THE RIGHT TO EDUCATION FOR CHILDREN IN UGANDA: THE LAW, POLICY AND PRACTICE

A Case of Mbarara District

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LL.B (Hons.) L.L.M (M.V). Dip. LP (LDC)

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DEDICATION

This work is dedicated to my wife and best friend Winnie. Your patience, care, courage and kindness will forever remain with us. I "will forever miss you.

It is also dedicated to my children Samantha, Tracy and Rose. Strive to make this world a better place than you found it.
DECLARATION

I HEREBY DECLARE THAT THIS IS MY ORIGINAL WORK AND THAT IT HAS NOT BEEN SUBMITTED TO ANY OTHER INSTITUTION FOR ANY AWARD.

Candidate : KENNETH KAKURU

Signature :

Date : 30th November 2009

Submitted with our consent

Supervisor : Ms. Edith Mbabazi

Signature :

Date : 30th November 2010
ACKNOWLEDGEMENT

I would like to acknowledge the most valuable contribution of all my teachers and lectures at Kyambogo University without them this work would never have been completed. Special acknowledgment to Ms. Edith Mbabazi my supervisor, Dr. Enon who assisted me in understanding Educational research.

I acknowledge in a special way the contribution of my Late wife and my children who encouraged me to undertake this work and for their support, care and prayers.

Special thanks to all my classmates at Kyambogo and to my office staff Maria Otaremwa, Hadijja Nalubega, Sauda Nalwoga and Alex Obatia

God bless you all.
ABSTRACT
This research investigates the issue of enjoyment of the Right to Education in Uganda. It focuses on the Right to Education of children that is persons below the age of 18 years. However the research investigates the Right to Education only as it applies to school going children, that is between 6 and 18 years, geographically it is restricted to the District of Mbarara mainly because of budget constraints.

The paper gives a general background to the history of modern Education in Uganda, starting from the colonial times to date. It observes that education was initially guided by colonial polices that were more centered on training an elite labour force than educating the masses. It also observes that although the Right to Education was enshrined in the 1948 United Nations Charter, the old colonial polices in Uganda still remained in force. The paper finds that various legal instruments enacted during the colonial and post-colonial times were more concerned with regulation of Education than effective policy change. That no emphasis was at all put on the Right to Education. That in 1995 when a new Constitution was enacted in Uganda, the Right to Education was enshrined there. This Right to Education did not start becoming a reality until the advent of Universal Primary Education.

That since 1997 Government has put in place various mechanisms and policy to ensure success of the Universal Primary Education. These include funding, increasing teacher recruitment, building infrastructure etc. however Universal Primary Education still falls short of realizing the Right to Education. There are many constraints, policy gaps, un coordinated laws that needs harmonizing and other related issues.

The paper finds that there is high awareness of the Right to Education among both the pupils and communities. However there are still issues of availability, especially for venerable groups like disabled and children from poor communities especially the nomadic ones. That education is not entirely accessible and is not affordable by all.
e) Although free, it still attracts substantial family income indirectly mainly through labour, food and scholastic materials. That Government funding is very inadequate.

That education is largely acceptable and no evidence of discrimination on gender, race, ethnicity or religion was found, and the content was largely acceptable though not entirely relevant. The paper makes observation and conclusion as set out in the last chapter.
f) CHAPTER ONE: Introduction

1.0 BACKGROUND TO THE STUDY:

1.1 Early Education in Uganda 1890-1962:
Formal Education has always been a privilege of the elite or ruling class in every society since Biblical times. There was never such a thing as a right to education for various reasons at different times. Early education in Uganda was very limited both in scope and content. Access to it was also strictly limited. Christian missionaries, short of manpower, required cadres who could read and write therefore early Colonial Government had neither the will nor the desire to massively educate Africans. Indeed the colonial government did not seriously support education until about 1924 (UNESCO, 2008). By 1950, the colonial government had established and operated only three of the fifty three secondary schools in Uganda (UNESCO, 2008); the rest being operated by religious organisations and some private individuals. The colonial period was characterized by uncertainty in educational policy, and at times there was greater emphasis on elitist literal education and other times emphasis was on mass vocational education. The colonial policy was to limit quality education to a few and educate more people in general vocational skills (Ssekamwa 2001).

1.2: The Post-Independence Era 1962-1995:
Between 1940 -1962, the colonial government increased funding for education and expanded educational institutions in implementation of a colonial policy of preparing colonies for self-governance. However, the number of persons benefiting from this education were very small with only about 250 candidates sitting for "O" Level Cambridge examination in 1955. At the time of independence in 1962, Uganda still had an acute lack of educated man power. This was made worse by exodus of European and Asian personnel who did not want to work under African leaders. The post-colonial government considered education as one of the tools for development and went a long
way to increase the number of schools. In 1963, the Government set up The Castle Education Commission to reform the education system resulting into some of the reforms that are still in force today. Many primary, secondary, teacher training colleges were built all over the country. For example, Government secondary schools rose from twenty eight in 1962 to seventy three by 1970. Secondary school enrollment rose from 1991 students in 1962 to 29,540 students in 1970. By 1970 Makerere University College had become a fully fledged University. The Government was by this time in 1970 spending a substantial part of the country's budget on education (28%). By 1963; the government had taken on the control of all Government aided schools under Education (Amendment) Act of that year.

In 1970 a new education law was enacted to further streamline education. It dwelt mostly on structural administration, regulation of private schools, regulation of teachers rather than the general policy on expansion of education and enhancement of the right to education. In the 1980's, there was Civil war and economic decline. In order to accommodate growing numbers of primary leavers, the UPC Government (1980-1985) elevated a number of good primary schools to secondary schools, and increased intake in the existing secondary schools and higher institutions. However, due to poor funding, there was no corresponding increase in the quality of education. Most of Uganda Peoples Congress Policies were reversed by the National Resistance Movement Government that came to power in 1986, in 1987, National Resistance Movement set up a National Education Policy Review Commission under the Chairmanship of Professor W. Senteza Kajubi. The Commission presented its recommendations to Government in 1989. Many of its recommendations have since been adopted. In 1995, the government of the Republic of Uganda promulgated a new constitution. For the first time in Uganda's history, the Bill of Rights in the new Constitution contained a right to education as one of the fundamental human rights.

In 1996, the Government started implementing a policy of Universal Primary Education and in 2007 extended to Universal Secondary Education in line with the Constitutional requirements. All these are attempts to promote and exercise the right to education.
1.3 General Background to Right to Education in Uganda:


The Right to Education is also enshrined in Article 26 of the Universal Declaration of Human Rights, adapted and proclaimed by the General Assembly Resolution 217 A (iii) of 10th December 1948 which stipulates; "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical education shall be made generally available and higher education shall be equally accessible to all on the basis of merit."

The Right to Education is also enshrined in Article 13 of the United Nations Convention on Economic, Social and Cultural Rights of 1996 (ICESCR 1996). The article requires the Right to Education to include the elements of availability, accessibility, acceptability and adaptability. This means there must be enough schools, admission into which must not be hindered for any reason, based on social, racial, religious, economic or other education that is acceptable to the community and easily adaptable to the social, economic and cultural conditions of the locality. It must be flexible enough to meet the educational needs of the children without diverting so much from the basic principles of Universal Education. The United Nations Millennium Declaration that was adapted by 189 Nations during the United Nations Millennium Summit in September 2000 set eight goals to be attained by 2015. These are the Millennium Development Goals (MDGs). The second
goal of the (MDGs) is "to achieve Universal Primary Education by 2015." In this regard, countries are required to ensure that "all boys and girls complete a full course of primary schooling."

In 1995, Uganda enshrined the Right to Education in the Constitution Article 30 which stipulates that "All persons have a right to education." The parliament in 2008 passed the Education Bill into Law whose objectives among others include:

"To give full effect the Universal Education Policy of Government. This is in implementation of objective xviii of The National Objectives and Directive Principles of State Policy."

This Law is new, it is not yet tested. However it is hoped that it will make a significant improvement in the Administration of schools in Uganda. The emphasis is mainly on management of schools and does not deal with the wider issues of right to education.

1.4 The Problem Statement:
Although the Universal Declaration of Human Rights had enshrined the rights to education for all children, the pressing education realities in Uganda are that many children still have no access to education; many are illiterate and many fail to complete basic education programmes with regard to Mbarara.

1.5 The Purpose of the Study:
The purpose of this study was to find out to what extent the Government policies on Education have been successful in ensuring the realization of the Right to Education in Uganda with respect to law, policy and practices. The purpose of this study was to examine the rights to education in Uganda with respect to law, policy and practice in Mbarara district.

1.6 Objectives of the Study:
The study will attempt to:

a) Assess the level of awareness of parents, teachers and pupils of the meaning of the Right to Education.
b) Examine the existing legal and institutional framework for the implementation of the Right to Education.

c) Analyse the existing strategies for the implementation of the Right to Education.

d) Determine factors that prohibit or hinder the promotion of the Right to Education in Uganda.

1.7 Research Question:
   a) What is the level of awareness of the meaning of the Right to Education?
   b) What is the existing legal and institutional framework for the implementation?
   c) What are the strategies of the implementation of the right to education?
   d) What factors are negatively affecting implementation of the Right to Education or what are the short comings of implementation strategies?

1.8 Significance of the Study:
This study will help policy makers and implementers in decision making processes. It will identify short comings and make appropriate recommendations that will help Government to meet its set goals and objectives. It will significantly add to the wealth of knowledge in this field of study. It is hoped that this study will be used by policy makers at various levels of government, both central and local, the Ministry of education, Ministry of finance and planning, Ministry of justice and constitutional affair and many others. It will also be used in implementation of government polices relating right to education.

1.9 Scope of the Study:
1.9.1 Geographical Scope:
The Study covered the District of Mbarara. It covered rural and urban schools.

1.9.2 The Methodological Scope
This was focused on the Right to Education with emphasis on level of awareness, institutional framework and strategies of implementing rights to education. The
methodological scope will involve pupils, teachers and parents while method of data collection will be largely exploratory.

1.10. **CONCEPTUAL FRAME WORK:**

This study is based on the model that there are rights as well as abuses to these rights.

Figure 1; A model showing network of child right.

![Diagram showing network of child rights]
c) This model suggests that resources, needs, plans, concepts and values impact and influence policy which in turn influences the formation and enactment of laws both substantive such as Acts of parliament and subsidiary such as regulations and bye-laws. The plans, polices, and laws are extremely influenced by politics in all its varied forms, economics, international obligations and relatives, cultures and such other external factors. The above also separately but directly influence and impact on the enjoyment, realization, implementation and enforcement of the Right to Education. On the other hand the laws, polices and plans also influence and impact on the actual realization of the Right to Education mainly through implementation and enforcement.

Because the Right to Education is enshrined in the Constitution, all Government agencies including the executive and Parliament are required to give it effect. Consequently it is the law that impacts on policy and practice. Normally it would have been the other way round.
d)  
CHAPTER TWO: Literature Review  

2.0 INTRODUCTION  

2.1 Right to Education as a Human Right  

Education narrowly refers to formal institutional instruction. In a wider sense, education may describe all activities by which a human group transmits to its descendants a body of knowledge and skills and a moral code which enables a group to subsist (UNESCO, 2007). Education is both a human right in itself and an indispensable means of realizing other human rights. A human being is born in the weakest form among all creatures and needs tremendous assistance. Article 26 of Universal Declaration of Human Rights (UDHR, 1948) states;

"Education should be directed to the full development of the human person and to the strengthening of respect of human rights and fundamental freedoms, it should promote understanding, tolerance, and friendship among all nations, racial and religious groups".

The right to education is recognized as a human right and is understood to establish an entitlement to free, compulsory Primary Education for all children, an obligation to provide primary school education to all children as well as equitable access to higher education (UNICEF, 2007). The right to education is enshrined in Article 26 of Universal Declaration of Human Rights (1948), Article 14 of International Convention on Economic Social and Cultural Rights. The Right to education has also been reaffirmed in the 1960 UNESCO Convention against Discrimination on Education and the 1961 Convention on the Elimination of the forms of Discrimination against Women. Every individual irrespective of race, gender, nationality, ethnic, social origin, religion or political preference is entitled to free elementary education (UHDR, 1948).
The International Convention on Elimination of all Forms Racial Discrimination (1969) proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedom. Every Ugandan therefore has a right to enjoy their freedom and the state has a duty to implement this right. The International Convention on Civil and political Rights and Rights to Education (1976) states that every nation should respect and ensure that all individuals with in the territory and subject to its jurisdiction their rights be recognized (Rukooko, 2001). The Vienna Declaration on Rights to Education emphasizes the importance of incorporating human rights in education and calls all states to do so. Education should promote understanding, tolerance, peace and friendly relationships among nations, racial and religious groups. Therefore, education and human rights and dissemination of information play an important role in the promotion organization and respect of human rights.

The framework of aims and objectives of education proposes that government as the prime duty bearer has to respect, protect and fulfill the right to education by making education available, accessible, acceptable and adaptable. Ensuring access to education is a precondition for the full realization of the right to education. Without access it is not possible to guarantee the right to education. (UNESCO, 2007). Quality education is the other side of the coin. Providing access to schools secures only one part of the right to education. Other factors are required to the full attainment of this right such as meals, uniforms, scholastic materials and teachers. There are also other rights that are related to right to education such as freedom from discrimination on race, sex and religion etc. In schools children can be subject to indoctrination. The right to education is also not an end to itself but an important tool in improving the quality of life (UNESCO, 2007). Several agencies around the world are working to make education available to all such as UNESCO, UNICEF, World Bank and many others. The framework also places duties to other stakeholders; the child also has the duty to comply with requirements of compulsory education.
2.2 Legal and Institutional Framework and Right to Education.

A child's right to education as proclaimed in the declaration is in line with the requirements of human dignity. It is unacceptable in this world with a store of scientific and technological knowledge not to have framework for the right to education (UNESCO, 2007). The right to education is an economic as well as moral necessity. In order to get enough to eat, to have clothes to wear and a decent place to live, to look after their health and to bring up their children, people need education (UNICEF, 2007). There are several aspects of legal and institutional framework for right to education which include family, local councils, religious bodies, donors, legal frame institutions include laws and policies on disabled children, gender, family and divorce, penal laws and many others.

Dembe (1981) reports that African Union has developed a regional framework called African Charter on human and people's rights. Article 27 of the Charter provides that States parties should have the duty to promote the rights and freedoms to see that they are protected. Huberman (1979) observes that basically schooling has two Society functions namely:

i. What anthropologists call enculturation or social (cultural) continuity in that schools are given the tasks of instructing generations in the skills and attitudes which a given society needs in order to preserve and perpetuate itself. These are skills and attitudes which a society has in common among its members and which distinguish that society from others.

ii. Social discontinuity in acculturation. A classic example is the role of the school. There is substantial amount of evidence that schools can in fact be very effective agents of social discontinuity, studies from developing countries show sharp contrast in the attitudes of school drop outs and those who remain at school.

There is also the issue of children who are unable to see, hear or speak or only with great difficulty or who suffer from sorts of other physical or mental disability. They are entitled to education. Failure to concede them that right amounts to discrimination against them.
and validates the basic principles of humanity and the declaration of their rights of the child. (Mannschatz, 1979). In German Democratic Republic, for example, the blind, weak-sighted, deaf, hard of hearing and physically disabled children attained the classes to learn vocational and even proceeded to university. In Uganda there are very few schools for the disabled children and as such it is difficult for all such children to realize the Right to Education. Effective help for disabled children require not only loving care but first and foremost properly based knowledge. The problems involved in the teaching, education and rehabilitation of the children must be investigated on a scientific basis, for example diagnosis, content of lessons, teaching method, the psychology of the handicapped, and detection of peculiarities in their development. The right to education also reflects the objectives as well as efficiency and system of public health in the country. In Uganda although the Constitution under article 35 protects rights to persons with disabilities, there is no specific provision in respect of children with disabilities. However the constitution provides for special protection to orphans and other vulnerable children in article 34. In Germany, for example, the education and medical care for the disabled children are free of charge, financed by the State. (Saunders, 1979). In Uganda on the other hand, no such policy or law is in place and as such children with disabilities are unable to enjoy the right to related problems.

2.3 Strategies to Promote Right to Education

The role of the state in the education of children has a very long history. As a fact, it's impossible to make education compulsory until a certain economic level has been attained. It presupposes the existence of financial means, development of mechanization and productivity up to the level where child labour ceases to be indispensable. (Le Thau, 1979). In the industrialized countries, economic development has made it possible to ensure the right to education for all children and to lengthen the period of compulsory schooling. In developing countries, most of which are in Asia and Africa, inequalities, disparities are still high. (Mialaret, 1979).

When faced with a problem, individuals, groups can adopt different course of action to solve that problem. In developing countries where the right of the child to education is
difficult to enforce, they are frequently modeled on those of the so called developed countries of Europe and United States of America. Many schools are built with large classrooms, obsolete administrative structures, lack of facilities and poorly trained teachers. (Mialaret, 1979).

dawula (2004) reports that in order to make sure that everyone enjoys the right to education, the Ministry of education in Rwanda introduced initiation year after secondary education and before entry to the University. This initiation year is for teaching English or French to students of different orientations to enable them communicate with everybody easily. Fuller (1999) observes that for children to achieve academic development, many developing countries are failing to achieve the right to education because of lack of accurate data on staffing, few teaching materials and lack of integrated information on management system. Meanwhile, Kachiro (2000) argues that for the need for education for all children to be achieved by 2025, education must be accessible at all stages and of good quality. In Uganda data relating to Universal Primary Education enrollment, school attendance and registration teacher availability has been scanty and where available it is often conflicting. In the result that there was need to probe into the existence of "Ghost" teachers, pupils and even schools. There is therefore need to study and document the relationship between the provision of healthcare to children and the enjoyment of the right to education in Uganda. In this regard one would have to look at health care in a wider sense to include environmental health, nutrition, immunization and such other related health issues which impact on Education. This would help determining with a degree of accuracy the impact of health care on the children's Right to Education.

Numerous advances in pediatrics over the years have given a new dimension to the well known phrase "a social mind in a sound body. “A body will be sound only if it receives food needed for -its development”. Poor physical development deprives the child of the opportunity to receive education to which he is entitled. Accordingly, proper child nutrition is one of the perquisites for the exercise of the right to education. It is known that malnutrition increase the extent and effects of diseases such as measles malaria and certain debilitating parasitic diseases aggravate the poor health of children, impairs concentration skillfulness.
CHAPTER THREE: Methodology:

3.0 Introduction
This chapter attempts to describe the basic ingredients of data collection. It will focus on describing research used, the population and samples who provided data, instruments used in the collection of data, the procedure of data collection and the technique of data management and analysis.

3.1 Research Design:
The nature of this research was highly qualitative. In particular, the design was exploratory because not much was known about rights to education in Uganda. The study also employs cross section design by involving categories of people. It included data analysis and evaluation.

3.2 Area of study:
The study was conducted in Mbarara district in South Western Uganda. Primary schools in the said district and their communities were involved. The district has a number of schools but only 5 schools were selected. The schools were only government aided primary schools, both rural and urban, as well as day no boarding were selected. The schools were all mixed and single sex. These schools were selected on purpose to save time and costs.

3.3 Population and Samples:
Two management board members and Head teachers from each of the school were sampled purposively. Only pupils in primary six and five were interviewed as a class. Four teachers were randomly selected. Also purposively selected were civil societies
leaders and government or local government officials. Two members of the school founding bodies were purposively selected from two schools.

3.4 Instrumens:
Three research instruments were to generate the information and data required.
3.4.1 Questionnaire:-
This tool was selected in order to save costs and because of a relatively large sample. The instrument contained both open and closed questions seeking primary, secondary and tertiary information. Two questionnaire were designed to get as much information as possible on the three objectives of the study namely:-
   i. Awareness on right to education.
   ii. Status of legal and institutional framework to a right to education.
   iii. On the implementation law policy.
The questionnaire were targeted to each group therefore had its own question, students and teaching administrative staff.

3. 4.2 Interviews:-
Both structured and un structured interviews were employed in the study. Individual interviews were carried out mainly with policy makers and top administrators, students, teachers and others. Group interview method was also used. However for top executives only face to face interview was applied.

Only a few interviews were conducted by phone and e-mail. However the part of interview was personal, face to face interview with the researcher. The method for data collection chosen for each category aimed at obtaining accurate information in time and affordable cost. It was taken into account convenience of the persons interviewed.
3.4.3 Observation:-
Observation method was also employed. This was mostly non-participation and systematic. This included observing the day to day school activities, teaching, sports, student teacher interaction etc. The observation was carried out immediately before and immediately after the formal interview, to minimize bias and to be as objective and impersonal as possible results compared to other research methods. (Triangulation).

3.5 Data collection procedure:-
The researcher sought and obtained an introduction letter from the University to facilitate him in arranging interviews during the research. They proceeded to write a letter to each of the schools and interviewees seeking appointments. The first visit was introduction and the researcher explained the purpose of the visit and the topic for research. Carried out a brief interview and left the questionnaire behind. Then came back after an agreed period for a formal interview, made observations and collected the questionnaire.
The researcher also relied on library research and collected data from various sources including librarians, Ministry of Education departments, Local governments, Parliament, The print media, the new vision and the Monitor publications were source of valuable information. This information was analyzed together with filed research date to come to the conclusion made.

3.6 Data Presentation and Analysis:-
Once the questionnaire was collected, the responses were compiled, tallied, tabulated and coded for ease of analysis. Data that required lodging and tabulation was coded, tallied and tabulated, then analyzed showing frequency, percentage and ratio. In analyzing data the researcher ensured objectivity, was systematic and avoided generality. Ensuring the findings had theoretical relevance. The answers to the questions raised were then quantified where they were required.
CHAPTER FOUR: Presentation, Analysis and Interpretation of Data

4.0 Introduction:
The study set out to investigate issues about Rights to Education in primary schools in Uganda with focus on schools in Mbarara District. This chapter attempts to analyse and present the findings from the study.
The study was guided by four objectives namely;
   i. To assess the level of awareness about Right to Education
   ii. To examine the existing legal and institutional framework for the implementation of the Right to Education.
   iii. To analyse the existing strategies for the implementation of the Right to Education
   iv. To determine factors that prohibits the promotion of the Right to Education. The findings are presented objective by objective.

4.1 The Study findings.

4.1.1 Level of Awareness about Right to Education
The first objective of this study was to determine pupils' level of awareness of right to education. The level of awareness is a measure of how much knowledge pupils have about the right to education. This awareness was categorized as awareness about access to school, quality of education and relevance of the education they get. Interviews were carried out in five schools namely Mbarara Junior School, Martyrs Primary School, Mbarara Municipal Primary School, Kyamugorani Primary School and Rwebishuri Primary School. The last two being categorized as rural schools. The findings are summarized in Table 1.
Table 1: Pupils' Level of Awareness of Right to Education

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<tr>
<td></td>
<td>Low</td>
<td>18</td>
<td>16</td>
<td>13.8</td>
<td>2</td>
</tr>
<tr>
<td>Overall</td>
<td>High</td>
<td>391</td>
<td>380</td>
<td>74.7</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Low</td>
<td>97</td>
<td>94</td>
<td>19.1</td>
<td>52</td>
</tr>
</tbody>
</table>

Results shown in Table 1 give clear differences in level of awareness of right to education among pupils. The table indicates that among these pupils and in all the schools, their level of awareness seemed to be satisfactorily high. Overall response indicate that the level of awareness is high being 70.5%. Comparing individual schools, findings show that pupils in school B ( ) lead in the level of awareness by 75.3% while school A manifest the lowest level of awareness with 62.7%. In terms of the basic element of basic education like access to education, quality of education, and relevance of education, differences in the level of awareness are also observed. Their level of awareness appears to be highest in access to education with 74.7% and lowest in quality of education with 64.0%. Awareness about access to education is highest in three schools while in quality of education, it is highest in only one school with 66.7%. Awareness is also highest in relevance of education in only one school with 87.5%. Pupils in school B lead in level of awareness in access to education and quality of education.

These apparent differences in the level of awareness seem to be a disadvantage in quality of education because it is probable that pupils do not exactly know and understand what quality education is. Meanwhile, the apparently highest level of awareness in access to
education is the fact that pupils know mainly that the right to education simply means going to school.

A comparison of level of awareness of the right to education by location of the schools was also analysed. The schools were categorized as urban and rural. The findings are presented in Table 2.

**Tables: Level of Awareness between pupils in Urban and Rural School**

<table>
<thead>
<tr>
<th></th>
<th>Access Tot score</th>
<th>Quality %</th>
<th>Relevance %</th>
<th>Overall tot</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban</strong></td>
<td>252</td>
<td>79.1</td>
<td>94</td>
<td>63.6</td>
<td>114</td>
</tr>
<tr>
<td><strong>Rural</strong></td>
<td>139</td>
<td>68.2</td>
<td>53</td>
<td>64.6</td>
<td>64</td>
</tr>
</tbody>
</table>

The findings shown in table 2 also reveal differences in level of awareness among pupils in urban and rural schools. Generally, pupils in urban schools demonstrate higher level of awareness with 71.0% than those from rural school with 68.1%. Pupils from urban schools demonstrate higher level of awareness in access to education with 79.1% and relevance of education with 72.8% than their counterparts in rural schools. Interestingly, pupils from rural schools reveal higher level of awareness in quality of education with 64.6% than those from urban schools with 63.6%. These differences in level of awareness can be attributed to the fact that pupils from urban areas are more informed and have access to a lot of classic information than those from rural areas. It is, therefore, easy for pupils in urban areas to identify what quality education is unlike those from rural schools.

The second objective of this study was to examine the existing legal and institutional framework for the implementation of the right to education. To answer this question,
several legal documents which provide basis for the right to education were examined to assess how much right to education are enshrined in them. The findings are summarized here after;

4.1.2 The Constitution
The 1995 Constitution provides the foundation upon which the Right to education has developed. It provides under objective xviii of *National Objectives and Directive Principles of State Policy* as follows:-

i) The state shall provide free and compulsory basic education

ii) The state shall take appropriate measures to afford every citizen equal opportunity.

(a) The Children's Act, enacted after the coming into force of the constitution also emphasises the duty of the state in ensuring the enjoyment of the right to education. Section, 28 provides,

"the child has a Right to Education and it's the state's duty is to ensure that primary education is free and compulsory. The state shall engage in international cooperation to implement this right"

4.1.3 Universal Primary Education Policy
The UPE policy frame work national programme was born in 1997. Initially it aimed at free for education for four (4) children per family. Its overall objective is to increase access and quality of primary education.

The specific objectives are;

a) Establishing, providing and maintaining quality education and the promoting necessary human development.

b) Transforming society in a fundamental and positive way.

c) Providing minimum necessary facilities and resources to enable every child enter and remain until the primary cycle of education is completed.
d) Making basic education accessible to the learner and relevant to human needs as well as meeting national goals.

e) Making education equitable in order to eliminate disparities and inequalities.

f) Ensuring that education is affordable by majority of Ugandans.

g) By aiming to achieve Universal Primary Education government would be fulfilling its mission to eliminate illiteracy while equipping every individual basic skills knowledge with which to exploit the environment for both self and National development.

Clearly from the above objectives, the government has not yet focused on the right to education for very child, but rather, to ensure that the majority of children have access to the education. It, however, provides a firm foundation for its attainment. It is a step in the right direction as far as the policy, legal and institutional frame work is concerned.

### 4.1.4 Enrollment

An examination of enrollment in schools under UPE programme also provides a framework for determining right to education

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MALE</td>
<td>1,438,986</td>
<td>1,647,742</td>
<td>3,061,722</td>
<td>3,301,888</td>
<td>3,395,554</td>
<td>3,528,035</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEMALE</td>
<td>1,197,423</td>
<td>1,420,883</td>
<td>2,744,663</td>
<td>2,986,351</td>
<td>3,163,459</td>
<td>3,372,881</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,636,409</td>
<td>3,068,632</td>
<td>5,806,385</td>
<td>6,288,239</td>
<td>6,559,013</td>
<td>6,900,916</td>
</tr>
</tbody>
</table>

Source: *Education Statistics Abstract 2002*

The enrollment is more than triple from 1995 to 2007. Although this may not give the whole picture, it simply affirms the observation that the right to education may in the future be attained. On the other hand, an imbalance between boys and girls in favour of boys still connotes that the right to education is not yet a great success. Primary school
enrollment has leaped from 1,438,986 in 1996 to 7,537,000 in 2007. This has been as result of a shift from elitist to mass and inclusive education policy of government.

4.1.5 Expenditure
Government has spent shillings 635.6billion on education sector in 2005/2006 financial year and shillings 708.4 billion 2006/2007 financial year making education the second most funded sector (New vision 14/05/09 P.3).

<table>
<thead>
<tr>
<th>Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enrollment 000</td>
<td>7.633</td>
<td>7.377</td>
<td>7.224</td>
<td>7.362</td>
<td>7.537</td>
</tr>
<tr>
<td>Percentage</td>
<td>3.8</td>
<td>-3</td>
<td>-2</td>
<td>1.9</td>
<td>2</td>
</tr>
<tr>
<td>Enrollment rate</td>
<td>1008</td>
<td>90</td>
<td>93</td>
<td>92</td>
<td>93.3</td>
</tr>
<tr>
<td>Gross intake</td>
<td>155.7</td>
<td>147.1</td>
<td>152.8</td>
<td>14.245</td>
<td>14.728</td>
</tr>
<tr>
<td>Pupil Teacher ratio</td>
<td>52</td>
<td>50</td>
<td>50</td>
<td>48</td>
<td>57</td>
</tr>
<tr>
<td>Classroom ratio</td>
<td>87</td>
<td>79</td>
<td>74</td>
<td>72</td>
<td>72</td>
</tr>
</tbody>
</table>

Source: Ministry of Education Report 2009

The above Ministry of Education report cites increased enrollment from 2.1 million in 1997 to 7.5 million in 2007, and an increase in class room from 28,000 to 75,228 in 2005.

4.1.6 The Education Act

The title of the Act is;
An act to amend, consolidate and streamline the existing or relating to the development and regulation of education and training, to repeat the education Act and to provide for other related matter

The objectives of the act are:

a) To give full effect the education policy of government and functions and services by government.
b) To give full effect to the decentralization of education services
c) To give full effect to the Universal primary education policy government.
d) To give full effect to the universal post primary education and training policy of government.
e) To promote partnership with various stakeholders in providing education services.
f) Promote quality control of education and training
g) To promote physical education sports in schools.

The act emphasizes the responsibility of the Minister of Education as being responsible to ensure that National policies and objectives as enshrined in the constitution are implemented. It gives the Minister power to issue statutory instruments (subsidiary legislation) regarding Universal Primary Education among other things.

Section 4 which sets out the policy on the provision of education states, among other things, "basic education shall be provided and enjoyed as a right by all persons".

Other than the above general provision on right to education, the rest of the Act dwells on issues of management and administration of schools especially registration, licensing, inspection, registration of teachers and the like. Nonetheless it sets the basic requirement for implementation of the Constitutional right to education.

4.1.7 The Children's Act:-
The objective of this Law as set out in its long title is to:-

"reform and consolidate the law relating to children, to provide from the care, prevention and maintenance of children to provide for local authority support for children, to establish a family and children court and to make provision for children changed with offences and for other connected purposes".
Laws of Uganda Chapter 59, Government printer 2002). The Act devotes the whole of its Part II to the rights of the child and reaffirms a child to be a person below the age of eighteen years. The Act imposes a duty on parents, guardians or any person having custody of a child to provide the following:

Education and guidance
   h) Immunization
   i) Adequate diet
   j) Clothing
   K) Shelter
   l) Medical attention

It also imposes a duty to protect a child from discrimination, violence, abuse and neglect. It is important to note that education and guidance are ranked first. The rest of the duties imposed above also directly link to education because their absence of or lack of any, impacts on the child's right to education too.

Section 9 of the Act makes specific provision for children with disabilities. In addition to the duty imposed on parents and guardians, the section also imposes a duty on the state to take appropriate steps to ensure that children with disabilities are:
   a) Assessed as early as possible as to the extent and nature of their disabilities.
   b) Offered appropriate treatment
   c) Offered facilities for their rehabilitation and equal opportunities to education

The above provision is very important because children with disabilities have a right to education too, and they are entitled to enjoy it. The duty imposed by law on both state and parents goes a long way in ensuring this. In addition to the above provision the law imposed a duty on local councils to safe guard children and promotes reconciliation between parents and children. The local government has a duty under this law to provide assistance and accommodation of any child in need. The law also imposes a duty on the communities to ensure that the child's right is not infringed. Every member of the community has a duty to report infringement of right of a child including neglect, refusal to provide basis of the life such as shelter, clothes medical care or education.
This law clearly fortifies the right to education. The right to education cannot be enjoyed in isolation of other rights as the children's act ensures that the children are protected from human rights abuses and enjoying the full extent of the rights as human being and as a child.

### 4.1.8 International Treaties and Conventions

In addition to the above legislation, Uganda is a member of International and has signed and ratified a number of treaties and convention in respect of Human rights in general and right of the education in particular. The said international instruments are set out above (Supra P.3). These instruments have legal force and are binding on the state. The International Conventional on Economic, Science and Cultural rights sets out in Article 13 of the right to education in its first session held from is” November to 3rd December 1999 procedure and guidelines for implementation of the right to education. It set out detailed observations and guidelines. Briefly it states.

The education is both a human right in itself and an indispensable means of realizing other human rights. ICESCR devotes two Articles to the right to education Article 13 and 14 the longest provisions is the covenant. It emphases that Article 13 must be interpreted in light of the world Declaration on Education for Act (Act 29 (1» (The Vienna declaration) and programme of Action for the United Nations decade for human rights. These form the main legal and institution frame work for the right to education in Uganda.

Strategies for implementation of the right to education in Uganda. The third objective of this study was to analyse the existing strategies for the implementation of the right to education in Uganda. The findings are summarized below.

### 4.1.9 Government

The first step in ensuring right to education begins with availability. In this regard there must be government commitment, real terms to make education available. In Uganda, availability has been centered for by funding.
a) Deliberate Macro development polices and National reforms have been introduced and launched to achieve sustainable development.

(b) Education sector reforms geared at ensuring equitable access to quality basic education for all forms a significant component of the overall National Vision and strategic development plans. This policy reform is in line with the Global EF A and the MDG targets. Furthermore participation by both government an private sector as partners in provision of education has resulted in education being more available.

(c) Private sector schools include those wholly owned by religious organizations and Non-Government Organisations. These organizations have provided relatively well equipment schools with a variety of market oriented programme. In terms of gender, by 2007 girls’ enrollment in primary school rose up to 47 percent in rural areas and 50 percent in urban areas. By 2007 it was estimated by Ministry of Education, that 85 per cent of all the school going age of children (6 years plus) enrolled in primary schools. The remaining 15 percent were said to be mainly from parts of the country that have largely been affected by wars and insecurity.

(d) The government in order to ensure that education is available to all, adopted a holistic approach and a decentralized model of government and management. In this regard the Universal Primary Education policy and programme package include;-

   a) Enrollment of all children of school going age of 6 years plus
   b) Waiving of tuition fees and development charges
   c) Training, recruitment and paying of teacher's salaries
   d) Construction of school buildings and provision of required infrastructures
   e) Supply of core text books and other required infrastructural materials
   f) Cash/resource allocations to Universal Primary Education schools to meet daily school remaining costs.
   g) Sponsorship of examination candidates at primary leaving exam level.
   h) Capacity building and mobilization of stakeholders to ensure accountability and efficiency
   i) Partnership with funding agencies, Non-government organizations and private sector.
4.1.10 Training of Teachers

The government has also trained and recruited more teachers at primary level. The teacher recruitment increased from 81,564 in 1996 to 126,000 in 2004. There were reforms in teacher education sub-sector involving restructuring of institution curricular and management. The government also substantially increased funding in this sub-sector. A project known as Teacher Development and Management System (TDMS) provides a network at grassroots levels that provides teachers with professional support. The government has not only increased the stock of permanent classrooms from 28,000 in 1997 to 75,228 in 2005. More books and other reading materials have also been provided increasing from 37 pupils sharing one book in 1993 to 3 pupils per book for P.3 and PA in core subjects. (Ministry of education report 2004)

4.1.11 Disadvantaged groups

It must be emphasized that right to education cannot mean that all must attend school. For a variety of reasons not all school going age children in Uganda will be attending formal education. The factors that prevent children from attending school include wars, insurgency, insecurity, nomadism, climatic change, hunger, famine, extreme poverty and a host of others. Non formal programmes have therefore been put in place strategy to cater for these children. They include the following:

(i) Complimentary opportunities for Primary Education (COPE)
(ii) Basic Education for the Urban Poor Areas (BEUPA)
(iii) Alternative Basic Education for Karamoja (ABEK)
(iv) Child centred alternative Non-formal Community Based Education (CHANGE)

Together these programmes cater for about 200,000 children in non-formal education (Ministry of education report, 2004). There has also been effort by government to improve heath among learners so that those who enroll keep in school. The inter-sectoral programmes on immunization, nutrition and early childhood Education are examples of some of these polices.
4.1. 12 Free and Compulsory Education
Primary education in Uganda under Universal Primary Education is free. This is to the extend that the parents are not required to pay schools fees. They do not have to pay tuition, contribute to building fund, Parents and Teachers Association or make any other monetary contribution. However, parents have to buy some scholastic materials. Such as exercise books, pens, pencils etc. They have to purchase uniform and children are also required to bring packed food to school. This, on the contrary, is a direct cost to the parents. In very poor communities or areas which have been hit with drought and famine, parents complain that they cannot afford to pack lunch for Universal Primary Education children as they do not even have what to feed them with at home. The urban poor have to buy food for home consumption and therefore packed food becomes an extra financial burden on the parents.

Important to note also is that children are a very important labour component for the family. They dig the gardens, fetch water and firewood, graze and feed domestic animals, prepare food and attend to their young siblings who are not yet of school going age. All these domestic and cultural demands on children reduce their ability to go to school. The reason above is one of the many others that result into large percentage of absenteeism in schools. It was reported in the press that at least 10,000 were found missing during a recent held count conduct in schools. Many were said to be sick. 450,000/= beneficiaries of Universal Primary Education were conducted in an exercise aimed at eliminating ghost students and teachers and to curb rampant absenteeism in schools. (The Monitor Newspaper 8th April. 2008, Page 5).

The direct expenses may also be contributory factors to high level drop out in many Universal Primary Education schools. The situation is worsened in areas affected by wars, civil unrest and cattle rustling. It was reported that close to 50 percent of pupils who enroll in primary one do not complete primary seven in the set time frame, only 49 percent or 444,019 pupils managed to sit for examinations in 2007 out of a total of 890,997 who enrolled in 2001. (New vision January is" 2008). This high dropout rate is confirmed with interviews held in Mbarara with school head teacher.
b) This means that 446,978 pupils had either repeated classes, this increasing the cost of Universal Primary Education both to government and the parents or have entirely dropped out of school. In comparison with other countries in the region, Uganda's dropout rate is high. While in Uganda only 49 percent of those pupils who enrolled in primary one and reached primary five, in Kenya it was 83 percent in Tanzania 84 percent and in Burundi 67 percent. (Human Development Report 2007).

There are a number of factors that results into high dropout rates. It has not been asserted exactly how much of this is directly related to costs direct or indirect. However Uganda's annual performance report of the education sector indicates that children drop out mainly in rural districts is because of early marriages (marriage of any person under 18 years is illegal in Uganda), and to engage in petty trade. Presumably to raise income for the family which is an indirect cost already mentioned above and poor school supervision. A World Bank efficiency study carried out in 2007 on behalf of Ministry of Education found that colossal sums of money were being wasted on Universal Primary Education. Students who repeat classes over 15 percent of all the pupils who enrolled in 1997 had repeated a class 2006, up from 10 percent in 2000.

A survey among teachers and parents about the strategies for the implementation of the right to education was conducted. Those strategies are categorized as availability of education, accessibility to education, acceptability of education by the consumers, and adaptability of education to the needs of society. The findings are summarized in Table 4.
Table 4: Teachers' views about strategies of implementation of Right to Education.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>N</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Availability</td>
<td>31</td>
<td>44.3</td>
</tr>
<tr>
<td>Accessibility</td>
<td>34</td>
<td>48.6</td>
</tr>
<tr>
<td>Acceptability</td>
<td>21</td>
<td>37.5</td>
</tr>
<tr>
<td>Adaptability</td>
<td>20</td>
<td>47.6</td>
</tr>
</tbody>
</table>

The findings presented in Table 4 indicate that accessibility is the most outstanding strategy present for the implementation of the right to education with 48.6% while acceptability is the least outstanding with 71.4% and training of teachers with 64.3% are the leading strategies in the implementation of right to education. On the other hand, the idea or strategy of free education with 28.6% and compulsory education with 21.4% are quite insignificant. These findings clearly demonstrate that the right to education through UPE is only realistic to people because government pays tuition fees for all children which allows every child to go to school. In addition, government effort to provide education for all is observed through its effort in training teachers which is appreciated by the community. In contrast, people do not see and appreciate that education is free because they have to meet several costs and demands for children to go to school such as transport, feeding, exercise books, uniform and health. Hence, this reduces the strategy for right to education. On the strategy, its elements are not strong enough. Teachers view of content of what is taught being relevant with 64.3% and teachers being professional with 50% are the leading strategies. Meanwhile, education being culturally appropriate with 21.4% and school environment being safe with 14.3% even the least.

This finding suggests that although UPE has enabled many children to go to school, there are still many weakness of the school system. Regarding strategy through accessibility education does not discriminate with 71.4% and gender/social balance with 64.3% are the most outstanding. With adaptability, education is changing with changes and catering for the needs of society are perceived at average with each being 51.1 % which is not very strong. Their findings all demonstrate that the strategies for the implementation of the right to education are still weak.
Teachers' View of the strategies through availability, accessibility, acceptability and adaptability show that all these are at below 50% which is rather weak. The fourth and last objective was to determine the factors that affect promotion of the right to education. The findings have been summarized in Table 5.

Table 5: Community Views about factors affecting Right to Education

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic factors</td>
<td>47</td>
<td>67.14</td>
</tr>
<tr>
<td>Social factors</td>
<td>58</td>
<td>82.6</td>
</tr>
</tbody>
</table>

The summary of findings in Table indicate that social problems (82.6%) contributes affect the right to education more than domestic factors (67.1%). among these social problems, the specific ones that affect the right include child labour affects the right to education (100%) most. The next is poverty (92.9%) and the distance from school (85.7). Those that affect the right least include cultural practices (71.4%) and gender is political discrimination (64.3) %. These findings demonstrate the role of many social problems public face which are not the making of parents nor the school. The finding highlights the role of child labour in the community as a way of earning money. And due to peer pressure, and also due to moral degeneration which makes many pupils not to go to school. Poverty in the community makes many children in the community to desire for ways of making money to satisfy their needs by doing odd jobs such as prostitution, paid labour and many others. The findings also show that any form of discrimination such as those based on religion, tribe, politics and gender does not feature against the right to education.

The domestic problems that affect right include drop-out of school (100%) by girls’ parents not appreciating (71.4%). Children’s attitudes towards education (71.4%) least level of parents contribution (57.1 %) and this involvement in education planning (35.7%). Findings indicate that most families are concerned that their children go to school. However, the high drop-out of school due to early marriage, pregnancies, unfriendly school environment especially for girls such as lack of privacy, toilets,
sanitation and dominance of male teachers are some of those conditions that affect the implementation of the right to education. 

In addition, parents ignore their role, and their perception of UPE being free and sheer negligence also affect the implementation. Attitudes of children towards education due to unemployment by the educated while those who enter business and never went to school are richer are some of the factors that affect the implementation of the right to education.

Other factors by head teachers and deputies documented the factors such as:-

1. Delay by the government to realise funds, for example, the funds for 2009 June, July, August and September were released in October which causes delay in implementation.

2. The funds given are not enough to cater for the school expenses like water bills scholastic materials etc., for example a head teacher of one school said that the school has a population of 300 pupils and government gives shillings 260,000/= per month to the whole school which is not enough.

3. Lack of parental guidance and negligence has caused constituent absenteeism and drop out of pupils at an early stage for example one school registered 35 pupils in p,6 but out of these only 19 pupils sat for P. 7 and one girls was pregnant.

4. Absenteeism has continued to be a big problem for example on the day this research was carried out the, around 100 pupils had not reported to school and it was a Monday they attributed this absenteeism to lack of parents support and turning these pupils into community work like rearing cattle the time of studying.

Summary
The study has established that pupils level of awareness of the right to education is high enough. Their knowledge is greatest for the right to education by accessing schools. There are several documents which form the basis of legal and institutional frame work for the right to education but they are not well articulated.
5.0 Introduction
In chapter four, findings of the study have been presented. The study was fundamentally qualitative. In this chapter, all attempt is made to discuss the findings in relation to literature review. Conclusions and recommendations will also be drawn.

5.1 Discussion
The first objective investigated about the level of awareness of pupils about the right to education with reference to access to education, quality of education and relevance of education offered. The findings indicate that the level of awareness is generally high. This means that pupils know quite a lot about what makes right to education.

The finding concurs with UNESCO (2007) which asserts that education consists of all activities by which a human group transmits to its descendants a body of knowledge and skills and a moral code which enables a group to transmit knowledge. The finding also concurs with UNICEF (2007) which articulated that the right to education is recognized as a human right and is understood to establish on entitlement to free, compulsory education for all children, on obligation to provide primary education to all children as well as equitable access to higher education. The finding also echoes UNESCO (2007) which stated that to ensure access to education is a precondition for the full realization of the right to education. Without access, it is not possible to guarantee the right to education.

Objective two investigated the legal and institutional framework for the right to education. The finding identified several documents that provide legal and institutional framework for the right to education. Among such documents include The Constitution of Uganda 1995, Children's Act, the Education Act, and International treaties and Conventions among others. The findings affirm those of UNESCO (2007) which observed that it is unacceptable in this world with a store of scientific and technological
knowledge not to have a framework for the right to education. The finding also concurs with Dembe (1981) who reported that African Union has developed a regional framework called African Chapter on human and peoples' rights. These findings, however, fall short of what Monnschotz (1979) reported that in Germany the framework assesses that the blind, weak sighted, deaf hard of hearing and physically disabled children attain ability to learn vocational and even proceed to university.

Objective three investigated the existing strategies to promote the right to education. The findings indicate that existing strategies like providing education to all exist but are not well attained. Not all children go to school, gender disparity still exists, drop-out, education is not completely compulsory and free and many other weaknesses. These findings are in total agreement with LeThou (1979) who observed that it is impossible to make education compulsory until a certain economic level has been attained. It presupposes that once financial means, development of mechanization and productivity and child labour cases to be indispensable. The findings also contrast Miolaret (1979) who reported that in the industrialized countries, economic development has made it possible to ensure the rights to education for all children. These findings also do not support Ndawula (2000) who reported that in Rwanda, in order to make sure that everyone enjoys the right to education, the Ministry of Education introduced initiation year after secondary education and before entry to the university. These findings confirm Fuller (1999) who observed that for children to achieve academic development many developing countries care failing to achieve the right to education because of lack of accurate data on staffing, few teaching materials, and lack of integrated information on management system.

5.2 Conclusion
From the findings of the study, the major conclusions that can be made include:

1. Many pupils' level of awareness of the right to education is high.
2. Pupils in urban schools are more aware of the right to education than pupils in rural schools.
3. There are many documents that provide the legal and institutional framework for the right to education. Such documents include the constitution, Education Act, Children's Act and other.

4. Although there is legal and institutional framework the realization of the right to education is still low. They do not strongly articulate the strategies of implementing those rights.

5. There are many existing strategies for the implementation of the right to education. Such strategies include availability of education, free education, building of more classrooms training of more teachers and many others.

6. The strategies care being hindered by such conditions like high drop-out rate, low economic level of parents, children used as source of labour, imbalance in enrollment by gender among others.

7. Views about strategies by teachers are generally moderate which are strong around accessibility, adaptability and availability of education.

8. Several factors are perceived to influence the implementation of the right to education. Social factors are believed to be playing greater influence than domestic factors.

9. The major social factors that influence the implementation of the right to education include child labour, poverty and distance from school while those with relatively lower influence are cultural practices and gender and political discrimination.

5.3 Recommendation
The study proposes the following recommendations.

1) Although the level of awareness of the right to education is found to be high, there is still need for increased and continued sensitization of school children and adults about the right to education. More effort should be directed to rural children.

2) While there are many documents that attempt to highlight the importance of the right to education, they still do not forcefully articulate measures that should be undertaken for the implementation of the right to education. These documents
should be revised as soon as possible to clearly and effectively, highlight such measures.

3) There are many strategies in place for the implementation of the right to education but they are deficient such as low enrollment, high dropout, weak free and compulsory education. Government should immediately revisit the policy of universal education to clearly cater for free and compulsory education.

4) The various implementing agents should interact to meet their obligations. For example, the ministry of education should ensure prompt release of funds, the parents should provide the necessary requirements for their children such as meals and books and many others. All these will add to the strength of the right to education.
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