

**THE IMPACT OF THE SALARY SCALE FOR KEY PLAYERS IN PUBLIC
INSTITUTIONS OF LEARNING WITHIN UGANDA ON THE RIGHT TO
EDUCATION**

BY

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MAY, 2024

Education is the most powerful weapon to change the world

-

Nelson Mandela

DECLARATION

I hereby declare that this dissertation was carried out in accordance with the requirements of the University's Regulations and Code of Practice for Research Degree Programmes and that it has not been submitted for any other academic award. Other works cited or referred to are accordingly acknowledged.


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APPROVAL

This dissertation by Ntege Elvis under the title ‘The *impact of the salary scale for key players in public institutions of learning within Uganda on the right to education*’ has been under my supervision and is approved for submission to the examining authority.

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DEDICATION

I dedicate this research paper to the Almighty God to whom I owe my livelihood, intellect and strength. To my parents Mr and Mrs Ssenoga whose relentless financial support, has aided in the fruition of this research. To my mentor, Counsel Kibirige David for his academic support and encouragement. To my supervisor for offering unrestricted and timely guidance in making perfect this research report.

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ABSTRACT

It is a reality truth that salaries are a precondition for employee work performance regardless of professional identity anywhere in the world. Correspondent to the title, it proposes scrutinizing the efficacy of key players in public learning institutions within Uganda that is to say teachers, school board members, administrators and government officials in proselytizing the right to education. The salient objective of this research is to uncloak the suffrage of students as key stakeholders of the education service in Uganda based on the unaccredited concerns as to the remuneration for quintessential actors in our education system.

The data at hand emerges from research conducted using secondary sources available online and textbooks. Subject to this research, it envisages an assessment of quality time spent fulfilling educational responsibilities in comparison with the period taken in other subsidiary financial engagements.

Findings on the impact of the salary scale for key players in public institutions of learning within Uganda on the right to education illustrate that salaries of intrinsic actors in public institutions of learning are predominant on the actualization of the right to education.

ACRONYMS

UNESCOUnited Nations Educational, Scientific and Cultural Organization

UNATUUganda National Teachers Union

U.P.EUniversal primary Education

U.S.E Universal Secondary Education

MoES..... Ministry of Education and sports

Shs Shillings

GOVT Government

UG..... Uganda

Vs Versus

DEO District Education Officer

CAO Chief Administrative Officer

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CHAPTER ONE

GENERAL INTRODUCTIONS

1.1 INTRODUCTION

Education is intrinsically valuable as mankind's most effective tool for personal empowerment given that it enhances human dignity through its denouements of knowledge, understanding and wisdom. On account of education, human beings possess the ability, attitudes, expertise and attain maturity as to aggrandize their wellbeing as well as that of the nation. Notably, education refers to a discipline concerned with receiving or giving systematic instruction, especially at a school or university.¹ Further still, education is a powerful tool by which economically and socially marginalized adults and children can alleviate themselves out of poverty and be more proficient as citizens. In summary there to, education encapsulates cardinal priorities within the plan for dynamic development in a society.

Correspondent to Uganda's obligations under international law, the right to education is a fundamental human right proclaimed by Article 26 (2) of the Universal Declaration of Human Rights as well as Article 13 and Article 14 of the International Covenant on Economic, Social and Cultural Rights as so ratified on June 21, 1995.² Similarly, under the domestic laws of Uganda, the right to education is provided for in Article 30,³and guarantees this right to all persons. Subsequently, the government of Uganda established an educational scheme for both primary and secondary levels of education under Universal Primary Education in 1997 and Universal Secondary Education in 2007 respectively as to make education more accessible by everyone in

¹ 'Education | Definition, Development, History, Types, & Facts | Britannica' <<https://www.britannica.com/topic/education>> accessed 12 March 2024.

² 'HOSTILE TO DEMOCRACY' <<https://www.hrw.org/reports/1999/uganda/Uganweb-05.htm>> accessed 12 March 2024.

³ The Constitution of the Republic of Uganda 1995, As Amended

Uganda.⁴ However, since independence, Uganda has seen a significant increase in access to education but without substantial progress in refining the quality of learning.⁵

In pursuance of its responsibilities apropos to the right of education in Uganda, engagement in employment of individual services is ineluctable which similarly connotes respective payment in respect of the resources so rendered which in that respect inaugurates a system of operation. Tentative upon Uganda's system of education, the key stake holders in efficient implementation of the right to education within institutions of learning include, district officials, school governing bodies, learners, teachers, parents, local council representatives, religious leaders and cultural leaders, community members and among others.⁶

Subject to employment and its crucial principles as to pay equity and pay equality,⁷ it is accurate to take as a hypothesis that salaries are a difference maker in employee working performances irrespective of their professional identity.

On account of the spate of unemployment amongst other contemporary concerns evinced in Uganda, institutions of learning are called on to improve the quality of services in order to respond to the educational needs of the community. In due course, this process necessitates a statement of governance oriented towards economic viability (effectiveness and efficiency), the correct use of the limited resources available, and constructive comparison among different actors of the educational system.

⁴ Christian Kakuba and others, 'Who Accesses Secondary Schooling in Uganda; Was the Universal Secondary Education Policy Ubiquitously Effective?' (2021) 83 International Journal of Educational Development 102370.

⁵ 'The Political Economy of Education Quality Initiatives in Uganda | The Politics of Education in Developing Countries: From Schooling to Learning | Oxford Academic' <<https://academic.oup.com/book/35237/chapter/299775923>> accessed 1 May 2024.

⁶ '2.-GPE_CERP-PROJECT-AUGUST_STAKEHOLDER-ENGAGEMENT-PLAN-SEP.Pdf' <https://www.education.go.ug/wp-content/uploads/2021/10/2.-GPE_CERP-PROJECT-AUGUST_STAKEHOLDERENGAGEMENT-PLAN-SEP.pdf> accessed 12 March 2024.

⁷ Equal Remuneration Convention, 1951 (No. 100)

1.2 BACKGROUND OF THE STUDY

Uganda has had a long history of its labour and employment market; this dated way back prior to independence. Among many others, the labour market of Uganda both in the public and private sector have been streamlined with quite a sound legal and institutional framework. Despite the comprehensive legal framework, dissatisfaction as to the inequitable remuneration of public servants in Uganda is now a strange routine evidenced in their copious strikes time and again.⁸ However, correspondent to the education sector, suffrage is directly attributed unto learners and the future of the nation-state at large contingent upon the fact that it vitiates every quality of educational output as well as the quality-time for imparting knowledge and pertinent virtues. Ostensibly, government is face to face with the strike action of lead actors in the education system which reduces questions as on a balance between the right to strike and the right to education; justice for one being an injustice to another. However, ameliorating the quality of education in Uganda has always been at the heart of its government policies but has left loose ends on which further predicament has espoused.⁹

In regard to teachers as a cornerstone in enculturation of proficiency in education,¹⁰ under their umbrella body UNATU, have identified that salary disparities compromise teaching which has now afflicted the teaching profession. Notably, in Africa, remuneration has always been acknowledged as a great motivating factor for the support and reinforcement of attributes geared towards improved teachers' performance in due consideration of factors such as teachers taking on responsibilities that in past years would have been undertaken by parents. The significance for apportionment of a happy salary within the education system doesn't envision appreciable explanation on account

⁸ 'Study-Report-On-Salary-Disparities-In-The-Public-Service.Pdf' <<https://eoc.go.ug/eoc/wp-content/uploads/2020/04/STUDY-REPORT-ON-SALARY-DISPARITIES-IN-THE-PUBLIC-SERVICE.pdf>> accessed 8 May 2024.

⁹ 'All Change: Strengthening the Primary Education System in Uganda - Mott MacDonald' <<https://www.mottmac.com/article/64453/strengthening-the-primary-education-system-in-uganda>> accessed 14 March 2024.

¹⁰ 'Secondary-Profile.Pdf' <<https://www.education.go.ug/wp-content/uploads/2022/04/SecondaryProfile.pdf>> accessed 14 March 2024.

that in the face of right-thinking members of society, ipso facto has in prospect a counter return of furnishing great services.

Cognizant of the role of teachers in nation building, the Ministry of Public Service, whilst exercising its mandate as per Section 5¹¹ and in satisfaction of a presidential directive to effect increment of salaries of science teachers, in 2021 under a supplementary budget during the financial year 2021/22 stepped up their remuneration by a 300% pay rise.¹² Accordant to the pay rise of science teachers in Uganda they attained an estimated median base salary of UGX 47,804,880 per year which is most accurate in central region. In effect thereof, in May 2022, the Cabinet approved Uganda shillings 735 billion to boost the salary of scientists, including, science teachers during the financial year 2022/2023 which began on 1st July 2022 to 30th June 2023. The monthly salary change thereof elucidates that,¹³

| | |
|--|---|
| PREVIOUS SALARY RANGE (Shs) | (795,000 - 858,000) |
| RANGE UPON INCREASE IN SALARY (Shs) | (2,500,000 - 4,200,000)¹⁴ |

On the contrary, in a bid for a wholesome rise in salary of teachers, the current pay rise lacks equity as it prioritizes the science teachers and negates consideration of arts teachers which in consequence has fuelled public discontent.

¹¹ Public Service Act, 2008

¹² Merab Nantale, Gershom Atukunda and Florah Kyayemagye, 'Science Teachers' Remuneration and Their Job Performance among Government Aided Secondary Schools in Mbarara, Uganda' (2022) 2 East African Journal of Management and Business Studies 7.

¹³ 'Unatu Asks Govt to Increase Salaries of Arts Teachers' (*Monitor*, 19 February 2024) <<https://www.monitor.co.ug/uganda/news/national/unatu-asks-govt-to-increase-salaries-of-arts-teachers4530402>> accessed 15 March 2024.

¹⁴ 'Salary: Science Teacher in Kampala, Uganda 2024' (*Glassdoor*, 11 December 2023) <https://www.glassdoor.com.au/Salaries/kampala-uganda-science-teacher-salary-SRCH_IL.0,14_IM1727_KO15,30.htm> accessed 8 May 2024.

Relative to other key players that is District Education Officers and their salient duty as to overseeing and managing all aspects of elementary education and those related to educational institutions throughout the district,¹⁵ a great deal in respect of remuneration is left to their longing. In Uganda the pay range for a District Education Officer lays between Ugandan Shillings 826,000 – Ugandan Shillings 2,000,000 per month which in comparison with the salary of a supervisee employed as a science teacher evokes apathy.¹⁶

Indistinguishably, the salaries allocated to the District Inspectors of Schools as well are awry that is they range from Ugandan Shillings 783,079 - Ugandan Shillings 1,560,145 per month.¹⁷ In contrast, the pay structure of District Inspectors of Schools is way below payments allotted unto science teacher supervisees to which, emasculation in effective service delivery eventuates that is to say; the high pay of a supervisee over supervisors has occasioned an upsurge in corruption.¹⁸ In the quest, to earn income, inspectors are bribed to conceal the unscrupulous mannerisms of crucial actors in the education sector which hampers any furtherance as to the right to education in Uganda.¹⁹ Imperative to note, the District Inspector of Schools is of great potency as regards fulfilment of the right to education in Uganda that is to say, he or she is charged with carrying out periodic inspection of schools, monitoring teacher's performance, preparing inspection reports and providing support supervision to teachers.²⁰

¹⁵ 'DEO Full Form: District Education Officer - javaTpoint' (www.javatpoint.com) <<https://www.javatpoint.com/deo-full-form>> accessed 19 March 2024.

¹⁶ 'Salary: Education Officer in Uganda 2024' (*Glassdoor*, 9 December 2022) <https://www.glassdoor.com/Salaries/uganda-education-officer-salary-SRCH_IL.0,6_IN243_KO7,24.htm> accessed 19 March 2024.

¹⁷ 'Salary Uganda, Inspector, Public Administration,...' <<https://www.paylab.com/ug/salaryinfo/public-administration-self-governance/inspector>> accessed 30 April 2024.

¹⁸ 'Fazekas-et-al_Cost-of-Corruption-in-Uganda_education_published_2022.Pdf' <https://www.govtransparency.eu/wp-content/uploads/2022/07/Fazekas-et-al_Cost-of-corruption-in-Uganda_education_published_2022.pdf> accessed 1 May 2024.

¹⁹ 'Three Kibuku District Officials Remanded over Fraud | Monitor' <<https://www.monitor.co.ug/uganda/news/national/three-kibuku-district-officials-remanded-over-fraud-4585386>> accessed 1 May 2024.

²⁰ 'Salary Uganda, Inspector, Public Administration,...' (n 17).

In conclusion thereof, the current pay structure for major actors charged with the duty to ensure quality access to education within institutions of learning in Uganda is irregular and disconcerting irrespective of the exigencies of professionalism.

1.3 PROBLEM STATEMENT

There is an inherent relationship between one's job performance and the genera of remuneration.

The indelicate remuneration structure of principal actors within institutions of learning in Uganda that is to say evincing unfair preference of key characters in the schooling network, has curtailed performance of obligations hence fortifying inefficiency in fostering the right to education. Following the pay rise of science teachers over and above salaries for majority of other jobholders in the education system of Uganda, such inordinate salary hike has crumbled the coherence in the institutional framework as to aggrandize the right to education.

However, an argument could be fronted that the increase in pay for science teachers has only taken effect in public educational institutions as opposed to private schools, in line with that argument, it is incontrovertible that public institutions are widely accessed in Uganda which hence strikes at the heart of the instant argument to the effect that the inordinate salary hike is a menace to the efficiency in advancing access to quality education in Uganda.²¹

1.4 OBJECTIVES OF THE STUDY

1.4.1 GENERAL OBJECTIVE

- a) To assess the impact of the salary scale of, key actors within academic institutions in Uganda on the right to education.

²¹ 'Headcount-Report-2016.Pdf' <<https://www.education.go.ug/wp-content/uploads/2019/07/HeadcountReport-2016.pdf>> accessed 19 March 2024.

1.4.2 SPECIFIC OBJECTIVES

- a) To ascertain the impact of remuneration of leading players within learning institutions on the performance of obligations in respect of bringing to fruition the right to education in Uganda.
- b) To make out the quality time spent fostering the right to education aside other economic engagements of role players in institutions of learning
- c) To inquire into, the relationship between the degree of motivation by vital actors in educational institutions, on job performance correspondent to fulfilling the right to education.

1.4.3 RESEARCH QUESTIONS

- a) What is the impact of salary scale of key players within institutions of learning of Uganda in furtherance of the right to education?
- b) What is the impact of the division between carrying out economic activities outside executing duties of education institutions on the right to education?
- c) Whether inaugurating a proper salary scale for key actors in academic institutions within Uganda would promote the right to education.

1.5 SIGNIFICANCE OF THE STUDY

This study may be useful in identifying the lacuna within the measures so far adopted in furtherance of the right to education in Uganda as to ensure access to quality learning experience aimed at developing a wholesome person to conquer the Uganda's present-day economic burden.

Further still, the study at hand may also be relevant to the policy makers as to make revision of marring schemes in Uganda.

Subject to the instant study, it shall aid in enhancing job performance of central characters in institutions of learning as to foster the right to education where if acting upon the findings here in their remuneration is adjusted.

1.6 SCOPE OF THE STUDY

1.6.1 Thematic scope

This study shall focus on examining the pre-existing domestic legislation and international instruments so ratified by Uganda. Correspondent to the domestic legislation, it includes the Constitution of the Republic of Uganda, 1995, As Amended, the Public Service Act, The Children Act, Cap 59 as well as The Employment Act, 2006.

Subject to the international instruments so ratified by Uganda, the following shall be relied upon that is, Universal Declaration of Human Rights and International Covenant on Economic, Social and Cultural Rights.

1.6.2 Geographical Scope

This research shall be carried out in Kamengo Sub- County - Mpigi District.

1.7 DEFINITION OF KEY TERMS USED IN THE STUDY

Remuneration as per the Cambridge English Dictionary refers to payment for work of services.²²

Pay equity is the legal concept that equal work deserves equal pay regardless Of their identity.¹⁴

Education refers to ²³the transmission of knowledge, skills, and character traits and manifests in various forms.²⁴

Key players in institutions of learning point to government officials, School board members, school administrators, learners and parents.²⁵

²² 'REMUNERATION | English Meaning - Cambridge Dictionary'

<<https://dictionary.cambridge.org/dictionary/english/remuneration>> accessed 20 March 2024.

²³ 'Pay Equity vs. Pay Transparency: Defining the Difference | SPARK Blog | ADP'

<<https://www.adp.com/spark/articles/2023/02/pay-equity-vs-pay-transparency-defining-the-difference-andunscrambling-the-jargon.aspx>> accessed 20 March 2024.

²⁴ 'Education', *Wikipedia* (2024)

<<https://en.wikipedia.org/w/index.php?title=Education&oldid=1214480129#Notes>> accessed 20 March 2024.

²⁵ '2.-GPE_CERP-PROJECT-AUGUST_STAKEHOLDER-ENGAGEMENT-PLAN-SEP.Pdf'

Public learning institutions refer to an establishment controlled and managed directly by government or its agency.²⁶

1.8 LITERATURE REVIEW

This section envisages literary works of preceding researchers' correspondent to the topic of the study. It sets forth findings on the impact of the salary scale of key players in institutions of learning in Uganda on the right to education. In furtherance, it shall be guided by sources of information such as journals, articles, reports, books amongst other research sources that may be available online.

Examination on the performance of principal actors in institutions of learning.

To begin with, Paul L Marciano, in his book *Carrots and Sticks* introduces the concept of; Carrots and Sticks to refer to using rewards and punishment to motivate others.²⁷ According to his view, he identifies that carrots are incentives dangled in front of employees to motivate them to strive towards some goal. Further still, he makes mention of operant conditioning which he explains as specific behavioural strategies developed to change behaviour. Correspondent to operant conditioning, he asserts that terms associated with change of behaviour include both positive and negative reinforcements. Notably, positive reinforcements include; praise, privileges, money, and various rewards whereas negative reinforcements constitute the removal of an aversive stimulus. Paul L Marciano upholds the precedence of operant conditioning as to the effect that empirical studies have demonstrated its efficiency in motivating animals, children to engage in specific behavior in an effort as to attain rewards. In his book, Paul L Marciano is cognizant of the complexity of human beings given that they are filled with thoughts, feelings, attitudes, personalities, skills, experiences and goals to which motivational change alone is insufficient to sustain behaviour change over time. Similarly, he suggests an equity raise in salaries of existing employees prior to bringing an employee with similar

<https://www.education.go.ug/wp-content/uploads/2021/10/2.-GPE_CERP-PROJECT-AUGUST_STAKEHOLDERENGAGEMENT-PLAN-SEP.pdf> accessed 12 March 2024.

²⁶ 'Public Institution Definition: 424 Samples' (*Law Insider*)

<<https://www.lawinsider.com/dictionary/public-institution>> accessed 6 May 2024.

²⁷ Paul L Marciano, *Carrots and Sticks Don't Work: Build a Culture of Employee Engagement with the Principles of RESPECT* (McGraw Hill Professional 2010).

skills aboard.²⁸ More to that, he suggests that aside offering motivation for proper job performance, employees with changing expectations in a changing world require due consideration of their mental well-being to better themselves.

In reference to Paul L Marciano's scope of thought, he makes mention of equity raise in salary which is under primary consideration of this research as well as the precedence motivating employees as to foster work efficiency. However, in his research, he negates considering the repercussions of differences in the salary scale for central characters within a system of operation onto its effectiveness, which, this research shall respectively address.

Review as on the pay equity of key players in institutions of learning

Mohammed Inuwa in his journal, Relationship between Job Equity and Performance of Employee enunciates that job equity plays a great role in enhancing employee's performance in the work place.²⁹ He accentuates that job equity resonates with the notion of equal pay for equal work done regardless of demography. Furthermore, he points out that job equity encapsulates pay equity which refers to the concept of compensating employees who have similar job functions with comparably equal pay regardless of their gender, race, ethnicity or other status. Additionally, Mohammed Inuwa identifies that pay equity is essential by dint of promoting a culture of inclusion and belonging to which employee's overall motivation and satisfaction is associated. Correspondingly, he maintains that pay equity can be nourished by way of analysis of the pay, practicing transparency, creating salary bands as well as instituting a pay policy.

Notably at the heart of this research, is advocacy for pay equity of key actors in learning institutions as regards fostering the right to education where in the inordinate pay rise for science teachers over other employees in the education system should be reviewed through the prism of equity.

²⁸ Paul L Marciano, Carrots and Sticks Don't Work: Build a Culture of Employee Engagement with the Principles of RESPECT (McGraw Hill Professional 2010) 17.

²⁹ Mohammed Inuwa and Zainab Idris, 'Role of Job Equity on Employee Performance' (2017) 3 International Journal of Management Science Research 168.

However, in his analysis, Mohammed Inuwa marries job equity directly to performance of employees but omits considering the role-play of individuals in the management structure aimed at attaining efficiency at a work place. Therefore, this research shall address the individual duties of lead actors within institutions of learning towards fostering the right to education.

Analysis on remuneration of key actors in educational institutions.

According to Savannah Anderson in her research report, *The Truth About Teacher Salaries and its Effects on Teachers and Students*,³⁰ she identifies that the wages educators are paid impacts the quality of teachers in the profession as well as student success. More to that, she stresses that teachers want to amplify true learning in an academic setting but are paid lower than other professionals with the same amount of college and experience. In furtherance, she notes that to ensure future success for students, its crucial to consider the quality of education advocated for, whilst understanding the analysis of low wages. In correspondence there to, Savannah Anderson establishes that teachers endure far more than what meets the eye in efforts to solidify learning in an academic setting that is from working extra hours to ensure learning, creating equitable learning environments, meeting learning outcomes, guiding students to academic success, and so much more, teachers play a significant role in student lives.

In congruence with Savannah Anderson's findings, this research shades out the plight of principal actors within learning institutions promoting the right to education that is on ground of the irregular remuneration scale.

Nonetheless, Savannah Anderson centralizes on bringing to light the issues pertinent to teachers only outside the pool of other role players as to the efficacy of the

³⁰ Savannah Anderson, 'The Truth About Teacher Salaries and Its Effects on Teachers and Students'.²¹ Essen Sucuoğlu and Georglin Nyenatoh, 'An Investigation of the Effect of Low Salary on Teachers' Academic Performance in Liberia' (2023) 14 *Revista de Gestão e Secretariado* 2008.

right to education. There to, this research shall adduce concerns wholly affecting the pivotal characters as to promoting the right to education in Uganda.

A study into the significance of adequate remuneration for lead actors in institutions of learning.

As per Esen Sucuoğlu and Georglin Nyenatoh in their journal, An Investigation of the Effect of Low Salary on Teachers' Academic Performance in Liberia,²¹ they point out that salaries are biggest the factors affecting employee working performance regardless of professional identity in any part of the world.³¹ They further attest that the success of every nation hinges on her ability to adequately provide the much needed sound, quality education to its people. Similarly, Esen Sucuoğlu and Georglin Nyenatoh substantiate that to succeed in this rapidly changing world, skilled human capital with a solid base of knowledge is essential and this refined human capital can only be produced by developing and substantiating a quality education system according to the social demands. In addition, they annotate that one of the predominant social demands is improve the remuneration of teachers.³²

Prominently, the theme evinced by Esen Sucuoğlu and Georglin Nyenatoh is on remuneration for teachers in furtherance of access to quality education, which is indifferent from the key objective of ascertaining the impact of remuneration of leading players within learning institutions within Uganda in respect of bringing to fruition the right to education.

However, Esen Sucuoğlu and Georglin Nyenatoh adopt an objective approach correspondent to which they designate that an increment in the salaries of teacher's salary would culminate in improvement of academic performance of learners. In contrast, the research at hand shall adopt a subjective approach to which the improvement in remuneration of primary characters within institutions of learning married with efficiency

³¹ Esen Sucuoğlu and Georglin Nyenatoh, 'An Investigation of the Effect of Low Salary on Teachers' Academic Performance in Liberia' (2023) 14 Revista de Gestão e Secretariado (Management and Administrative Professional Review) 20082, 1.

³² Sucuoğlu and Nyenatoh (n 31) 3.

in performance of obligation so paid would eventuate in furtherance of the right to education.

A case study on the Importance of Education

Dr. Abdulghani Al-Shuaib in his article on The Importance of Education observes that education is the key to success and have many opportunities in our life.³³ He furthers explains that education illuminates a person's mind and thinking. In correspondence to the benefits associated with education, he expounds that education grants a good status in society, paves way to have a good career and as well helps build self-confidence.³⁴

Imperative to note, Dr. Abdulghani Al-Shuaib in his point of view puts a lot of emphasis on the individual rewards of education though, this research envisions highlighting the benefits of education in state development.

Impact of employee remuneration on job performance.

Racheal Gatheca in her journal reposed on the Effects of remuneration towards employee performance makes finding that, there is a significant relationship between remuneration and employee performance.³⁵ More to that, she reveals that basic salary is market oriented in lieu of demand and supply forces.³⁶

On the contrary, this research precipitates that salaries of key players in Uganda's learning framework are a systematic entrenchment espoused by government policies as opposed to forces of demand and supply.

The Right to Education.

Emine Zendeli in his journal on, the Right to Education as a Fundamental Human Right points out that education represents one of the most important priorities within the plan

³³ Abdulghani Al-Shuaibi, 'The Importance of Education'.

³⁴ Abdulghani Al-Shuaibi, 'The Importance of Education' Pg1.

³⁵ W Gatheca Rachel, 'Effects of Remuneration on Employee Performance: A Case of German Technical Corporation Uganda' <<https://ir.kiu.ac.ug/handle/20.500.12306/12403>> accessed 1 May 2024.

³⁶ Rachel (n 35) 38.

for dynamic development in a society.³⁷To this extent, I agree with him. In furtherance, he contends that the right to education is oriented towards the establishment of a civilised, peaceful and discrimination – free cohabitation.³⁸ I as well affirm to this adduced fact. According to Emine Zendeli, education makes people aware of building their own future, be engaged in the realisation of their own rights as well as other people’s rights, participate in social life activities and control the state actions towards them. In this respect, I disagree with his’ perspective given that a breakdown in democratic systems greatly impinges on realisation of the fruits of education, this research shall advocate for entrenchment of policies that champion development in the education service.

1.9 METHODOLOGY

This part will adduce the framework contingent on which the data was collected and further analysed to achieve the intended objectives stated for the study. It will also intimate on the area of study, the research design and lastly the techniques used in data collection.

1.9.1 RESE9RCH DESIGN

Analytical and correlation research designs were employed in the study. To ascertain qualitative data, the researcher used multiple sources of information in collecting and analysing the data, which included the use of textbooks, articles, working papers, journals, internet, statutes and guidance from case law and legal principles. The cited sources used in data collection are both from Uganda and other jurisdictions hence arriving at the overall picture created by the study.

1.9.2 DATA COLLECTION AND ANALYSIS

The researcher obtained his data by way of secondary data collection methods apropos of the research topic. Correspondingly, information were obtained from published and unpublished books, reports, journals and other materials that were relevant to the study.

³⁷ '(PDF) The Right to Education as a Fundamental Human Right' <https://www.researchgate.net/publication/334581309_The_right_to_education_as_a_fundamental_human_right> accessed 1 May 2024.

³⁸ '(PDF) The Right to Education as a Fundamental Human Right' 160 <https://www.researchgate.net/publication/334581309_The_right_to_education_as_a_fundamental_human_right> accessed 1 May 2024.

Notably, the findings from the research are then linked to the research objectives to generate meaning as to the topic of the study.

Scientific research findings were used to establish the relationship between the impacts of Key Players' salary scale within Public Institutions of learning in Uganda, on the Right to Education.

The data gathered in this study was summarized as to establish the fundamental results.

1.9.3 LIMITATIONS OF THE STUDY

Time constraint was encountered during the accomplishment of the study. Nonetheless, a time table was drawn for the research and strictly followed in order to fulfil the purpose of the study.

Finding sufficient financial aid as to facilitate transport costs from one point of data collection was challenging.

Some data subjects were unwilling as to give details as to the questions so asked which thereby vitiates the quality of the research findings.

A few data subjects objected to engage in giving information as to satisfy the research questions.

1.10 CHAPTER SYNOPSIS

This research consists of five chapters. Chapter one comprises an introduction into the study, background of the research, the problem statement, scope of the study, objectives of the study, research questions, literature review and the methodology while Chapter two encapsulated an exposition of the non-legal research affecting the right to education and shall constitute as well a study of mechanism established to foster access to education.

Chapter three discussed the legal framework corresponding to the fulfilment of the right to education as well as that necessitating sufficient remuneration for employees under the education system.

Chapter four sets forth implications on the right to education where if the apparent challenges on the Salary Scale of Key players in Public Institutions of learning within Uganda are rendered nugatory. And lastly, Chapter Five discussed the research findings, recommendations and conclusion upon completion of the research.

CHAPTER TWO.

NON- LEGAL FACTORS INFLUENCING ACTUALIZATION OF THE RIGHT TO EDUCATION

2.1 INTRODUCTION.

This chapter shall commence with an inquest into the definition of education, key players in institutions of learning as well as comprises factors influencing discharge of the right to education aside the thematic scope of this research on the salary scale of key actors within institutions of learning in Uganda. Further still, this chapter encapsulates an exposition on how different factors have curtailed access to quality education and how the improvement in these factions could ameliorate Uganda’s learning sector.

2.2 DEFINITION OF EDUCATION

Education pursuant to the Oxford Advanced Learner’s Dictionary, refers to a process of teaching, training and learning especially in schools or colleges as to improve knowledge and develop skills.³⁹In Uganda, education was traditionally informal and carried out in tribal groups until the coming of missionaries who introduced the current formal learning system.⁴⁰ Following the introduction of formal education in Uganda, her *de nos jours* learning structure entails that students undergo pre- primary education, primary education, secondary education, technical or Vocational education and tertiary education in University.⁴¹

Notably, the Ministry of Education and Sports is charged with administration and management of Education in Uganda in respect of which it is mandated to provide quality Education as well as sports Services.⁴² Additionally, the learning framework requires systematic and correlated operation of different bodies in lieu of fulfilling the right to

³⁹ Albert Sidney, Oxford Advanced Learner’s Dictionary (9th Edition, Oxford University Press), Pg 468

⁴⁰ ‘IJRSML_2018_vol06_issue_2_Eng_18.Pdf’ <https://www.raijmr.com/ijrsml/wp-content/uploads/2018/06/IJRSML_2018_vol06_issue_2_Eng_18.pdf> accessed 30 April 2024.

⁴¹ ‘A Look at Uganda’s Education System | MemoirUganda’ <<https://memoiruganda.com/a-guide-into-ugandas-education-system/>> accessed 1 May 2024.

⁴² ‘Homepage - Ministry of Education And Sports’ <<https://www.education.go.ug/>> accessed 1 May 2024.

education.⁴³ In context of Uganda, the key statutory bodies for effective administration of the education service constitute, Uganda National Examination Board, National Council for Higher Education, National Council for Sports as well as National Curriculum and Development Centre.⁴⁴

2.3 THE MEANING OF KEY PLAYERS IN INSTITUTIONS OF LEARNING

According to the Cambridge Dictionary, key players refer to the most important people in a given domain.⁴⁵ Subject to the above definition, the crucial people in institutions of learning at district level as regards satisfaction of the right to education include; Chief Administrative Officer (CAO), District Education Officer (DEO), District Inspector of Schools (DIS), Head teachers, Teachers.⁴⁶ Accordingly, in actualization of the right to education, District officers are charged with administrative functions whilst teachers and Head teachers are the muscle for imparting information in learners.⁴⁷

2.3.1 ROLE OF EDUCATIONAL OFFICERS IN ACTUALIZATION OF THE RIGHT TO EDUCATION IN UGANDA

Imperative to note, an education officer pursuant to Section 2,⁴⁸ is a person appointed by either the Education Service Commission or the District Service Commission.

To begin with the Chief Administrative Officer (CAO) as appointed by the Public Service Commission,⁴⁹ he or she is adjured to supervise and coordinate the activities of

⁴³ 'Full Article: EDUCATION: A COMPULSORY RIGHT? A FUNDAMENTAL TENSION WITHIN A FUNDAMENTAL RIGHT'

<<https://www.tandfonline.com/doi/full/10.1080/00071005.2021.2024136>> accessed 1 May 2024.

⁴⁴ 'Education IN Uganda - EDUCATION IN UGANDA HISTORICAL BACKGROUND Formal Education Was First Initiated - Studocu' 7 <<https://www.studocu.com/row/document/kibabii-university/research/education-in-uganda/41058958>> accessed 30 April 2024.

⁴⁵ 'KEY PLAYER | English Meaning - Cambridge Dictionary'

<<https://dictionary.cambridge.org/dictionary/english/key-player>> accessed 1 May 2024.

⁴⁶ '(PDF) Decentralisation and Education in Africa: The Case of Uganda'

<https://www.researchgate.net/publication/226236229_Decentralisation_and_Education_in_Africa_The_Case_of_Uganda> accessed 1 May 2024.

⁴⁷ 'Decentralization in Education: Examining the Role of the District Education Office - UNESCO Digital Library' <<https://unesdoc.unesco.org/ark:/48223/pf0000260763>> accessed 1 May 2024.

⁴⁸ The Education (Pre- Primary, Primary and Post Primary) Act, 2008

⁴⁹ Section 2 of the Education (Pre- Primary, Primary and Post Primary) Act, 2008

all delegated services and the officers working in those services, ensure accountability and transparency in the management and delivery of the Council services as well as have custody of all documents and records of the local government council.⁵⁰

Relative to the District Education Officer (DEO), the Education (Pre- Primary, Primary and Post Primary) Act, 2008 spells out that he or she has mandate to oversee the administration and management of schools and educational institutions within the district,⁵¹ ensure the implementation of state educational policies within the district, participate in the recruitment and registration of teachers,⁵²allocate resources to schools based on need and ensure that the curriculum is implemented effectively.

Proportionate to the District Inspector of Schools' (DIS) duties, Section 25 entails that he / she shall, carry out periodic inspection of schools, monitor teachers' performance, enforce minimum educational standards and maintain an updated teacher's personnel data bank.⁵³

Correspondent to head teachers, Section 15 establishes their obligations that is to say; inspect and supervise all activities in the school, promote harmonious existence between the school and the community or other stakeholders, establish a school disciplinary committee, implement the national curriculum and national syllabus as laid down by the ministry.⁵⁴

On the other hand, upon registration,⁵⁵ it is an obligation of teachers is to teach.

⁵⁰ Section 93 of the Municipal Government Act Cap M- 12.1

⁵¹ Section 29 of the Education (Pre- Primary, Primary and Post Primary) Act, 2008

⁵² Section 13 of the Education (Pre- Primary, Primary and Post Primary) Act, 2008

⁵³ The Education (Pre- Primary, Primary and Post Primary) Act, 2008

⁵⁴ The Education (Pre- Primary, Primary and Post Primary) Act, 2008

⁵⁵ Section 11 of the Education (Pre- Primary, Primary and Post Primary) Act, 2008

2.4 FACTORS THAT INFLUENCE THE CONTRIVANCE OF THE RIGHT TO EDUCATION IN UGANDA

The different factors affecting the satisfaction of the right to education can be categorised into, economic, social and political aspects as shall be subsequently adduced.

2.4.1 ECONOMIC FACTORS

Nature of salaries for role players in the education service

Salaries are a crucial requirement for employees as to achieve job efficiency.⁵⁶ Job performance is greatly blamed for the dilapidation in the quality of education and its output within Uganda.⁵⁷ In Uganda, salary disparities are prevalent and eat up the gains so far reached in the education sector as well as do compromise governance in the education system.⁵⁸ Predominantly, low salaries for role players within the learning service in Uganda, negatively impact on her quality of education. For instance, a high teacher turnover eventuates that is to say low salaries make it difficult to retain experienced and qualified teachers as they often seek higher-paying jobs in other sectors or countries elsewhere which leads to a shortage of experienced key actors within the education sector.⁵⁹

Similarly, low morale and motivation ensues following a poor salary scheme of vital actors in Uganda's learning institutions. This adversely effects in low student performance and as well diminishes the quality of services rendered by the different actors.

However, developing a propitious pay structure, for various principal actors in educational institutions addresses teacher attrition, attracts high-ability role players and as well improves the quality of education.⁶⁰

⁵⁶ Dr B Nagaraju, 'IMPACT OF SALARY ON EMPLOYEE PERFORMANCE EMPERICAL EVIDENCE FROM PUBLIC AND PRIVATE SECTOR BANKS OF KARNATAKA'.⁵⁰

⁵⁷ Simone Datzberger, 'Why Education Is Not Helping the Poor. Findings from Uganda' (2018) 110 World Development 124.

⁵⁸ 'Salary Disparities Compromise Governance in Education System | Monitor' <<https://www.monitor.co.ug/uganda/oped/letters/salary-disparities-compromise-governance-education-system-3926766>> accessed 1 May 2024.

⁵⁹ 'How Has the Salary Scale Affected the Education System in Uganda?' (*Quora*) <<https://www.quora.com/How-has-the-salary-scale-affected-the-education-system-in-Uganda>> accessed 30 April 2024.

⁶⁰ Sucuoğlu and Nyenatoh (n 31) 5.

Level of infrastructural development

Fulfilment of the right to education sets about with establishing quality infrastructure to enable learners access learning institutions.⁶¹ Developing quality education infrastructure increases learning, addresses issues of equity and establishes a conducive environment to impart knowledge. In Uganda, challenges as to the rate of infrastructural development are ubiquitous that is to say poor transport structures, under developed telecommunication services as well as substandard learning facilities.⁶² On the other hand, poor infrastructure is linked to perpetuation of unequal educational opportunities and outcomes,⁶³ hampered access to schools regularly and high dropouts among learners. Overall, the establishment of infrastructure plays a vital role in fostering education access and quality.

Quantity of financial capital

In a scheme to ensure educational access by everyone, Universal Secondary Education and Universal Primary Education strategies were established,⁶⁴ there by the education service in public learning institutions is greatly affected by government's quantity of financial input.⁶⁵ Meagre funding has culminated in a shortage of learning material, insufficient employees for the educational sector, inadequate facilities hence a serious decline in the quality of education.⁶⁶ On the contrary, sufficient finances from government encourage innovation among learners and further foster acquisition of knowledge to

⁶¹ 'Education Infrastructure and Enrolment in Elementary Education in Odisha' (2019) 7 Indian Journal of Economics and Development 1.

⁶² 'WP-Uganda-School-Facilities-and-Challenges-in-Constuction-PUBLiC.Pdf' <<https://documents1.worldbank.org/curated/en/452111511525260409/pdf/WP-Uganda-School-Facilities-and-Challenges-in-Constuction-PUBLiC.pdf>> accessed 2 May 2024.

⁶³ 'Effects of Poor Infrastructure in Education & Transport | DBSA' <<https://www.dbsa.org/article/effects-poor-infrastructure-education-transport-and-communities>> accessed 1 May 2024.

⁶⁴ 'Examining the Successes of Universal Primary Education and Universal Secondary Education Policies in Uganda | American Journal of Education and Practice' <<https://ajpojournals.org/journals/index.php/AJEP/article/view/1153>> accessed 1 May 2024.

⁶⁵ 'Explainer: The Education System in Uganda | Education | The Guardian' <<https://www.theguardian.com/katine/2010/feb/08/education-system-explainer>> accessed 1 May 2024.

⁶⁶ Muhammad Baqir Abdullah, Mukaramah Harun and Mohd Razani Mohd Jali, 'Government Funding in Education Industry' (2017) 7 International Journal of Academic Research in Business and Social Sciences Page 771.

improve skills among labourers, which ultimately materializes in quality output for trade. Therefore, allocation of adequate financial resources to education aids in maximising the fruits from schooling.⁶⁷

2.4.2 SOCIAL FACTORS

Primarily, these factors shape the learning experiences of individuals, affect their access to quality education and opportunities for advancement.⁶⁸ They include,

Cultural background

Pursuant to Article 37,⁶⁹ it is a prerogative of every person to maintain and promote any culture in community with others. Notably, culture refers to the customs and beliefs of a particular group of people.⁷⁰ Education and culture are mutually interdependent, complementary and supplementary in all their aspects and activities.⁷¹ A case in point, cultural awareness among educators, engenders a better learning environment by averting placing students from different cultural backgrounds at a disadvantage and is crucial for effective teaching.⁷²

In contrast, cultural practices such as forced marriages, early marriages hamper access to quality education contingent on learners developing lifelong negative attitudes towards edification. Furthermore, cultural knowledge inculcated in learners as from their respective homes, advances conflict with school curriculum content where such societal

⁶⁷ Read 'Making Money Matter: Financing America's Schools' at NAP.Edu, p 265 <<https://nap.nationalacademies.org/read/9606/chapter/11>> accessed 2 May 2024.

⁶⁸ 'How Does Social Factors Influence Provision of Education? | 4 Answers from Research Papers' (*SciSpace - Question*) <<https://typeset.io/questions/how-does-social-factors-influence-provision-of-education-148htbmrph>> accessed 1 May 2024.

⁶⁹ The Constitution of the Republic of Uganda 1995, As Amended

⁷⁰ Albert Sidney, Oxford Advanced Learner's Dictionary (8th Edition, Oxford University Press), Pg 357

⁷¹ Peter Bisong, Samuel Aloysius Ekanem 'Impact of Culture on Education' <https://www.researchgate.net/publication/323794724_Impact_of_Culture_on_Education> accessed 2 May 2024.

⁷² 'How Does Culture Affect Education? | 4 Answers from Research Papers' <<https://typeset.io/questions/how-does-culture-affect-education-45qrpu5or>> accessed 2 May 2024.

disposition does not match that of the educational institution, it which vitiates a personal effect of education.⁷³

It is consequently right to opine that; culture plays a significant role in shaping educational practices and outcomes.

Gender

Imperative to note, gender-based maltreatment is complex and situated in social constructs as manifest in education institutions.⁷⁴ Gender inequality in Uganda largely victimises girls as within the education sector. Discriminatory norms and stereotypes that influence learning and education outcomes are prevalent and usually reflect perceptions of girls' competence on their suitable subjects in pursuing a future career.⁷⁵ However, all persons as mandated by the supreme law of Uganda under Article 2⁷⁶ are guaranteed equality in all spheres of economic, social, political and cultural life.⁷⁷

Contingent on gendered discrimination, access to education in Uganda is selective.

Conversely, gender equality in educational institutions espouses reducing gender-based violence, empowerment of women and girls leading to owned and informed decisions, reduced spread of HIV and AIDS, and contributing to healthier and better educated families.⁷⁸ In conclusion, gender equality is vital for equal access to education and achievement of quality learning experience.

⁷³ Otti Nyeko Walter, 'CULTURAL PRACTICES AND STUDENTS' ACADEMIC PERFORMANCE IN SELECTED SECONDARY SCHOOLS IN NEBBI DISTRICT' 27.

⁷⁴ Geoffrey Odaga, 'Gender in Uganda's Tertiary Educational Distribution' (2020) 2 Social Sciences & Humanities Open 100023.

⁷⁵ '3. Gender Norms and Educational Achievement | Align Platform' <<https://www.alignplatform.org/gender-norms-and-education/discriminatory-norms-and-practices>> accessed 2 May 2024.

⁷⁶ The Constitution of the Republic of Uganda 1995, As Amended

⁷⁷ Article 21 of the Constitution of the Republic of Uganda 1995, As Amended

⁷⁸ 'Uganda_gender_in_education_sector_policy.Pdf' <https://planipolis.iiep.unesco.org/sites/default/files/ressources/uganda_gender_in_education_sector_policy.pdf> accessed 2 May 2024.

Nature of a curriculum

A curriculum refers to the subjects comprising a course of study in an institution of learning.⁷⁹ In February 2020, the government of Uganda through the Ministry of Education and Sports established a new curriculum with a view to incorporate the 21st Century skills such as creativity, information literacy ICT as well as flexibility.⁸⁰ Imperative to note, a curriculum, which manifests course objectives and content sequencing, allows the educator focus on designing specific lessons in the effort to teach learners effectively.⁸¹ Similarly, the development of a uniform curriculum ensures that learners ascertain the same level of education irrespective of differences in institutions of learning.

Subsequently, adherence to a satisfactory curriculum helps improve the quality of education through continued marketability of designed programs, employability of graduates and enhancement in production of quality educational output.⁸² The danger posed by an infeasible curriculum is that; it establishes shallow learning profiles, and widens the gap between the curriculum and student mastery hence inefficiency in solving societal problems.⁸³

In conclusion, a curriculum is inordinately comprehensive given that it embodies the needs and interests of learners, which stimulate effective learning amongst them.

⁷⁹ Albert Sidney, Oxford Advanced Learner's Dictionary (8th Edition, Oxford University Press), Pg 359

⁸⁰ 'Ugan-da's New Cur-ricu-lum for Lower Sec-ondary: Will It Meet Learn-ers' Skill Needs? – Parliament Watch' <<https://parliamentwatch.ug/blogs/ugandas-new-curriculum-for-lower-secondary-will-it-meet-learners-skill-needs/>> accessed 2 May 2024.

⁸¹ 'How Does a Curriculum Impact Student Learning? | 5 Answers from Research Papers' <<https://typeset.io/questions/how-does-a-curriculum-impact-student-learning-16z3ocgocg>> accessed 2 May 2024.

⁸² 'Importance of Curriculum Development | William & Mary' <<https://counseling.education.wm.edu/blog/the-importance-of-curriculum-development-in-enhancing-teaching-and-learning>> accessed 2 May 2024.

⁸³ Lant Pritchett and Amanda Beatty, 'The Negative Consequences of Overambitious Curricula in Developing Countries' [2012] Center for Global Development Working Paper Pg 14 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2102726> accessed 3 May 2024.

2.4.3 POLITICAL ASPECTS

Important to note, education is the primary agent for selection and training of political elites.⁸⁴ Political factors affecting actualization of the right to education include aspects on funding, policies and strategies influenced by governmental decisions as well as societal structures.⁸⁵ Furthermore, it is a well-established fact that public education is framed according to political ideologies and agendas.⁸⁶

Accordant to political stability, it is a key determinant for access to education as well as enabling professional considerations to dominate educational processes and allows educators conduct pedagogical programs from start to finish.⁸⁷ In contrast, unstable political environment interferes with schooling that is it eventuates in frequent closures of learning institutions,⁸⁸ culminates in governments struggling to allocate sufficient funding to education and also exacerbates existing inequalities within the learning system.⁸⁹

Additionally, enduring effects of colonialism as well influence the apparent quality of education in Uganda that is to say her learning system of is western based and consequently negates addressing native demands.⁹⁰ For instance, Uganda's current

⁸⁴ 'The Political Forces Influencing Education | PPT' 3 <<https://www.slideshare.net/zikru/politic-and-education>> accessed 1 May 2024.

⁸⁵ Sam Hickey, Naomi Hossain and David Jackman, 'Identifying the Political Drivers of Quality Education: A Comparative Analysis' in Sam Hickey and Naomi Hossain (eds), *The Politics of Education in Developing Countries: From Schooling to Learning* (Oxford University Press 2019) <<https://doi.org/10.1093/oso/9780198835684.003.0009>> accessed 1 May 2024.

⁸⁶ 'What Is the Political Factor Influencing the Education System in Uganda?' (*Quora*) <<https://www.quora.com/What-is-the-political-factor-influencing-the-education-system-in-Uganda>> accessed 30 April 2024.

⁸⁷ 'The Effect of Political Stability on Public Education Quality' <https://www.researchgate.net/publication/263445383_The_effect_of_political_stability_on_public_education_quality> accessed 3 May 2024.

⁸⁸ 'How Political Instability Affects Students | The Daily Star' <<https://www.thedailystar.net/campus/opinion/news/how-political-instability-affects-students-3470476>> accessed 3 May 2024.

⁸⁹ 'Different Ways Politics Can Have Influence on Education' (*StudyBay*, 21 April 2021) <<https://studybay.com/blog/political-factors-influencing-education/>> accessed 30 April 2024.

⁹⁰ Gyaviira Kisitu and Margaret Ssebunya, 'Examining the Contribution of the Colonial Education System Vis-à-Vis Leadership and Service Delivery in Uganda' (2016) 6 *International Journal of Humanities and Social Science*.

learning system forfeits including education on individual roles in the prism of a society's demands that is to say inculcation as to fulfilment of family obligations which was at the heart of informal education and now excluded by this elevated learning, has hampered production of a wholesome person at the completion of edification.⁹¹ Therefore, the realization of the right to education as regards improving learning outcomes is largely influenced by the attitude of a government.

⁹¹ 'A Look at Uganda's Education System | MemoirUganda' (n 41).

CHAPTER THREE

LEGAL RAMIFICATIONS ON THE RIGHT TO EDUCATION

3.1 INTRODUCTION

This chapter encapsulates the legal framework on the right to education within the domestic law, regional delineations, international instruments and binding decisions of court.

3.2 DOMESTIC LAW

3.2.1 The Constitution of Uganda 1995, as Amended

As per Article 2, the Constitution is the supreme law of Uganda and other laws whose provisions are inconsistent with her delineations are void. Proportionate to Objective XIV (b) on General Social and Economic objectives, the state is mandated to fulfil the fundamental rights of all Ugandans to social justice and economic development and, in particular ensure that her citizenry has access to education.

Furthermore, pursuant to Objective XVIII premised on Educational objectives, the State is under obligation to promote free and compulsory basic education, take appropriate measures to afford every citizen equal opportunity to attain the highest educational standard possible and ensure that individuals, religious bodies and other non-governmental organisations are free to found as well as operate educational institutions given that they comply with the general educational policy of the country and maintain national standards.

However, Justice Bart Katureebe in **Godfrey Nyakaana Vs. National Environment Management Authority and Others**⁹² accentuated that national objectives are not tools for objectifications but are rather justifications of state action. Similarly, Article 30 guarantees all persons a right to education.⁹³

⁹² Nyakaana Vs National Environment Management Authority and Others [2015] UGSC 14 20th August, 2015

⁹³ The Constitution of Uganda 1995, as Amended

Article 34(2) as well maintains that a child is entitled to basic education and it shall be the state responsibility as well as of parents.

3.2.2 The Children Act Cap 59

This Act sets about the welfare principle and provides for accountable parties, to include teachers, guardians and parents who are obliged to fulfil children rights including the right to education.⁹⁴ Correspondent to Section 5, it is the duty of any person having custody of a child to fulfil his or her right to education.

Additionally, Section 7 bars exposing a child to any practice, which interferes with his or her education. Section 9 as well necessitates that parents of children with disabilities and the state take appropriate steps towards seeing that those children access equal opportunities to education. Pursuant to Section 51, obligations as to the education of the child devolve to an adopter.

3.2.3 Education (Pre-Primary, Primary and Post-Primary) Act, 2008

Analogous to the long title of this Act, it came into force to amend, consolidate and stream line the existing law relating to the development and regulation of education and training as well as repeal the Education Act and provide for other related matters. Relative to Section 4(1), it is a mandatory precondition in provision of education and training to the child that joint responsibility of the State, the parent or guardian and other stakeholders is reckoned.⁹⁵

In addition, Section 4(2) warrants provision of basic education to all persons. Basic education as per Section 2(1) means the minimum education package of learning made available to each individual or citizen through phases of formal primary education and non-formal education system to enable him or her be a good and useful person in society.⁹⁶ Nonetheless, **High Court in Initiative for Social and Economics Vs Attorney**

⁹⁴ 'Children's Right to Education Should Be Promoted and Upheld by All - New Vision Official' <<https://www.newvision.co.ug/news/1327025/children-education-promoted-upheld>> accessed 5 May 2024.

⁹⁵ Education (Pre-Primary, Primary and Post-Primary) Act, 2008

⁹⁶ Section 2(1) of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008

General⁹⁷ found that the discrepancy in the quality of education provided by private educational institutions and government aided schools infringes on the right to quality education, equality and freedom from discrimination guaranteed under the Constitution.

Comparatively Section 10 spells out the four levels of education in Uganda that is pre-primary education, primary education, post primary education and training as well as tertiary and university education. Subject to Section 11,⁹⁸ acquisition of a license is a pre-condition for all persons who may teach in both public and private schools.

Section 9(1) prohibits any person or agency from levying or ordering another person to levy a charge for purposes of education in any primary or post primary institution in implementing these educational programmes. Further still, Section 6 categorizes education institutions as those owned by government, government aided institutions and private schools.⁹⁹

3.2.4 Education Service Act, 2002

In consonance with the long title to Education Service Act, it is fashioned on provision of the education service and other related matters. Imperative to note, Section 3 establishes categories of public officers who constitute the Education Service that is to say persons who have successfully completed an approved course of teacher education leading to an award of a recognised certificate in teaching and whose names have been entered in the register of teachers, persons who meet the requirements for issue of a statement of eligibility and a licence to teach as well as other professional, administrative and support staff as may be appointed by the Commission for the efficient administration, management and delivery of education services in Uganda.¹⁰⁰

3.2.5 The Local Governments Act Chapter 243

Accordant to the long title of the Local Governments Act Chapter 243, it was fashioned on decentralisation and devolution of functions at all levels of local governments to ensure

⁹⁷ (Civil Suit No. 353 of 2016)

⁹⁸ Education (Pre-Primary, Primary and Post-Primary) Act, 2008

⁹⁹ Education (Pre-Primary, Primary and Post-Primary) Act, 2008

¹⁰⁰ Education Service Act, 2002

good governance and democratic participation in decision making by the people.¹⁰¹ It is noteworthy to mention that local governments in the communities close to learners offer local control in fulfilling state educational programs.¹⁰² Similarly, it is the local government charged with monitoring at the school level.¹⁰³

Part II of the Second Schedule establishes that district councils are responsible for Education services, which cover nursery, primary, secondary, trade, special education and technical education.

3.3 REGIONAL LEGAL PROVISIONS

3.3.1 African Charter on Human and People's Rights

Uganda ratified the African Charter on Human and People's rights on 21st October 1986.¹⁰⁴ Correspondingly, Article 17 establishes that every individual has a right to education.

A case in point from **Tike Mwambipile & Equality Now Vs United Republic of Tanzania**¹⁰⁵ wherein the applicants challenged the defendant state's prohibition on pregnant girls attending and being re-admitted to public primary and secondary schools even after child birth.

However, the Court held that the application was inadmissible on ground of the matter having been decided on by the African Committee of Experts on the Rights and Welfare of the Child in Communication No. 0012/ 2022.

¹⁰¹ The Local Governments Act Chapter 243

¹⁰² 'Local Governments and Primary Education in Uganda | IDS Bulletin' <<https://bulletin.ids.ac.uk/index.php/idsbo/article/view/2862/ONLINE%20ARTICLE>> accessed 5 May 2024.

¹⁰³ Adrian Mwesigye, 'The Advent of Universal Primary Education (UPE) in Uganda: Challenges and Possible Solutions' 4.

¹⁰⁴ 'UNTC' <<https://treaties.un.org/pages/showDetails.aspx?objid=08000002800cb09f>> accessed 3 May 2024.

¹⁰⁵ Tike Mwambipile & Equality Now Vs United Republic of Tanzania Application No.042 / 2020

3.3.2 African Charter on the Rights and Welfare of the Child

Notably, this Charter was signed by Uganda in February 1992 and ratified on 17 August 1994.¹⁰⁶

According to Article 11(1), every child possesses a right to education. Further still, education of the child shall be directed to; promotion and development of the child's personality, talents and physical abilities to their fullest potential as well as the preservation and strengthening of positive African morals, traditional values and cultures.¹⁰⁷

In **Legal and Human Rights Centre and Centre for Reproductive Rights (on behalf of Tanzanian girls) Vs United Republic of Tanzania**,¹⁰⁸ where complainants alleged that the Respondent State's Education Regulations (Expulsion and Exclusion of Pupils from School) G.N. No. 295 of 2002 explicitly providing for the expulsion of married girls under Section 7(b) and is used to expel pregnant girls on the ground of morality, is a violation of the right to education as guaranteed under Article 11 of the Charter. The Complainants further submit that forced pregnancy testing of schoolgirls, which is practiced in schools, is against the principle of Article 11(2) (b). On the other hand, the Respondent State argued that its policy of forced pregnancy testing and expulsion of pregnant and married girls is guided by an African value that does not encourage sexual relations of children.

Accordingly, the African Committee of Experts on the Rights and Welfare of the Child found the Respondent State in violation of Article 11 of the Charter through its policy of expulsion of pregnant and married girls from schools as well as introducing a condition of mandatory/forced pregnancy testing to be enrolled in schools. Furthermore, the re-

¹⁰⁶ Swace Digital, 'Implementation of the African Charter on the Rights and Welfare of the Child' (*Save the Children's Resource Centre*) <<https://resourcecentre.savethechildren.net/document/implementation-african-charter-rights-and-welfare-child/>> accessed 4 May 2024.

¹⁰⁷ Article 11(2) of the African Charter on the Rights and Welfare of the Child

¹⁰⁸ Legal and Human Rights Centre and Centre for Reproductive Rights (on behalf of Tanzanian girls) Vs United Republic of Tanzania Communication No: 0012/Com/001/2019

entry policy of the Respondent State is a violation of the right to education, which requires the States to make education accessible to all.

3.3.3 East African Community Treaty

Imperative to note, the East African Community Treaty was signed on 30th November 1999 and entered into force on 7th July 2000 upon its ratification by the original three partner States – Tanzania, Uganda and Kenya.¹⁰⁹

Pursuant, to Article 102 Partner States are obliged to co-ordinate their human resources development policies and programmes with respect to education and training.

3.4 INTERNATIONAL INSTRUMENTS

To begin with, the **Charter of the United Nations, 1945** stipulates that it is the duty of the General Assembly to promote international cooperation in in educational fields without discrimination as to race, sex, language or religion.¹¹⁰

3.4.1 The Universal Declaration of Human Rights, 1948

Article 26 shades out that everyone has a right to education and necessitates that edification is directed towards the full development of the human personality. Notably, Uganda did not ratify the Universal Declaration of Human Rights, rather 48 of the 58 members of United Nations voted to adopt the declaration as an official position of the United Nations to which effect,¹¹¹ Uganda being a member of United Nations as from 25th October 1962,¹¹² ipso facto assents to this legal instrument.

¹⁰⁹ 'East-African-Community-April-2011.Pdf' <<https://www.mea.gov.in/Portal/ForeignRelation/east-african-community-april-2011.pdf>> accessed 4 May 2024.

¹¹⁰ Article 11(2) appertaining to the Charter of the United Nations, 1945

¹¹¹ United Nations, 'History of the Declaration' (*United Nations*) <<https://www.un.org/en/about-us/udhr/history-of-the-declaration>> accessed 4 May 2024.

¹¹² 'The UN in Uganda | United Nations in Uganda' <<https://uganda.un.org/en/about/about-the-un>> accessed 4 May 2024.

3.4.2 International Covenant on Economic, Social and Cultural Rights (ICESCR)

On 21st January, 1987, Uganda ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) to which effect she is bound to adhere to its provisions.¹¹³ Under Article 13, member states are bound to recognize the right of everyone to education. In furtherance, states parties agree that education shall be directed to the full development of the human personality and the sense of its dignity.

Commensurate with Article 13(2) States Parties are bound to recognise that, in order to achieve full realization of the right to education, primary education shall be compulsory and available free to all. Similarly, secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all through appropriate means, and in particular by the progressive introduction of free education.¹¹⁴

3.4.3 International Covenant on Civil and Political Rights (ICCPR)

According to Article 18(4) States Parties to the present covenant ought to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions. On 21st June 1995, Uganda ratified the International Covenant on Civil and Political Rights (ICCPR).

3.4.4 Convention on the Rights of the Child

As mandated by **Article 123** on which Parliament is empowered to make laws that govern ratification of treaties,¹¹⁵ Uganda ratified the Convention on the Rights of the Child on 17th August 1990.¹¹⁶

¹¹³ 'International Conventions and Covenants - Center For Forced Migrants' <https://refugeelawproject.org/index.php?option=com_content&view=article&id=26:international-conventions-and-covenants&catid=12&Itemid=101> accessed 4 May 2024.

¹¹⁴ Article 13(2)(b) of the International Covenant on Economic, Social and Cultural Rights (ICESCR)

¹¹⁵ The Constitution of Uganda 1995, as Amended

¹¹⁶ 'UHRC Assesses Uganda's Legislation against the UN Convention on the Rights of the Child Commitments, to Make Uganda a Better Place for Children' <<https://www.unicef.org/uganda/press-releases/uhr-assesses-ugandas-legislation-against-un-convention-rights-child-commitments>> accessed 4 May 2024.

Subject to **Article 28(1)** ¹¹⁷ states party to the convention must make higher education accessible to all based on capacity by way of taking appropriate measures, making educational and vocational information alongside guidance available and accessible to all children. Further still, member states are obliged to take measures that encourage regular attendance at schools and the reduction of dropout rates by learners.¹¹⁸

3.4.5 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Incipiently, Uganda ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 22nd July 1985.¹¹⁹ Correspondent to **Article 10**,¹²⁰ State parties are under duty to take all appropriate measures and eliminate discrimination against women in order to ensure to them equal rights with men in the field of education.

3.4.6 Convention against Discrimination in Education, UNESCO (1960)

Uganda ratified the Convention against Discrimination in Education on 9th September 1968.¹²¹ Importantly, this convention reaffirms that education is not a luxury but a fundamental human right.¹²²

A case in point from **Article 9**,¹²³ reservations to this convention shall not be permitted. For instance, in **Timishev Vs Russia**,¹²⁴ Court established that a differential treatment of persons in relevantly similar situations without an objective and reasonable

¹¹⁷ Convention on the Rights of the Child

¹¹⁸ Article 28(1) (e) of the Convention on the Rights of the Child

¹¹⁹ 'British_council_-_training_manual.Pdf' 4

<https://www.britishcouncil.ug/sites/default/files/british_council_-_training_manual.pdf> accessed 4 May 2024.

¹²⁰ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

¹²¹ 'Convention: Convention against Discrimination in Education, UNESCO, 1960'

<https://www.whatconvention.org/en/ratifications/54?sort_by=comments&order=asc> accessed 4 May 2024.

¹²² Yves Daudet and Pierre Michel Eisemann, 'COMMENTARY ON THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION'.

¹²³ Convention against Discrimination in Education, UNESCO (1960)

¹²⁴ Timishev v. Russia, No. 55762/00 and 55974/00, §§ 56-58, ECHR Reports of Judgments and Decisions 2005-xII

justification constitutes discrimination. In furtherance, court pointed out that under Article 2 of Protocol No. 1, states guarantee to anyone within their jurisdiction a right of access to educational institutions existing at a given time. Similarly, Court equates the right to education to a right to life, which, in its view both enshrine the most fundamental values of democratic societies.

CHAPTER FOUR

IMPLICATIONS OF THE SALARY SCALE ON KEY ACTORS WITHIN THE PUBLIC INSTITUTIONS

4.1 INTRODUCTION

Chapter four establishes implications on learners, right to Education and the state, where if the apparent challenges on the Salary Scale of Key players in Public Institutions of learning within Uganda are not addressed.

4.2 IMPACT OF THE SALARY DISCREPANCY FOR ESSENTIAL PLAYERS WITHIN PUBLIC LEARNING INSTITUTIONS ON LEARNERS.

Student achievements are substantially moulded by the information imparted in them during the education process.¹²⁵ Therefore, the disproportion in periodic earnings for role players within public learning institutions, correspondent to learners, brings about

Subsidising employee quality, which consequently curtails the performance of students.¹²⁶ For instance, the quality of teachers has been pointed out as the key to successful educational reform.¹²⁷ In respect of teachers, high employee turnover renders improving their quality almost unachievable with limited resources, which to the detriment of learners slackens fruition of the right to education.

4.3 IMPLICATIONS OF CONTINUANCE OF SALARY DISPROPORTION FOR KEY ACTORS WITHIN PUBLIC LEARNING INSTITUTIONS ON THE RIGHT TO EDUCATION

Failure to address the apparent disparities on salaries of role players in public institutions of learning shall culminate in low job performance of education officers, attrition of highly skilled personnel and missed opportunity to hire quality talent, which impinges on the standard for fulfilment of the right to education as subsequently expounded.

¹²⁵ Júlia Varga, 'The Effects of Policies Concerning Teachers' Wages on Students' Performance'.

¹²⁶ Savannah Anderson, 'The Truth About Teacher Salaries and Its Effects on Teachers and Students'.

¹²⁷ Anderson (n 126) 16.

To begin with the missed opportunity to hire quality talent, it is a verified fact that employees are attracted to offer employment not only on basis of individual interest but also the nature of salary, benefits, working conditions and working environment.¹²⁸ Therefore, owing to the incongruity of payments ascribed to vital actors in institutions of learning, even if every available offer is in the interest of a candidate,¹²⁹ they fore go opportunities that don't meet their minimum consideration hence a denied opportunity for quality enhancement in actualization of the right to education.

Correspondent to attrition of highly skilled personnel in Uganda's education sector, salaries being a portentous aspect in perpetuating employee loyalty, a dissatisfied work force that perceives itself as under paid is likely to seek employment elsewhere.¹³⁰ In line with satisfaction of the right to education, high turnover of key actors within public institutions of learning eventuates decrease in productivity in realization of the right to education that is a small work force hampers efficiency in fulfilment of obligations.¹³¹

Relative to the influx of low job performance of education officers, contingent on the continuance of salaries disparities for role players in public learning institutions, diminution in access to quality educational services ensues.¹³² Imperative to note, the appropriateness of a remuneration structure is determined by its ability to enhance job performance. Consequently, adequate remuneration motivates workers whereas paltry

¹²⁸ Shahzad Muhammad and others, 'Exploring The Relationship Between Salary Satisfaction And Job Satisfaction: A Comparison Of Public And Private Sector Organizations' (2011) 3 The Journal of Commerce 2218.

¹²⁹ Simon Loertscher and Ellen V Muir, 'Wage Dispersion, Minimum Wages and Involuntary Unemployment: A Mechanism Design Perspective'.

¹³⁰ Harvey Gelb, 'Employee Disloyalty, Costs and Remedies' (1997) 32 LAND AND WATER LAW REVIEW.

¹³¹ 'The Effect of Loyalty on Wages | Request PDF' <https://www.researchgate.net/publication/306350193_The_Effect_of_Loyalty_on_Wages> accessed 5 May 2024.

¹³² '(PDF) Work Conditions and Job Performance: An Indirect Conditional Effect of Motivation Work Conditions and Job Performance: An Indirect Conditional Effect of Motivation' 22 <https://www.researchgate.net/publication/343750122_Work_conditions_and_job_performance_An_indirect_conditional_effect_of_motivation_Work_conditions_and_job_performance_An_indirect_conditional_effect_of_motivation> accessed 5 May 2024.

earnings thwart efficiency in fulfilling work objectives.¹³³ In context of actualizing the right to education, neglecting salary discrepancies of key players in public learning institutions culminates in poor job performance, which vitiates the quality of educational output.

4.4 IMPACT OF BEGRUDGING THE RIGHT TO EDUCATION THROUGH SHRUGGING OFF THE SALARY DISPARITIES OF KEY PLAYERS ON THE STATE

By boosting a state's education sector, it becomes an investment in the health of a nation.¹³⁴ However, deficit of investment in education has inauspicious consequences for state development and entire generations of learners owing to the dilapidated quality in contributions made by its citizens.¹³⁵ Thereby, the adverse consequences of education deficit on a state include

4.4.1 Poverty

The worst form of violence according to Mahatma Gandhi is poverty.¹³⁶ Imperative to note, the relationship between education is cyclical that is poverty hampers access to education and the absence of a learning experience perpetuates poverty.¹³⁷ Precisely, education provides a person with these tools for economic empowerment through sufficient skills to deter employment in low paying jobs.¹³⁸ In contrast, withholding investment to the education sector, through the prism of consequential poverty, exacerbates under resourced schools, homelessness, domestic violence and

¹³³ Robinah Luzinda Nakatawa, 'The Effects of Remuneration on the Job Performance of the Support Staff in Makerere University' (Thesis, 2012) <<http://makir.mak.ac.ug/handle/10570/3756>> accessed 5 May 2024.

¹³⁴ 'How Education and Training Affect the Economy' <<https://www.investopedia.com/articles/economics/09/education-training-advantages.asp>> accessed 6 May 2024.

¹³⁵ 'Lack of Education: Causes and Effects | Allison Academy' <<https://www.allisonacademy.com/students/education/higher-education/lack-of-education/>> accessed 6 May 2024.

¹³⁶ 'Quotes from Gandhi' <https://www.gandhiforchildren.org/wonderful-quotes-gandhi/?gad_source=1&gclid=EAIaIQobChMIImMb6l4z4hQMVtmdBAh0HVwt_EAAYASAAEgIAAPD_BwE> accessed 6 May 2024.

¹³⁷ 'The Link Between Education and Poverty | SDG Resources' <<https://sdgresources.relx.com/features/what-connection-between-education-and-poverty>> accessed 6 May 2024.

¹³⁸ 'How Does Education Affect Poverty? It Can Help End It.' <<https://concernusa.org/news/how-does-education-affect-poverty/>> accessed 6 May 2024.

substandard health services.¹³⁹ Therefore, by prioritizing education, Uganda empowers her citizenry-overcome poverty and unlocks doors for a fair and more egalitarian future.

4.4.2 Unemployment

Studies have revealed that once in the workforce, low educated personnel are at an increased risk for transition from paid employment to unemployment and that both younger and older adults with low education find it difficult to penetrate the labour market.¹⁴⁰ In Uganda's context, her educational network is blamed for systematically fostering unemployment that is it emphasises memorisation of facts as opposed to; analysis, application of concepts and offering a work experience that is a prerequisite for employment today.¹⁴¹ Educationists need to integrate community centred and project based learning models to enable learners apply and test their knowledge as well as assumptions contingent on the fact that academic achievements aren't enough to guarantee success.¹⁴²

Relative to the requisite educational reforms, efficiency of education officers is at the heart of this scheme hence failure of government to put conditions necessary for their efficiency;¹⁴³ it is widening the spate of unemployment. Therefore, through government addressing the apparent discrepancies as on the salaries of essential actors within her education sector, it as well vanquishes unemployment.

¹³⁹ 'Lack of Education Causes Poverty -' <<https://www.skvgwalior.org/blog/lack-of-education-causes-poverty/>> accessed 6 May 2024.

¹⁴⁰ 'The Social Gradient in Work and Health: A Cross-Sectional Study Exploring the Relationship between Working Conditions and Health Inequalities | BMC Public Health' <<https://link.springer.com/article/10.1186/1471-2458-13-1170>> accessed 6 May 2024.

¹⁴¹ 'Here Is How Our Education Is Aiding Unemployment | Monitor' <<https://www.monitor.co.ug/uganda/oped/commentary/here-is-how-our-education-is-aiding-unemployment-1736788>> accessed 6 May 2024.

¹⁴² 'Academic Proficiency Alone Is Not Enough, Life Skills Are a Must - Higher Education Digest' <<https://www.highereducationdigest.com/academic-proficiency-alone-is-not-enough-life-skills-are-a-must/>> accessed 6 May 2024.

¹⁴³ 'Education Sector Reform: The Ugandan Experience - ScienceDirect' <<https://www.sciencedirect.com/science/article/abs/pii/S0738059307000284>> accessed 6 May 2024.

4.4.3 Poor health

Education affords people the tools they need to lead fulfilling lives, thrive personally and access quality health care.¹⁴⁴ In Uganda, better health care is widely thought to improve learner performance and post school productivity.¹⁴⁵ Similarly, it is the requirement of educators to be efficient as to maximise the performance of learners amidst a healthy learning atmosphere.¹⁴⁶

Notably some of the basic lessons learnt in elementary school relate to taking care of one's own psychophysical health.¹⁴⁷ For instance, importance of hand washing, sexual health, and necessity of regular physical activity, which in totality is lifelong knowledge necessary for individual healthy living.¹⁴⁸ . A case in point, the borgen project research conducted in Uganda yielded staggering results: educated people in the country have 75% less chance to contract HIV/AIDS, while young people with good primary education have 50% less chance to contract the same virus.¹⁴⁹

Imperative to note, the diminishing quality of individual health often culminates in death, which costs the state valuable labour force necessary for her development. In conclusion, fostering actualization of the right to education through addressing the salary disparity of educational officers ameliorates the quality of healthy living amongst citizens and effects fulfilment of a nation's growth.

¹⁴⁴ Anna Zajacova and Elizabeth M Lawrence, 'The Relationship between Education and Health: Reducing Disparities through a Contextual Approach' (2018) 39 Annual review of public health 273.

¹⁴⁵ Brenda Kanyesige, 'Influence of Children's Health On Primary School Academic Performance In Uganda. A Case Study of Fort Portal Municipality, Kabarole District, Uganda.' (2021) 2 Student's Journal of Health Research Africa 14, 2.

¹⁴⁶ Kanyesige (n 145) 2.

¹⁴⁷ 'Social Determinant of Health: Education Is Crucial' (27 January 2021) <<https://publichealth.tulane.edu/blog/social-determinant-of-health-education-is-crucial/>> accessed 6 May 2024.

¹⁴⁸ Erin V Moore and others, 'The Negative Health Spillover Effects of Universal Primary Education Policy: Ethnographic Evidence from Uganda' (2023) 18 Global Public Health 2221973.

¹⁴⁹ Jennifer Philipp, 'HIV Prevention and Stronger Families Through The Faithful House' (*BORGEN*, 6 August 2021) <<https://www.borgenmagazine.com/the-faithful-house/>> accessed 6 May 2024.

4.4.4 Upsurge in illegal activities

Preponderantly, a person's lack of education often increases the likelihood of getting involved in crime and anti-social behaviour.¹⁵⁰ As per Darwin's theory of evolution, the world is a place of survival for the fittest.¹⁵¹ In the contemporary society, education offers taught persons a better chance of survival through employment whilst uneducated persons are at risk of preying on those with employment for survival. In furtherance, education shapes one into a civilized adult able to contribute to the betterment of the society.¹⁵² However high levels of education, as well leads to commission of sophisticated crimes a case in point from tax evasion,¹⁵³ thereby educational material should be censored as to disenfranchise people on committing tax fraud. In conclusion, crime rate in a society resonates with its apparent quality of education.

4.4.5 Inability to participate in political and social activities

In destitute of comprehensive education on both sciences and humanities, a person lacks the knowledge and tools that enable them put forward intuitive and meaningful political conclusions¹⁵⁴. Credit is ascribed to education given that it enables open dialogue, constructive exchange of opinions and joint search for the best solution for society as a whole.¹⁵⁵ As previously highlighted, the quality of education greatly affects intra-personal make up thereby inefficiency in the education process adversely impacts on moulding a socially, politically and economically sound person.¹⁵⁶ Consequently, such fairly learned

¹⁵⁰ Gordon A Crews, 'Education and Crime'Pg 3

¹⁵¹ 'Darwin's Theory of Evolution: Definition & Evidence | Live Science'
<<https://www.livescience.com/474-controversy-evolution-works.html>> accessed 6 May 2024.

¹⁵² 'Wim Groot, The Effects of Education on Crime' 4
<https://www.researchgate.net/publication/46528773_The_effects_of_education_on_crime>
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¹⁵³ Joseph Mawejje and Ibrahim Okumu, 'Tax Evasion and the Business Environment in Uganda' (2016) 84 South African Journal of Economics.

¹⁵⁴ David E Campbell, 'What Is Education's Impact on Civic and Social Engagement?' 26.

¹⁵⁵ The Education Deficit: Failures to Protect and Fulfill the Right to Education through Global Development Agendas | HRW' <<https://www.hrw.org/report/2016/06/10/education-deficit/failures-protect-and-fulfill-right-education-through-global>> accessed 6 May 2024.

¹⁵⁶ 'Christiane Spiel, Simon Schwartzman, Marius R. Busemeyer and Nico Cloete, 'The Contribution of Education to Social Progress' 13
<https://www.researchgate.net/publication/330579447_The_contribution_of_education_to_social_progress> accessed 6 May 2024.

personnel can't on individual analysis carefully decide on; Who to vote for in the elections, which initiatives to support, who and what to trust, which halts their individual contribution on nation building as well as social development.¹⁵⁷ Therefore, education helps people not to fall prey to political marketing, but rather to base their decisions on individual conscience to wit, inefficacy in learning encourages mischief against the public.

¹⁵⁷ 'Education Must Remain a Political Priority in All Countries' (*World Bank Blogs*) <<https://blogs.worldbank.org/en/education/education-must-remain-political-priority-all-countries>> accessed 6 May 2024.

CHAPTER FIVE

FINDINGS, RECOMMENDATIONS, CONCLUSIONS AND AREAS FOR FURTHER RESEARCH

5.1 INTRODUCTION

This chapter divulges a summary of findings, recommendations to disclosed challenges, conclusions on the Impact of the Salary Scale for Key Players in Public Institutions of Learning within Uganda on actualizing the Right to Education, and winds up with identifying areas for further study.

5.2 SUMMARY OF FINDINGS

The desktop research conducted espoused the following deductions. Contingent on an analysis of the pay structure in Uganda's education system, salaries allocated to science teachers rise above those for other role players in the fulfilment of the right to education. This disproportionate pay rise undermines the relevance of other essential actors engaged in the education service, which explains the apparent low job performance as showcased by upsurge of corruption cases within Uganda's educational department.

Furthermore, the establishment of alternative financial engagements to supplement salaries of key players within the education sector has curtailed their efficiency in satisfaction of the right to education in Uganda. As often advised to engage in other activities to ameliorate their economic wellbeing instead of demanding for a pay rise, vital actors in education service such as teachers encounter divided attention between fulfilment of their educational obligations and attending to their businesses hence low productivity in fostering the right to education.

Owing to the apparent salary disparity among role players for fulfilment of the right to education, attrition of experienced and highly skilled personnel from the learning service has eventuated which subsidises the productivity pursuant to a reduced workforce.

Similarly, there is no direct implication of salary discrepancies for key actors within the education service on learner performance. Imperative to note, the presence of a remedy to actively and on individual basis engage in acquiring knowledge through

available academic material, low job performance brought about by salary discrepancies of role players within the education sector does not wholly impinge on learner's ability to achieve academic excellence on their own.

5.3 RECOMMENDATIONS

Subject to the findings, government should revise the salaries of education officers to the degree that the necessary pay rise is based on a fair market value and is equitably spread across the entire work force. Notably, pay equity encapsulates paying employees with similar job functions a comparably equal pay irrespective of their individual differences.

Similarly, education officer support systems should be enhanced that is through creating schemes for borrowing of education officers at low interest rates as to improve the economic wellbeing of role players in the efficacy of education policies.

5.4 AREAS FOR FURTHER RESEARCH

This study exhausted all the dependant variables that impinge on the advancement of the right to education hence the necessity for researchers to conduct a comprehensive study on

1. The impact of the salary scale for key actors in public institutions of learning on the standard of health of learners
2. The effect of the salary range for role players in public institutions of learning on educational development in Uganda

5.5 CONCLUSIONS

Based on the results of the research conducted, salaries of key actors in public institutions of learning are predominant on the actualization of the right to education that is to say; amelioration of earnings apportioned to role players in the education service fosters a significant improvement in the quality of edification. However, the apparent disproportionate salary structure for essential actor in actualization of the right to education undermines their productivity as regards educational development.

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