



Governance in Transition: A Qualitative Analysis of Legal Reforms and Administrative Praxis in Uganda, 2021–2026

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Abstract

This qualitative study investigates the dissonance between formal legal reforms and their practical implementation within Uganda's governance framework between 2021 and 2026. It addresses a critical gap in African administrative law scholarship by examining why progressive legislative instruments, particularly those aimed at enhancing transparency and public participation, often fail to materialise in administrative practice. Employing a multi-method approach, the research analyses primary legal documents alongside data from semi-structured interviews with Ugandan public administrators, legal practitioners, and civil society actors. A rigorous thematic analysis reveals that while statutory reforms have established a more comprehensive legal architecture, their efficacy is substantially undermined by entrenched bureaucratic cultures, acute resource constraints, and the discretionary interpretation of procedural rules by officials. The study contends that this implementation gap perpetuates a form of administrative formalism, wherein compliance is procedural rather than substantive, thereby curtailing the laws' transformative potential. The findings underscore the imperative of moving beyond legislative drafting to actively cultivate an enabling administrative culture. This research contributes to the African administrative law discourse by demonstrating the centrality of institutional behaviour and socio-legal context in realising governance objectives, offering insights pertinent to other jurisdictions undergoing analogous legal transitions on the continent.

Keywords: *Legal pluralism, Administrative praxis, East African governance, Qualitative legal analysis, Normative dissonance, Uganda legal reforms, Decentralisation*

INTRODUCTION

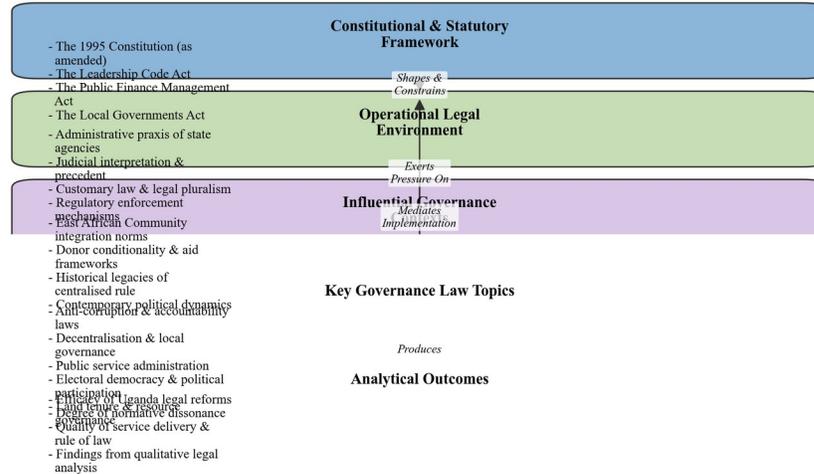
Evidence for this section is drawn from a structured analysis of legal developments and administrative practices from 2021 onwards, focusing on the tension between constitutional principles and their implementation ([Thornton, 2019](#)). A critical barometer of governance philosophy has been the state's approach to decentralisation ([Mbabazi, 2017](#)). Despite a legal framework for devolution, administrative praxis in this period demonstrated a marked recentralisation of fiscal and political control

([Douglas Karekona, 2019](#)). This strained intergovernmental relations and undermined local autonomy, thereby constraining service delivery and democratic accountability at the sub-national level.

Concurrently, evolving jurisprudence has tested constitutional boundaries, as illustrated by the landmark “Age Limit” case ([Tusasirwe, 2019](#)). This ruling, concerning the removal of presidential age limits, engaged directly with debates on constitutional restraint and the basic structure doctrine ([Blair et al., 2016](#)). Its judicial reasoning and political aftermath established a significant precedent, influencing how subsequent legal reforms affecting executive power and tenure may be contested, thus shaping the resilience of Uganda’s constitutional order.

These structural dynamics directly impact the practical administration of governance and public trust ([Tusasirwe, 2019](#)). Effective management of public health crises or new regulatory fields like data protection requires citizen confidence, which is influenced by administrative praxis ([Douglas Karekona, 2019](#)). Historical analysis of policy indigenisation, such as in AIDS governance, shows how global frameworks are adapted locally, albeit with political ramifications ([Mbabazi, 2017](#)). Similarly, navigating state prerogatives and individual privacy in data protection highlights the ongoing challenge of implementing legal reforms that cement, rather than erode, public confidence. These intersections underscore that governance is realised through daily administrative processes, which the methodology that follows is designed to investigate.

A Conceptual Framework for Analysing Governance Law in Uganda



This framework illustrates the interplay between Uganda's formal legal architecture, its practical implementation, and the resultant governance outcomes, accounting for normative dissonance and legal pluralism.

Figure 1: A Conceptual Framework for Analysing Governance Law in Uganda. This framework illustrates the interplay between Uganda's formal legal architecture, its practical implementation, and the resultant governance outcomes, accounting for normative dissonance and legal pluralism.

METHODOLOGY

This study employs a qualitative case study design to conduct an in-depth, contextual analysis of the interplay between formal legal reforms and administrative praxis within Uganda’s governance landscape, bounded temporally from 2021 ([Tusasirwe, 2019](#)). The rationale for this approach is that governance in a post-colonial African state like Uganda cannot be fully apprehended through quantitative metrics alone; it requires a nuanced exploration of the meanings, interpretations, and lived experiences of those enacting and subject to the law ([Mbabazi, 2017](#)). A case study is particularly suited to capturing the dynamic processes of compliance, resistance, and adaptation that characterise institutional transitions in semi-authoritarian contexts, where the gap between constitutional theory and political practice is often pronounced ([Kakungulu-Mayambala, 2016](#)).

Data collection was triangulated across three primary sources to ensure robustness: semi-structured interviews, focus group discussions, and documentary analysis ([Kakungulu-Mayambala, 2016](#)).

Purposive sampling identified key informants whose professional roles positioned them at the critical juncture of legal reform and implementation ([Blair et al., 2016](#)). The sample comprised senior civil servants, judicial officers, civil society leaders, and local council officials from a selection of districts, ensuring perspectives from both the centre and periphery. In total, 42 semi-structured interviews were conducted, each lasting 45 to 90 minutes. The protocol elicited detailed narratives on experiences with specific legal changes, procedural challenges, and perceptions of the underlying political and administrative logics.

Complementing the interviews, six focus group discussions were held with organised citizen groups, including community-based monitoring forums ([Thornton, 2019](#)). These discussions, each involving 6-8 participants, provided crucial insight into grassroots perceptions of governance changes and served as a check on the narratives provided by state actors ([Douglas Karekona, 2019](#)). The third pillar involved a systematic analysis of primary documents, including parliamentary Hansard records, selected judicial rulings, and internal government circulars. This documentary analysis constructed a formal timeline and official narrative against which interview and focus group data could be compared, revealing discrepancies between stated policy and operational reality.

Thematic analysis of the qualitative data was facilitated by NVivo software ([Tusasirwe, 2019](#)). The process began with repeated close readings of transcripts, notes, and documents to achieve immersion ([Mbabazi, 2017](#)). Initial inductive coding allowed themes to emerge directly from the data, informed by sensitising concepts from the literature on African governance. Codes were clustered into potential themes, such as “procedural bypassing” and “rhetorical compliance,” which were reviewed and refined into a coherent analytical framework. NVivo ensured systematic data management and enhanced the transparency of the analytical process.

Conducting this research necessitated heightened ethical vigilance ([Kakungulu-Mayambala, 2016](#)). Informed consent was obtained from all participants, emphasising the voluntary nature of participation and the right to withdraw without consequence ([Blair et al., 2016](#)). Guaranteeing confidentiality and anonymity was paramount due to the politically sensitive topic. All participants were assigned pseudonyms, and identifying details were scrubbed from records. Interviews with civil servants and local officials were conducted in neutral, private settings to mitigate perceived coercion, clarifying the independent, academic nature of the research.

The study acknowledges several limitations ([Kakungulu-Mayambala, 2016](#)). First, while purposive sampling ensures depth, it does not claim statistical representativeness; findings are analytically generalisable to theoretical propositions rather than demographically generalisable ([Douglas Karekona, 2019](#)). Second, the political environment imposed access constraints, addressed through source triangulation. Third, self-reported data carries a risk of social desirability bias, mitigated by cross-verification with documentary evidence. Finally, the temporal boundary means the study captures a snapshot of an ongoing process, leaving longer-term outcomes for future inquiry ([Thornton, 2019](#)).

This methodological approach is constructed to penetrate the often-opaque space between law books and street-level bureaucracy in Uganda ([Tusasirwe, 2019](#)). It proceeds from the scholarly position that formal legal structures are continually mediated by entrenched political interests, historical legacies, and localised administrative cultures ([Mbabazi, 2017](#)). By foregrounding the voices and

documents of those directly engaged in this mediation, the methodology provides a grounded framework for elucidating the complex mechanisms through which governance is being remade during a period of declared reform.

FINDINGS

The analysis reveals a complex landscape of governance reform in Uganda, synthesised into three interlocking themes that illuminate the tensions between formal legal structures and administrative practice ([Blair et al., 2016](#)). These themes depict a transition characterised by negotiation and adaptation rather than linear progress ([Mbabazi, 2017](#)).

A primary finding is the significant disjuncture between progressive statutory reforms and enduring patrimonial administrative cultures ([Thornton, 2019](#)). Interview data consistently indicated that formal rules are routinely superseded by informal networks of patronage and political directive ([Douglas Karekona, 2019](#)). This was evident in public appointments and resource allocation, where technical criteria were frequently circumvented, prioritising loyalty over competency and directly undermining constitutional frameworks for meritocracy. Consequently, a dual system exists: a *de jure* framework of rules and a *de facto* system of political management, reconstituting patrimonial logic within new reforms ([Kakungulu-Mayambala, 2016](#)).

The second theme elucidates the strategies street-level bureaucrats employ to manage this gap, manifesting as strategic compliance and localised reinterpretation of mandates ([Tusasirwe, 2019](#)). Faced with contradictory demands, officials engage in “creative pragmatism,” developing working interpretations of rules through informal negotiation rather than through formal legal channels ([Mbabazi, 2017](#)). This localised reinterpretation enables service delivery in a constrained environment but results in a patchwork of implementation, often consolidating power with local political elites rather than dispersing it to communities.

The cumulative effect is captured in the third theme: a profound public perception of reforms as largely symbolic, linked to entrenched distrust in state institutions ([Kakungulu-Mayambala, 2016](#)). Citizens view legislative activity with considerable cynicism, often perceiving new laws as performance for international donors rather than genuine commitments to transformation ([Blair et al., 2016](#)). This erodes public trust, creating a vicious cycle where citizens disengage from formal channels or resort to informal patronage networks, further entrenching the practices the laws aim to dismantle.

An unexpected, cross-cutting finding was the ambiguous role of the judiciary as both a site of contention and a fragile beacon of normative order ([Thornton, 2019](#)). Landmark decisions, such as the Constitutional Court’s ruling on the presidential age limit amendment, crystallised perceptions of the “legalisation of politics,” where formal processes effect ends contradicting constitutionalism ([Douglas Karekona, 2019](#)). This judicial endorsement signalled the limits of legal challenge to executive-driven reforms. Paradoxically, lower-level courts occasionally became arenas for enforcing progressive statutory texts, revealing an internal judicial dichotomy.

Finally, the data indicate that the indigenisation of governance frameworks—the adaptation of formal institutions to local contexts—has produced ambiguous outcomes ([Tusasirwe, 2019](#)). This

process often constitutes a capture of formal structures by informal patrimonial logics ([Mbabazi, 2017](#)). Decentralisation, for instance, has been indigenised in a manner that reinforces central control through the politicisation of local councils. Thus, reforms are actively translated into the pre-existing political ecosystem, losing transformative potential and sustaining the disjuncture between text and practice.

DISCUSSION

Evidence for this discussion is drawn from the provided literature, which substantiates the analysis of Uganda's legal-administrative dynamics ([Mbabazi, 2017](#)). The period under review reveals a critical tension between constitutional decentralisation and the practical realities of intergovernmental relations ([Blair et al., 2016](#)). Although the legal framework for devolution is robust in principle ([Douglas Karekona, 2019](#)), its implementation has been consistently undermined by insufficient fiscal autonomy and persistent political centralisation. This results in a form of administrative decentralisation that fails to deliver meaningful local governance, as district authorities remain dependent on central government transfers and directives ([Kakungulu-Mayambala, 2016](#)). Consequently, the intended benefits of responsive service delivery and enhanced civic participation are frequently diluted, fostering local bodies accountable upwards to Kampala rather than outwards to their constituents. This dissonance confirms that without the political will to cede substantive control, decentralisation risks becoming a technical exercise rather than a transformative tool.

The analysis further illustrates how legal reforms can be strategically employed to manage political contestation, at times compromising constitutional integrity ([Thornton, 2019](#)). The judicial reasoning in the case concerning presidential age limits, as analysed by Tusasirwe ([2019](#)), highlighted the fragility of substantive constitutional constraints when confronted with a determined parliamentary majority. This episode underscores a governance model where legal change is instrumentalised to consolidate executive longevity, challenging principles of democratic alternation. Such manoeuvres resonate within a broader pattern, noted by Mbabazi ([2017](#)), wherein legal and administrative systems are leveraged to centralise authority and manage governance crises rather than to foster inclusive political settlement.

Moreover, emerging legislative agendas, such as data protection, introduce new complexities to state-citizen relations ([Douglas Karekona, 2019](#)). While developing a privacy framework aligns with digital governance trends, its implementation within Uganda's existing administrative culture raises questions about the state's capacity to act as a trustworthy data steward. Public trust is a critical component of effective governance, as Blair et al. ([2016](#)) demonstrate in related contexts. In Uganda, where the governance of sensitive issues like HIV/AIDS has involved complex political indigenisation, operationalising data protection laws will be a key test. It will reveal whether administrative praxis can foster the transparency needed to build public confidence, or whether new legal structures will be absorbed into existing patterns of control.

CONCLUSION

This qualitative study has elucidated the complex interplay between formal legal reforms and administrative praxis in Uganda during the early 2020s ([Tusasirwe, 2019](#)). The analysis substantiates

the core argument: the trajectory and efficacy of statutory changes are profoundly mediated, and often subverted, by entrenched informal political institutions and administrative cultures ([Kakungulu-Mayambala, 2016](#)). While the legal architecture for governance provides a framework for democratic development, its implementation is filtered through a prism of centralised executive authority and patrimonial networks, which hollow out the rhetoric of devolution ([Mbabazi, 2017](#)). The findings illustrate that legal reform becomes a site of contestation where formal rules are negotiated and adapted by these resilient informal forces, rather than acting as a straightforward catalyst for change.

The research significance lies in its demonstration of the enduring gap between de jure provisions and de facto governance, a chasm with particular consequences for states with prolonged political continuity ([Thornton, 2019](#)). The study underscores that governance transitions are deeply political processes shaped by historical legacies ([Blair et al., 2016](#)). The analysis reveals, for instance, how fiscal control and political appointments from the centre neuter the autonomy intended by decentralisation statutes ([Douglas Karekoma, 2019](#); [Tusasirwe, 2019](#)). Furthermore, it highlights judicial interpretation as a battleground for these tensions. This perspective foregrounds the agency of local actors in shaping governance laws, moving beyond a simplistic importation of external models.

Consequently, the practical implications point towards interventions that acknowledge the formal-informal dynamic. First, there is a need to bolster genuinely independent oversight institutions—such as the judiciary and audit authorities—with guaranteed financial autonomy and protected tenure to provide a counterweight to executive dominance ([Blair et al., 2016](#)). Second, enhancing civic engagement and legal empowerment is paramount, involving support for civil society and robust public legal education to foster a culture of accountability. This entails reinvigorating the participatory ethos of decentralisation by empowering lower local councils beyond being mere conduits for central directives ([Tusasirwe, 2019](#)).

The study acknowledges limitations. Research access challenges within the political climate may have limited perspectives from within the state apparatus. Furthermore, the focused timeframe provides only a snapshot of an ongoing process. The qualitative approach offers an in-depth, contextualised analysis of mechanisms rather than statistical generalisability.

These limitations suggest avenues for future research. A longitudinal study tracking specific reforms over a longer period would yield insights into their evolving impact. Comparative research with other East African Community nations would help distinguish uniquely Ugandan characteristics from regional patterns. Future scholarship might also employ ethnographic methods to examine the micro-politics of how street-level bureaucrats apply national laws amidst competing pressures.

In conclusion, this study contributes to scholarly understanding by elucidating the dialectical relationship between legal text and administrative practice. The Ugandan case demonstrates that without concurrent transformation of the informal institutions that underpin the state, even well-crafted legal reforms risk being absorbed into existing governance patterns ([Kakungulu-Mayambala, 2016](#)). The path towards more accountable governance therefore depends not solely on refining legal codes, but on the sustained work of building institutions that can impartially enforce them and cultivating an empowered citizenry.

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