Karamojong livelihoods. It was also responsible for forecasting weather changes and the provision of early warnings. Interview reports in this study indicate that the CoE still uses the *akiriket* to issue early warnings of impending drought so that people can store food to avert famine.

In Karamoja, the CoE was, and is, also instrumental in environmental conservation. It identified zones in the environment that should be protected from exploitation and those that could be used by communities, as explained by the Moroto district planner:

> *...If people want local materials like poles for construction, and then the elders say "these are our shrines", you cannot cut trees from shrines for poles even if those logs are big enough. If they say do not touch, then nobody touches. So, the elders help us to conserve the indigenous tree species* (KII, Moroto district planner, July 2018).

The critical role of the CoE in environmental conservation was confirmed by another interviewee, who stated that the CoE is the decision-maker and the custodian of all the resources in Karamojong society. It has a strong sacred attachment to certain sites and if one wants to construct a dam across a certain river or to mine a rock in a certain forest, the CoE must first give approval. He said:

> *The elders have particular attachment to certain natural resources and so you cannot just go and exploit them without their blessings. They need to be convinced before you can do anything. This has helped in conservation of the environment* (KII, programme coordinator for Caritas, Kotido district, June 2018).

Disconnect between traditional governance and local government

Evidence gathered from KIIs and FGDs showed that although the institution of traditional authority remained relevant in Karamoja and could provide a useful link between the local government and the community, the two were in fact disconnected:

> *The two governance systems are autonomous and parallel to each other. The local government is there with its own system and the traditional authority is also there with its own system. The two are not integrated into one hybrid system of governance* (KII, secretary general of Karamoja Elders' Association[1] [KEA], November 2019).

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[1] A sub-regional body created by the government; see below.

The failure to integrate the two governance systems may be attributed to three factors.

First, the decentralisation policy entitled all persons aged 18 years and above to attend the new village council meetings (LC1). At the same time, the government provided for the election of two older persons (one male and one female above the age of 55 years) to each local council. This gave the impression that traditional leaders, as citizens, were engaged in the decentralised local government system. However, these steps do not amount to the integration of the two authority structures, because the two new older persons were elected on individual merit and therefore a) were not necessarily representative of the CoE and b) did not necessarily represent the views of traditional elders, since (as the present study found) they at no time consulted the CoE (KII, programme coordinator for Caritas, Kotido district, June 2018). Moreover, Karamojong local custom does not provide for the *election* of leaders: instead they emerge from social structures based on seniority and on the personal qualities of the person, such as being respected by the community and having forward-thinking ideas.

Second, while the Constitution of Uganda 1995, Article 246 (2), Chapter 16 recognises cultural institutions in any area of Uganda in accordance with the culture and traditions or wishes of the community, Article 246 (4) prohibits a traditional or cultural leader from exercising any administrative, legislative or executive powers of government. It also bans them from participating in partisan politics, such as promoting or supporting a political party or political organisation or an individual in respect of political activities; making statements against government or opposition policies or programmes; and making statements or comments on bills or motions under consideration by parliament with a view to influencing their outcome. Accordingly, such leaders are supposed to remain apolitical.

Thirdly, the lack of integration has been attributed to limited consultations in Karamoja during the 1987 Commission of Inquiry into Uganda's local government system. It appears that the commission did not reach Karamoja to consult with CoEs on the form of local governance they wanted:

> There was no consultation of traditional leaders in Karamoja by the government on the possibility of decentralising powers from the centre to lower local governments. That is why they are not part and parcel of the formal structure of government (KII, chairman of land board, Kotido district, November 2019).

Some study participants held the view that this lack of consultation is why Karamojong traditional authority was excluded from the local government system. However, the situation is probably more complex. In the case of Buganda, for example, where the traditional authorities *were* consulted, they asked for *federo* (a federal system), which would have integrated the *kiganda* traditional authority – but this demand was never accepted. This suggests that the central government was not interested in blending the two systems.

Elders associations

In an attempt to give some degree of recognition to traditional authority, while at the same time reducing the power and influence of CoEs, the government created substitutes. It established an informal umbrella NGO-like body, the Karamoja Elders' Association (KEA) in 2012, with a secretariat in Moroto. This reportedly created a false impression that government recognised and worked with the CoEs. However, in essence, the government's objective was to undermine the power and influence of the authentic traditional institutions and use the KEA to legitimise its purposes and programmes. Accordingly, every district in Karamoja created an Elders' Association (EA) at village, parish, sub-county and district levels, and EAs were registered with the community development department, an office mandated to register NGOs that sought to operate in a district. The KEA comprises five government-appointed members: chairperson; general secretary; and secretaries for health, education and culture. However, this system does not currently seem to be working as intended. The present study found the KEA to be dominated by opportunistic elites seeking to take advantage of government programmes to advance vested interests. It did not have the blessing of the traditional elders to represent them in the local government system (KII, programme coordinator for Caritas, Kotido district, October 2021).

Despite the government creating EAs as notional links with traditional authority, the CoEs in Moroto and Kotido did not recognise them as representing traditional leaders in local administration. As one key informant observed: *"Despite the potential role that traditional authority [could have] played in society as a bridge between the community and the government, it was not integrated with the local government system like ... in other African countries."* (KII, district community development officer (DCDO), Moroto district, July 2018). For example, Botswana enacted an enabling legal framework, the Chieftaincy Act 1992 (Ubink 2008, p. 7), which among other things recognises the role of the institution of traditional leadership to operate alongside modern state structures (Kurebwa 2020).

Dualism and its consequences

In effect, Uganda's legal framework seeks a separation of powers between modern, decentralised local government and traditional authorities. Whereas the local government's mandate is to deliver public services to citizens, the traditional authorities have been assigned matters of culture, customs and traditions (Republic of Uganda 1995). However, regardless of this legal demarcation, there continues to be conflict between the traditional and the formal governance systems on issues of law and tradition.

Dualism thus became a cause of fragmentation in Karamojong society. Traditional governance was still valued and no one challenged its authority: the creation of local governments was perceived not only as a duplication of the roles of the traditional system but also as an attempt to weaken and undermine it.

Whereas under Karamojong traditional governance leaders were identified from social structures based on seniority, under the local government system any person can be elected a leader, even one who had not gone through *athapan* (initiation) rites. Therefore, the elected leaders were viewed by the CoE as illegitimate agents of an imposed system of governance: they were treated with scorn and suspicion and deemed unacceptable. Their powers could not exceed those of *akiriket*, because elected leaders do not command social respect and legitimacy. For instance, one interviewee noted: *"When the CoE members are gathered in akiriket, government officials are treated as visitors and may or may not be invited to address them on special issues affecting the society"* (KII, chairperson, Kotido district, November 2019). During *akiriket*, local government officials sit outside the shrine and can only come in when they are invited. On the other hand, although government officials could sometimes be invited to attend *akiriket,* its resolutions were not recognised or adopted by the local governments. Rather, the local council elites perceived the CoE members as old and illiterate and lacking the necessary competencies to contribute to the modern system of government.

Laws and justice

The consequences of dualism are far reaching. Notably, the formal administration of justice in Karamoja was not harmonised with the informal traditional system. The two operated parallel to each other at the local level. While the formal judicial system was run by government-appointed magistrates according to the provisions of the law, traditional justice was administered by the CoE and based on local custom. Although there are various formal judicial structures at the local level that can handle minor civil matters, the local community preferred traditional justice under the CoE and the Karamojong tribunals (*akiwo*). The formal judicial system that involved the police and courts was shunned owing to its lengthy procedures and paperwork, delays, elite bias and corruption (KII, secretary, Kotido district EA, May 2018). Similarly, Röder (2013, p. 58) found that:

> *Indigenous courts, councils of elders, and similar traditional authorities play a central role in the resolution of local disputes. Despite all cultural differences, they share common features. Their relations with the state justice institutions are in many cases problematic, especially when they are not formally recognised. Nevertheless, they are perceived as legitimate institutions by local populations.*

Lack of harmonisation in the handling of criminal offences has triggered conflict not only between traditional authorities and local government but also with national laws and institutions. For example, where the law provides that marrying off girls below the age of 18 years and female genital mutilation (FGM) are illegal, the traditional leaders complain that government is interfering with their culture. In addition, the ancient practice of *ameto*, an act of disciplining anyone who disobeys the CoE or acts contrary to the customary law, norms and traditions of the Karamojong, has been outlawed under the Penal Code Act 1998, Chapter 120 as a form of torture. This study found, however, that in Kotido district the CoE was still engaging in such disciplinary practices because it does not trust the formal justice system. The CoE accused the government (police) of corruption, and of wrongly releasing

suspects on bail due to bias. It further accused the government of being bureaucratic and slow in responding to the community's needs, explaining that this was why it resorted to the informal justice and disciplinary mechanisms for offenders.

> *In the traditional justice system, we handle cases such as domestic violence, land conflicts, theft of animals and even murder cases. We resolve cases in a quick and transparent manner, and also deliver timely justice. In the case of offenders, punishment is to compensate the affected parties* (KII, secretary Kotido district EA, May 2018).

Another participant added:

> *When offenders commit crimes in the community, they run to government because they know they will be released by the police when they offer bribes. Cases also take too long, one or even three years, because of frequent postponements. Yet traditional courts take only one or two days and witnesses are available. Sometimes the court's witnesses are bought off so as to tell lies and yet in the traditional court there is neither corruption nor manipulation of the judicial process* (FGD with CoE, Panyangara, Kotido district, May 2018).

The present study also learned that if a person committed homicide, the local community preferred the offender to compensate the family of the deceased by giving 60 cows, whereas the government's position was that the person should be brought before the law (KII, secretary, Kotido district EA, May 2018). Sexual offences like 'courtship rape' constituted another source of conflict. Whereas courtship rape was culturally acceptable in Karamoja as long as the boy had previously expressed interest in marrying the girl and was known publicly to be engaged to her, the practice was considered a crime under national law. It was found that whenever courtship rape or other sexual offences such as defilement and rape occurred, the elders would want to cover up such cases or offences rather than referring them to the police. For example, one interviewee spelled out that if somebody defiled a girl but decided to offer cows in marriage, the elders would prefer to take the cows and settle the matter out of court (KII, DCDO, Moroto district, July 2018).

Interviews with some women echoed the need for government to give a role to CoEs in the local government system, but they differed on cultural practices, such as courtship rape (FGD with women, Rupa, Moroto district, July 2018). However, rural and uneducated women were more conservative and did not have any misgivings about the age-old traditional cultures. For instance, one old lady commented that: *"Our culture formed the basis of our social cohesion for many years. It is not wise to disrupt it by adopting foreign values which are little known to us. These foreign values can destabilise our society."* In contrast, female district councillors and other educated women opposed the practice of courtship rape and remedies for rape based on compensation by cows on the grounds that these violated the rights and dignity of women. They called them primitive and outdated cultural practices that should be abolished (KII, female councillor, Moroto district, October 2021). Notwithstanding the different views expressed by women interviewees, Uganda's laws treat rape as a criminal offence: like FGM, courtship rape has survived in Karamoja society because these 'modern crimes' are never

reported to lawful institutions due to the lack of consensus on their illegality. Integration of the traditional with the formal governance system could perhaps help to lessen such conflicting values.

Education was another area of tension between the traditional leaders and local government officials. Whereas the local governments emphasised that every child of school-going age must enrol in school as provided for in the Education Act 2008, and the law stipulates that any person who denies a child a chance to enrol in school should be fined USh1,000,000 (c. US$278) or face six months' imprisonment – or both – even for a first offence, some elders contravened the law; and cultural barriers also limited access to education. Karamoja being a pastoralist community, some parents preferred that the boys stay home and shepherd animals and that the girls be preserved for marriage so that the families would get bride wealth, instead of sending them to school (KII, secretary of KEA, November 2019).

Land use and planning

The disconnect between the two authorities was particularly evident in the planning process, which was monopolised by local politicians and administrators while traditional leaders were locked out even though they were important stakeholders. Article 35 (1) of the Local Governments Act 1997 stipulates that the district council is the planning authority, while Section 17 provides that a local government council shall formulate, approve and execute budgets and plans in accordance with Section 77 of the same Act (Chapter 243). It is true that decentralisation policy reform in Karamoja has brought government closer to the people by creating local participatory structures at the village, parish, sub-county and district levels. However, one interviewee noted that the planning process commences at the district level before proceeding to more local participation, and excludes the CoE from identifying development priorities. Consequently, there exists no interplay between the two systems, which only interface when there is a crisis, such as land conflicts and border disputes – at which time the local government reaches out to the CoE to play a mediation role (KII, programme coordinator for Caritas, Kotido district, June 2018).

On the other hand, the study found that the CoE had been instrumental in a campaign against deforestation and the commercial use of wood for charcoal burning. The chairperson of Kotido district observed that *"since the district supports the noble cause of environmental conservation, we have started to engage the CoE as part of community mobilisation to discourage tree felling"* (KII, Chairperson, Kotido district, May 2018). However, notwithstanding the CoE's traditional obligation to conserve the environment, there were concerns that its role was increasingly being undermined by the modern local government officials who sometimes authorise clearing of green belts and charcoal burning as a means to generate local revenue or due to corrupt tendencies. This was one of the causes of a conflictual relationship between the traditional authority and the district local government.

Views of traditional leaders

Focus groups with CoE members confirmed the concerns identified above. They felt left out of the structures of the local government system and argued that the formal system of governance was imposed on the community in disregard of their established authority and leadership. They claimed elected leaders did not have the legitimacy to govern or direct the affairs of their society since the governance of Karamojong society was traditionally based on consensus and guided by customary laws. Like the previous colonial arrangements, the local government system was intended to *akibil ngikithila* (destroy traditional governance). The new system had not only neglected their traditional authority but also disempowered them and taken away their controls over society and resources, which it then handed over to government officials (FGDs with CoEs, Kotido and Moroto districts, November 2019).

Whereas the NRM government had stated that purpose of decentralisation was to empower the people, including CoEs, the view of traditional leaders was, *'Mamete ngapedorisio nguna einakinitai apukan ngikasukout'* ('The powers to manage community affairs have not been shared with them at grass-roots level'). The CoE stressed that the *ngapedorisio* (power to manage community affairs) now resided with the elites at the district and sub-county levels. They thus felt marginalised, especially given that the power to plan and manage local resources was also taken from them (FGD with CoE, Kotido district, November 2019). In particular, the CoE wanted to be consulted before government carried out any developmental activity in their community: it claimed that the government had started sending investors to mining sites in Rupa and Taapac sub-counties without consulting them, thus fuelling conflict (KII, chairperson, Lia parish, Moroto district, August 2018).

More broadly, the CoE argued that the modern local government system had not delivered to expectations. Local government officials tend to be self-promoting and career-oriented rather than working for the greater good of the community: contemporary ills like corruption, misappropriation of public funds, abuse of office, land grabbing and election rigging were manifestations of their self-interest. In Kotido district, the CoE accused district officials of approving shoddy construction works because they had taken bribes, and argued it could not hold such officials accountable due to its limited power (FGD, CoE, Kotido district, November 2019). Elders believed that integration of the two governance systems would help to regulate these excesses and waste in government and direct resources towards service delivery for the good of the whole community.

The case for integrated governance

As earlier stated, the implementation of Uganda's decentralisation policy in 1993 occurred at the same time as the notional restoration of traditional institutions. During the course of this research study participants in both Moroto and Kotido districts reported that the traditional system of governance spearheaded by the CoE was still relevant and remained critical to the delivery of devolved services to

citizens. Advocates of traditional authority argued that the CoE could be instrumental in linking local government with the community and vice versa:

> *Elders are a gateway or entry point of government and development actors like CSOs to the community. You cannot do anything in the village that succeeds without the elders' blessings because the community believe in and listen to them, while the elders have a social obligation to protect their people* (chairperson of KEA, Moroto district, November 2019).

The community development officer of Kotido district also affirmed that the CoE could be used as an entry point to the community because the local people believe more strongly in them than in local government officials. He further suggested that if government wants a programme to be accepted by the community, then it has to first seek the blessings of the traditional authority:

> *The Council of Elders want to be consulted. Government cannot proceed to do things in the community when they are not consulted. They must know what government wants to do and they must be convinced* (KII, DCDO, Kotido, July 2018).

This confirms that the CoE could act as an intermediary with communities to avert failure of government programmes. For instance, the introduction of artificial insemination required convincing traditional leaders about the contribution the new technology would make to livestock productivity. Similarly, the use of electronic chips to brand livestock in Karamoja as a means to combat cattle rustling required CoE support. According to the programme coordinator for Caritas in Kotido district, the former Minister of Karamoja Affairs tried to introduce the project unilaterally, but three years later it died a natural death because the support of the CoE had not been sought and it was widely resisted (KII, June 2018).

Another case in point was when the CoE spearheaded the government's 'go back to school' campaign, even though community members were suspicious of formal education given its association with Karamoja's colonial past. According to the chief administrative officer (CAO) of Kotido district, the pronouncement by elders in *akiriket* made some parents take their children to school:

> *In the education sector, there are some elders who are proactive. They are doing mobilisation of parents to take their children to school. They participate in community dialogue meetings on education and that is how we engage with them as change agents in the community* (CAO, Kotido district, May 2018).

Previously, education had not taken root in most parts of the district, as evidenced by an UBOS (2017) report which found that 75.6% and 85.9% of school-age children in Moroto and Kotido respectively were not attending school.

In another case the Karamoja disarmament programme succeeded because the CoE was involved and used as an entry point to popularise it in the community:

> *The disarmament programme in Karamoja was very successful because of the involvement of the elders. The elders told their sons to give back the guns to government.*

> *While some people resisted, they eventually succumbed to the elders' appeal* (KII, chairperson, Kotido district, May 2018).

The CoE, acting as a voice of the people, also advocates for the extension of government social services to communities. It puts pressure on government leaders to address community challenges like water shortages, access to health and land grabbing. Concerted pressure by the CoE on the Moroto district local government reportedly led to the construction of health centres and recruitment of additional medical staff to meet community needs (FGD with women of Rupa, Moroto district, July 2018). The traditional leaders were equally crucial in conflict resolution, such as settling land disputes. Land in Karamoja is owned on behalf of the community and allocated by the CoE: whenever there was a conflict over land the CoE intervened because it knew the land boundaries and the rightful owners. Local people's respect for their authority could enable the CoEs to effectively complement local governments for the betterment of the community.

The opportunity for traditional leaders to link modern government with local communities has also been reported in other countries. In South Sudan, for instance, studies show that traditional leaders have always played such roles, in the sense that they link local constituencies to state powers and vice versa (Hoehne 2008, p. 3). Also, traditional leaders have complemented Zimbabwe's efforts in mobilising rural communities to implement development projects, and sensitising them about the significance of education (Kurebwa 2020). Similarly, traditional leaders in South Wollo, Ethiopia have been instrumental in resolving interpersonal and community-based conflicts arising mainly over the control of resources, such as water points, grazing land and cultivable land, and from day-to-day social interactions (Mohammed 2018, pp. 30–31).

Noyoo's (2014) study of the indigenous system of governance in Barotseland is also relevant. He argues that Western local government is not rooted in Africa's indigenous socio-political and economic structures, and its imposition by the colonial state failed to resonate with the lives of local people. Unlike other parts of the world where countries have sought to mainstream their indigenous governance systems by fusing them with those of their former colonial masters, African countries have consistently eschewed their own historical realities in this matter, perhaps owing to sectional and vested interests. Over 20 years ago, West and Kloeck-Jenson (1999) were advocating for the integration of the two systems, because the traditional system constitutes a genuinely African form of local governance that needs to be harnessed and developed to complement institutions of the state and serve the people more fairly and effectively. These arguments reflect the ideas of organic democracy, which postulates that traditional systems of governance can support the development and good governance needs of the people (Sithole and Mbele 2008).

Conclusion

This article has explored the interplay between Uganda's local government system and the traditional system of governance in Karamoja. Unlike a number of African countries, in Uganda the two systems were not blended to create a hybrid form of local governance. This disharmony has been perpetuated by laws, particularly the 1995 constitution and the Institution of Traditional or Cultural Leaders Act 2011, which have left two parallel systems operating independently of each other. Each has its own mandates, leadership structures, powers and control mechanisms, and the two systems interface only when there is a crisis in the community. This lack of harmonisation has sometimes resulted in conflicting relationships, with adverse consequences for local governance and service delivery. Moreover, the legal separation of the systems not only hinders the participation of traditional elders in the decision-making processes of local government, but also removes their capacity to hold local government officials accountable on behalf of their communities.

This study therefore points to the need for a review of Uganda's decentralisation policy so as to create a hybrid system. Integration is not only essential for good governance but also as a uniting factor in a multi-ethnic and divided country such as Uganda. Incorporating traditional authorities within the local government system would enhance government legitimacy, community participation and the acceptability of government programmes. Importantly, a blended system would make government more accountable to its grass-roots constituents, compared to current local governments which tend to account upwards to central government.

Local communities find it easy to approach and talk to their traditional leaders in a familiar language and less intimidating environment. Government programmes and projects have been failing in Karamoja largely because of local people's distrust and resistance. Traditional leaders need to be brought on board to bridge that gap by giving the necessary blessing to such programmes. This might be implemented by creating an upper chamber in the local legislature where a gender-balanced CoE can be made part of the local governance structure. Such an approach has the potential to create unity of purpose and lessen conflicts that have tended to characterise the relationship between traditional authorities and the central government in all parts of Uganda. However, it would require amendments to the 1995 constitution and the Local Governments Act 1997.

In the particular case of Karamoja, it needs to be accepted that traditional authority remains an integral part of the social, political and cultural fabric of society, and that it is surely possible to implement modern local government whilst preserving important elements of African indigenous governance.

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References

Chinsinga, B. (2006) The interface between tradition and modernity: the struggle for political space at the local level in Malawi'. *Civilizations*, 54 (1–2), 255–274. https://doi.org/10.4000/civilisations.498

Copans, J. (1998) *Review of Mahmood Mamdani's (1996) citizen and subject; contemporary Africa and the legacy of late colonialism*. Cape Town: David Philip.

Deetz, S. (1996) Describing differences in approaches to organization science: rethinking Burrell and Morgan and their legacy. *Organization Science*, 7 (2), 191–207. https://doi.org/10.1287/orsc.7.2.191

Dipholo, K.B., Tshishonga, N. and Mafema, E. (2008) Traditional leadership in Botswana: opportunities and challenges for enhancing good governance and local development. *The Journal of African & Asian Local Government Studies*, 3 (2), 111–132.

Dyson-Hudson, N. (1966) *Karimojong politics.* Oxford: Clarendon Press.

Gulliver, P.H. (1953) The age-set organization of the Jie tribe. *The Journal of the Royal Anthropological Institute of Great Britain and Ireland,* 83 (2), 147–168. https://doi.org/10.2307/2844028

Hoehne, M.V. (2008) *Traditional authorities and local government in South Sudan*. Halle/Saale, Germany: Max Planck Institute for Social Anthropology.

Hoffman, B.D. and Metzroth, K.M. (2010) *The political economy of decentralization in Ghana*. Washington: World Bank.

Knighton, B. (2005) *The vitality of the Karamojong religion: dying tradition or living faith?* Hants: Ashgate Publishing Ltd.

Kurebwa, J. (2020) *The capture of traditional leaders by political parties in Zimbabwe for political expediency*. Bindura, Zimbabwe: Bindura University of Science Education. https://doi.org/10.4018/978-1-7998-2364-3.ch009

Mamdani, M. (1996) *Citizen and subject: contemporary Africa and the legacy of late colonialism*. Princeton, NJ: Princeton University Press.

Mengisteab, K. (2019) *Traditional institutions of governance in Africa*. Oxford Research Encyclopaedia of Politics. https://doi.org/10.1093/acrefore/9780190228637.013.1347

Mgadla, P.T. (1998) The kgosi in a traditional tswana setting. In: Edge, W.A and Lekorwe, M.H. (eds.) *Botswana politics and society,* (pp. 3–10). Pretoria: J.L. van Schaik Publishers:

Mohammed, Y.A. (2018) Assessing the role of elders in preserving peace and security: a case study in South Wollo, Ethiopia. *Advances in Applied Psychology*, 3 (2), 29–33.

Munkaila, D.A. and Agbley, G.K. (2018) 'Traditional leaders' and local government in Tamale metropolitan assembly: land development at the cross road, Ghana. *International Journal of Innovative Research and Development*, 7 (5), 71–76.

Muriaas, R.L. (2009) Local perspectives on the 'neutrality' of traditional authorities in Malawi, South Africa and Uganda. *Commonwealth and Comparative Politics*, 47 (1), 28–51. https://doi.org/10.1080/14662040802659389

Novelli, B. (1999) *Karimojong traditional religion: a contribution.* Kampala: Comboni Missionaries.

Noyoo, N. (2014) *Indigenous systems of governance and post-colonial Africa: the case of Barotseland*. Paper presented at the Conference on African Indigenous Knowledge Systems, Indaba Hotel, Fourways, Johannesburg, May 8–9.

Ntsebeza, L. (2003) Democracy in South Africa's countryside: is there a role for traditional authorities? *Development Update*, 4 (1), 54–80.

Nzita, R. and Niwampa, M. (1996) *Peoples and cultures of Uganda*. Kampala: Fountain Publishers Ltd.

Opasina, O.K. (2016) Traditional institutions and the challenge of modernity in Nigeria and Cote d'Ivoire. *International Journal on World Peace*, 33 (2), 43–75.

Reeves, T.C. and Hedberg, J.G. (2003) *Interactive learning systems evaluation*. Englewood Cliffs, NJ: Educational Technology Publications.

Republic of Uganda. (1987) *Commission of inquiry into the local government system in Uganda.* Entebbe: Government Printer.

Republic of Uganda. (1995) *Constitution of the Republic of Uganda, 1995*. Kampala: Uganda Printing and Publishing House.

Republic of Uganda. (1997) *The Local Government Act, 1997*. Kampala: Uganda Printing and Publishing House.

Röder, T.J. (2013) *Informal justice systems: challenges and perspectives*. Heidelberg, Germany: Max Planck Institute for Comparative Public Law and International Law.

Sharma, K.C. (2003) *Role of traditional structures in local governance for local development the case of Botswana.* Prepared for Community Empowerment and Social Inclusion Programme (CESI) Word Bank Institute World Bank Washington.

Sithole, P. and Mbele, T. (2008) *Fifteen-year review on traditional leadership: a research paper.* Pretoria: HSRC Press.

Taabazuing, J., Armah, F., Dixon, J. and Luginaah, I. (2012) The relationship between traditional authorities and decentralized structures in Ghana: conflicting roles or a struggle for power and legitimacy. *International Journal of Development and Conflict*, 2 (3), 1–25. https://doi.org/10.1142/S2010269012500172

Ubink, J. (2008) *Traditional authorities in Africa: resurgence in an era of democratization. law, governance, and development.* Leiden: Leiden University Press. https://doi.org/10.5117/9789087280529

Uganda Bureau of Statistics. (UBOS) (2017) *The national population and housing census 2014 – area specific profile series*. Kampala, Uganda.

Uganda Bureau of Statistics. (UBOS) (2020) *Statistical abstract*. Kampala, Uganda.

Villadsen, S. and Lubanga, F. (eds.) (1996) *Democratic decentralisation in Uganda: a new approach to local governance*. Kampala: Fountain Publishers.

West, H.G. and Kloeck-Jenson, S. (1999) Betwixt and between: 'traditional authority' and democratic decentralization in post-war Mozambique. *African Affairs*, 98 (393), 455–484. https://doi.org/10.1093/oxfordjournals.afraf.a008063