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Guarding the Sanctity of Holy Books in the Administration of Justice: An Assessment of Judicial Practice and Policy Regimes in Ugandan Courts

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Abstract

The utilization of holy books during the administration of evidentiary oaths represents a crucial link between religious conviction and legal accountability within Ugandan jurisprudence. However, courts encounter persistent impediments attributable to an extant regulatory lacuna: there are a conspicuous absence of standardized policies, administrative circulars, or statutory guidelines dictating the physical management and preservation of sacred texts. This study evaluates the judicial practices and structural gaps pertaining to the custodianship of sacred texts in the High Court of Uganda. Employing an exploratory qualitative research design, data were collected through in-depth semi-structured interviews with ten pivotal judicial participants, alongside comprehensive case law and statutory reviews of the Oaths Act, Cap 19; the resultant thematic findings suggest that while the judiciary possesses a clear residual power to protect these items, the absence of dedicated guidelines may engender careless handling, improper storage, and an insufficiency of infrastructural safeguards. These gaps could frequently diminish the sacredness of texts like the Holy Quran and Holy Bible, eroding public trust in the court system. This study postulates that the establishment of a formalized management policy is crucial to preserve religious dignity and support judicial integrity. The study thus advocates that the Chief Registrar consider the immediate issuance of specialized administrative circulars, the institutionalization of uniform storage regulations, and the implementation of dedicated protocols for court cleaning and textual handling.

Keywords: holy books, evidentiary oaths, judicial administration, constitutional rights, court policy

1. Introduction and Background of the Study

The intersections between religious practice and formal legal administration stretch across centuries of global legal development. Historically, the practice of invoking a higher spiritual authority to guarantee truth-telling within formal public settings predates modern secular statutes (Assmann, 1992; Jacquemet et al., 2012). In ancient Mediterranean legal traditions, early European states, and pre-colonial African societies, oaths functioned as a foundational mechanism for legal accountability (Jacquemet et

al., 2012; Quarshie, 2023). They relied on the widespread belief that breaking an oath would trigger direct spiritual consequences or divine retribution (Blidstein, 2022; Jacquemet et al., 2012; Quarshie, 2023).

Following the development of English common law, which heavily influenced the legal architecture of Britain's global territories, the act of swearing upon a sacred physical object—specifically the Christian Gospels, became firmly institutionalized within courtroom procedures. This common law framework treated the physical touch and handling of the sacred book as a necessary structural link that bound the conscience of the individual witness to the state's judicial mechanism.

When British colonial rule was established in East Africa through the 1894 Uganda Protectorate declaration, this English evidentiary model was imported directly into the local legal system. The colonial authorities passed early legislative measures to regulate public testimonies. These laws required witnesses to swear by the Bible or other recognized religious texts before their statements could be accepted in formal legal proceedings.

However, this transplanted system largely ignored the diverse spiritual values of local communities. It treated holy books primarily as administrative courtroom tools rather than sacred items requiring deep institutional care and respect. Throughout the post-independence era, while Uganda's broader constitutional framework evolved to recognize religious diversity, the day-to-day handling and storage of these sacred books within courtrooms remained unchanged, operating under outdated colonial-era routines.

In contemporary Uganda, the legal framework governing witness testimony is deeply intertwined with religious symbols, beliefs, and practices. According to demographic data from the Uganda Bureau of Statistics (UBOS), the vast majority of Ugandans maintain active religious affiliations, rendering faith a central component of both private and public life (Uganda Bureau of Statistics, 2016). This pervasive religiosity significantly influences the ways in which citizens engage with state institutions, including the judicial system.

Within courts of law, individuals who appear as witnesses are not regarded merely as secular legal subjects. Rather, they are understood as moral agents whose obligation to provide truthful testimony is often reinforced through religious conviction. Consequently, the administration of an oath using sacred texts constitutes an established procedural requirement under the Oaths Act (Cap. 19), the Magistrates' Courts Act (Cap. 16), and the Civil Procedure Rules (Government of Uganda, 2008). Through this practice, the legal system seeks to enhance the credibility of testimony by linking legal responsibility with personal conscience and religious accountability.

This intersection of law and religion is constitutionally grounded in the Constitution of the Republic of Uganda, 1995. Article 7 expressly declares Uganda a non-religious state, thereby prohibiting the adoption of any state religion. However, this secular orientation does not imply hostility toward religion. Rather, it is balanced by Article 29(1)(c), which guarantees the fundamental right to freedom of thought, conscience, and belief, including the freedom to manifest, practice, and propagate any religion or belief system[1]. This constitutional equilibrium between state secularism and religious liberty has been authoritatively interpreted by the Supreme Court of Uganda in *Dimanche Sharon & 2 Others v. Makerere University*[2]. In that decision, the Court emphasized that while Article 7 maintains institutional separation between the state and religion[3], Article 29 obliges public institutions to avoid administrative practices that unjustifiably interfere with or diminish the religious expression of citizens[4].

Within this constitutional framework, the judiciary occupies a critical role as the principal guardian of religious freedom and equality before the law. Courts are mandated not only to adjudicate disputes but also to ensure that judicial processes do not discriminate against individuals on the basis of religion or compel conduct that violates sincerely held beliefs (Government of Uganda, 1995). Given that oath-taking procedures frequently involve the use of

[1] Article 29 (1) (C) of the 1995 Constitution of Uganda as Amended.

[2] Dimance Sharon & 2 Ors v Makerere University (Constitutional Appeal 2 of 2004) [2006] UGSC 22 (18 August 2006).

[3] Article 7 of the 1995 Constitution of Uganda.

[4] Article 29 of the 1995 Constitution of Uganda.

holy books, the judiciary inevitably assumes a custodial role in the temporary handling and safekeeping of these sacred materials during court proceedings.

Despite the strong doctrinal and constitutional linkage between religious belief and judicial processes, contemporary Ugandan courts face a significant administrative and institutional challenge. There exists a complete absence of clear policies, formal regulations, or standardized procedural guidelines governing the storage, handling, and preservation of holy books within court environments. Whereas court registries maintain strict procedural frameworks for the management of case files, statutory instruments, exhibits, and electronic records, sacred texts are not subject to comparable institutional safeguards.

Consequently, Bibles, Qur'ans, and Torahs are often left exposed on witness stands, stored in overcrowded and disorganized cabinets alongside ordinary legal documents, or handled inconsistently by court personnel during prolonged judicial proceedings. This lack of structured care reflects a notable gap in institutional practice, particularly given the symbolic and religious significance attached to these materials.

This institutional deficiency is especially significant because it may conflict with the religious doctrines that define the sacred status of these texts. In Islamic theological tradition, for instance, the Holy Qur'an is regarded not merely as a physical object but as the literal word of God. Its handling is therefore governed by strict requirements of ritual purity (wudu), and it is to be treated with the highest degree of reverence (Musisi & Kigundu, 2018). Practices such as placing the Qur'an beneath secular legal documents, exposing it to dust, or handling it without due care may be perceived as inconsistent with these religious obligations and may be interpreted as a form of disrespect toward the faith of court users.

Accordingly, this regulatory gap presents both a practical and normative concern within Uganda's justice system. Addressing it is essential not only for administrative coherence but also for safeguarding constitutional guarantees of religious freedom, strengthening public confidence in judicial institutions, and preserving the integrity of oath-taking as both a legal and spiritual practice.

1.1 Justification of Key Concepts

The proper evaluation of this legal issue necessitates an inquiry into three key concepts: Judicial Residual Power, Administrative Policy Integration, and Physical Infrastructural Protection. Within judicial scholarship, judicial residual power is formally understood as the inherent authority of a court to issue necessary orders and establish practical procedures to preserve order, protect institutional dignity, and maintain public trust, even when explicit statutory provisions are absent (Vučić, 2018). In dual-curriculum and religiously diverse societies, the comprehension of this inherent power may prove essential for analyzing the mechanisms by which judicial officers can safeguard courtroom operations from administrative neglect.

Administrative policy integration entails the creation and embedding of clear, standardized protocols within the daily operations of public sector systems to ensure consistent performance and compliance with national laws (Trein & Maggetti, 2019). Without formal policy integration, the treatment of sacred items remains completely dependent on the personal habits of individual court clerks, a circumstance that may engender unpredictable and frequently irreverent practices.

Finally, physical infrastructural protection centers upon the provision of dedicated, secure, and appropriate material environments, such as custom storage cases, clean handling spaces, and protective covers, necessary for the safeguarding and sustained maintenance of essential organizational instruments (Nečesal et al., 2011). Through an examination of the interaction among these three variables, it may be possible for researchers to delineate practical, data-driven management strategies capable of fostering the modernization of Uganda's legal administration, concurrently affording due deference to the religious diversity of its citizenry.

1.2 Problem Statement

The central problem investigated in this study is the systemic lack of administrative policies and quality control guidelines regarding the handling, storage, and preservation of holy books within Ugandan courts. This regulatory gap compromises both the institutional dignity of the judiciary and the constitutional rights of religious citizens. Evidence from daily courtroom operations indicates that while courts enforce

strict management protocols for standard legal documents, holy books are treated with insufficient institutional care. Sacred texts are routinely stored in poor conditions, mixed with secular case files, allowed to accumulate dust, and handled without regard for basic theological rules, such as the strict requirement that nothing ever be placed on top of the Holy Quran.

This lack of care is further complicated by a major regulatory gap. The Oaths Act (Cap 19) outlines the formal language and basic physical actions required to take an oath, but it provides absolutely no instructions regarding how courts should care for, clean, or store these books when trials are not active[1]. Oversight bodies, such as the Inspectorate of Courts and the Chief Registrar's office, focus their quality metrics almost entirely on tracking case backlogs and managing traditional case files, leaving the physical care of sacred texts completely unmonitored.

Previous legal research in Uganda has extensively analyzed macro-level funding shortages, human rights violations, and general delays within the justice sector. However, these past studies have failed to evaluate the specific administrative challenges and friction points that occur when courts use sacred religious objects to run a secular trial system. Existing literature offers almost no empirical data on how court clerks manage these items, how storage conditions impact community trust, or how judges can use their inherent authority to resolve these everyday administrative problems. Swearing an oath is treated as a routine, unexamined habit, leaving the physical texts exposed to ongoing neglect. This study is urgently needed to prevent a further decline in public trust and to protect courts from facing public criticism or legal challenges over religious discrimination. By analyzing current vulnerabilities and offering an empirically grounded management model, this research provides a clear path to modernize judicial administration while fully respecting the diverse religious traditions of Uganda.

1.3 Purpose of the Paper

The purpose of this study is to analyze the administrative practices, judicial interventions, and quality control mechanisms governing the management of holy books in the High Court of Uganda, in order to design an empirically grounded policy framework for structural protection, regulatory compliance, and the preservation of public trust.

1.4 Research Objectives

The execution of this academic investigation was guided by the following three specific research objectives:

1) To conduct an examination of the influence exerted by judicial residual power and administrative frameworks upon internal quality assurance outcomes pertaining to the custodianship of holy books within Ugandan courts.
2) To undertake an analysis of the structural practices and operational challenges inherent in policy integration and procedural evaluation across diverse religious texts throughout trial phases.
3) To perform an evaluation of the impact of physical infrastructural protection and courtroom storage environments upon the preservation and sanctity of holy books.

1.5 Research Questions

To achieve the stated objectives, the study addressed the following central research questions:

1) How do judicial residual power and administrative frameworks influence internal quality assurance outcomes regarding the custodianship of holy books in Ugandan courts?
2) What are the structural practices and operational challenges associated with policy integration and procedural evaluation across different religious texts during trial phases?
3) To what extent do physical infrastructural protection and courtroom storage environments impact the preservation and sanctity of holy books within the selected judicial institutions?

1.6 Significance of the Study

- **Academics:** This research contributes directly to the growing body of literature on sub-Saharan judicial management and public administration by providing a specialized empirical analysis of how

[1] Government of Uganda. (2008). The Oaths Act, Chapter 19. Law Development Centre.

secular legal systems manage sacred objects. It offers a new theoretical framework for studying how courts handle the practical demands of using religious tools within secular trials, serving as a strong foundation for future comparative research across East Africa.

- **Practitioners / Industry:** For judges, magistrates, court registrars, and clerks, this study may offer practical, empirically informed strategies for the optimization of courtroom management, the resolution of disputes pertaining to the custody, and establish reliable care metrics within resource-constrained environments.
- **Policy Makers:** This study may furnish the Rules Committee of the Judiciary, the Chief Registrar, and the Justice, Law and Order Sector (JLOS) institutions with a clear empirical basis for the periodic revision of national courtroom inspection checklists. Moreover, it suggests the imperative for a transition from ad-hoc, uncoordinated practices to a unified, officially recognized policy governing the protection of sacred texts.
- **Society:** At a broader social level, this research may contribute to the protection of the religious dignity of all Ugandan citizens by ensuring the respectful treatment of their holy books within state institutions. Through the encouragement of structural improvements in courtrooms, this study could facilitate the restoration of public trust in the administration of justice and the reinforcement of the constitutional values of religious tolerance and diversity.

1.7 Scope of the Study

- **Location.** The empirical boundaries of this study were strictly confined to the High Court of Uganda situated within the Kampala District. This central urban judicial hub constitutes a significant venue for civil and criminal trials, thereby necessitating the continuous, daily utilization of diverse religious texts for the administration of witness oaths.
- **Population.** The target population was restricted to key judicial actors, specifically High Court judges, registrars, administrative secretaries, senior court clerks, and active litigation advocates who directly observe and manage courtroom oath procedures.
- **Variables.** The analytical architecture of the study encompassed the evaluation of three independent dimensions: Judicial Residual Power, Administrative Policy Integration, and Physical Infrastructural Protection. Their interplay was subsequently considered in relation to the dependent outcome of Internal Quality Assurance and Preservation Efficiency.
- **Timeframe.** The academic investigation was undertaken over a seven-month period, extending from November 2025 to May 2026, thereby facilitating the comprehensive analysis of operational dynamics, termly evaluation processes, and administrative cycles pertinent to the participating court divisions.
- **Limitations.** Given its qualitative case-study design, the findings of this research, by virtue of its qualitative case-study design, may not readily permit automatic generalizability to remote magistrate courts in rural districts, particularly those characterized by markedly disparate socio-economic and staffing dynamics. To mitigate this limitation, the researcher's methodology incorporated detailed contextual profiling, a measure intended to ensure robust analytical transferability across comparable urban court environments.

1.8 Theory of the Study

This investigation is structurally grounded in Systemic Management Theory (originally developed by Ludwig von Bertalanffy), supplemented by the core legal principles of the Inherent Power Jurisdiction Doctrine. Systemic Management Theory posits that any complex organization functions as an integrated, interdependent network of distinct components; these components must operate in structural harmony to achieve optimal output efficiency. Within this framework, a judicial institution is therefore viewed not merely as an aggregation of isolated courtrooms or legal actors, but rather as a complex social system wherein administrative inputs, staff behaviors, physical infrastructure, and external regulatory policies continuously

interact.

Applying this lens to the justice sector reveals that the legal processing of a case and the management of courtroom evidentiary tools cannot be treated as separate tasks. Instead, they represent tightly coupled subsystems within the broader judicial organism. Any administrative failure, resource shortage, or careless behavior in the handling of tools, such as sacred texts, might potentially precipitate operational friction; this friction could, in turn, disrupt courtroom dignity, undermine the solemnity of oaths, and consequently compromise public trust and case outcomes (Cleve, 2021; Contini, 2023).

To strengthen its practical utility, this systemic perspective is combined with the Inherent Power Jurisdiction Doctrine, which states that superior courts possess a natural, unwritten authority to issue necessary orders and establish practical rules to preserve their own institutional dignity, maintain order, and prevent the abuse of court processes, even when explicit statutory laws are entirely missing. Within an active courtroom setting, this means that judges and high-level administrators do not need to wait for Parliament to pass a new law before they take action to protect sacred texts. They can immediately use their residual authority to set strict handling rules (Gaffar, 2024; Vučić, 2018).

Systemic Management Theory is uniquely suited for this study because it shifts the analytical focus away from isolated errors by individual clerks and toward the broader organizational dynamics of the court system. It allows the researcher to analyze how macro-level governance challenges, such as missing administrative circulars from the Chief Registrar—directly shape everyday witness interactions and physical text damage. By explicitly defining how inputs, throughputs, and feedback loops interact, this dual framework provides a rigorous basis for diagnosing management inefficiencies and designing sustainable, respectful care strategies for Ugandan courts.

2. Literature Review

Objective 1: Judicial Residual Power and Administrative Governance

The strategic governance and administrative oversight of physical courtroom tools represent a crucial but under-researched management challenge within public sectors across contemporary sub-Saharan Africa. Judicial governance refers to the structural frameworks, policy guidelines, and internal accountability mechanisms used by courts to manage their physical assets and guide administrative staff toward preserving institutional order, efficiency, and public respect. In nations characterized by deep religious diversity and pluralistic legal histories, such as Uganda, this governance task is complicated by the need to manage items that carry deep spiritual meaning for the public within a secular state system (Musisi & Kiggundu, 2018).

Research across various public management contexts demonstrates that when institutional governance lacks clear, written quality control protocols, organizations frequently experience a breakdown of core asset protection systems and a decline in public trust. Scholars argue that the successful preservation of workplace tools requires an active, formal commitment from top management to define staff duties and monitor daily operations. Without explicit administrative guidelines, the care of essential workplace assets often becomes completely disorganized and neglected (Lavrijsen, 2013).

Furthermore, international comparative literature on public administration highlights that many developed judicial systems have successfully professionalized courtroom management by creating highly specialized asset tracking databases and strict handling rules for all non-documentary courtroom property (Reetz, 2010). In those advanced contexts, state administrative units provide clerks with detailed manuals that outline exact storage requirements, cleaning steps, and replacement timelines for every physical item used during trials.

In contrast, the public management landscape across many developing nations remains highly informal and reactive. Courts in these regions are often forced to operate with vague, outdated asset rules that fail to address the unique care required for sensitive items like religious books (Matovu, 2018). This lack of centralized administrative integration leaves individual courtrooms dependent on weak internal habits that are highly vulnerable to staff negligence, poor monitoring, and physical resource decay.

Objective 2: Policy Integration and Procedural Evaluation Gaps

Administrative policy integration is the primary management mechanism used to ensure that important operational tasks occur in a consistent, standardized, and highly accountable manner

across all units of an organization (Lavrijsen, 2013). In a well-managed public system, operational policies must establish explicit, step-by-step instructions for the daily care and handling of high-use physical items, preventing staff confusion and minimizing wear and tear. Literature within the field of organizational management notes that the true objective of policy integration is to remove ambiguity from daily routines, ensuring that every employee understands their specific role in maintaining the quality and security of organizational property.

However, achieving effective policy integration within public legal sectors in developing regions remains exceptionally difficult. In many sub-Saharan countries, court administrations operate without any formal administrative circulars or written rules regarding the care of the physical objects used during witness testimonies. This lack of standardization typically results in a total breakdown of quality control during active trial phases. Clerks are forced to manage high-use items based entirely on personal preference or unverified habits, leading to highly inconsistent and often unsafe handling practices across different court divisions.

Moreover, the evaluation of daily workplace practices in these settings remains heavily reliant on loose, uncoordinated supervision. Studies show that internal court inspectors focus their energy almost exclusively on monitoring high-level data points like case completion rates and financial fee collections, while completely ignoring everyday courtroom conditions and asset damage. This lack of systematic monitoring is directly linked to a complete absence of specialized facilities training for low-level court staff, most of whom receive no instruction in asset preservation, property management, or cultural sensitivity (UNESCO, 2012). While senior court officers are required to meet strict professional qualifications, courtroom attendants and clerks are often hired without any training in property care or workplace maintenance. This lack of preparation creates a major operational vulnerability within the court staff, which weakens organizational discipline, speeds up text degradation, and lowers the overall professional standard of the judicial environment.

Objective 3: Physical Infrastructural Protection and Courtroom Storage

The material quality of the physical workplace environment plays an essential role in transforming organizational policy goals into reliable, high-quality outcomes and strong institutional respect. According to international public facility management standards, the physical spaces where public services occur, including room layout, furniture quality, dedicated storage units, and climate control systems, serve as a primary driver of staff motivation, operational security, and community trust (UNICEF, 2010) [1] . Adequate physical infrastructure provides the essential material foundation required for employees to safely manage high-use assets, perform routine tasks without error, and protect valuable public property from environmental damage.

Despite the clear importance of strong facility infrastructure, empirical evidence across public sectors in many developing nations reveals a widespread crisis of material resource scarcity and poor storage setups (Peter et al., 2011). Because the vast majority of public legal centers operate within under-funded networks and face continuous budget shortages, they rarely receive adequate financial allocations for modernizing their physical storage spaces or buying protective gear for equipment. Consequently, many busy public buildings operate with severely broken facilities, characterized by overcrowded storage rooms, a total lack of secure asset safes, and highly dusty environments.

This systemic lack of infrastructural resources directly undercuts daily operational quality. Staff are forced to manage and protect delicate, high-use public property without access to modern storage cabinets, protective covers, or routine cleaning tools. Furthermore, facilities management research demonstrates that chronic structural deficits seriously undermine asset security and lower public respect for the organization (UNICEF, 2010) [2] . When a public facility lacks clean, well-ordered spaces and safe storage units, the items used to deliver public services decay rapidly, exposing the institution to public criticism and undermining its professional authority within the community.

3. Methodology

This study implemented a qualitative exploratory case study design to investigate the judicial practices, administrative frameworks,

[1] UNICEF. (2010). The child-friendly schools manual. UNICEF Division of Communication.

[2] UNICEF. (2010). The child-friendly schools manual. UNICEF Division of Communication.

and physical storage mechanisms governing the management of holy books within Ugandan courts. Qualitative case study methodology is uniquely suited for this inquiry, as it allows the researcher to conduct an intensive, contextual examination of complex organizational habits, internal staff behaviors, and subtle policy gaps that cannot be easily measured using numbers or statistical charts. The empirical research was explicitly centered within the High Court of Uganda located in the Kampala District, a high-volume urban judicial hub that handles a dense workload of civil, criminal, constitutional, and commercial trials requiring the continuous, daily use of diverse religious texts for witness oaths.

The target population for this empirical investigation comprised key judicial actors, including High Court judges, deputy registrars, division secretaries, senior court clerks, and active litigation advocates who regularly observe and participate in courtroom oath procedures. A purposive sampling strategy was employed to select participants across five distinct divisions of the High Court (Criminal, Civil, Commercial, Family, and Land Divisions). These specific divisions were selected because their daily trial schedules involve continuous witness testimonies and diverse religious populations, thereby facilitating the acquisition of comprehensive data pertinent to procedural oversight.

Across these five chosen divisions, a total sample size of ten key research participants was selected, comprising five senior court clerks, whose responsibilities encompassed the administration of courtroom resources, and five high-level judicial officers (judges and registrars), charged with the oversight of judicial proceedings. This balanced sample ensured that the study facilitated the ascertainment of both operational insights from subordinate personnel and policy perspectives from judicial leadership.

Participant Pseudonym	Institutional Role	Sampled Division	Years of Experience
JO-A	High Court Judge	Criminal Division	14 years
JO-B	Deputy Registrar	Civil Division	nine years
JO-C	High Court Judge	Land Division	16 years
JO-D	Deputy Registrar	Commercial Division	seven years
JO-E	Division Registrar	Family Division	11 years
CK-A	Senior Court Clerk	Criminal Division	eight years
CK-B	Court Clerk / Interpreter	Civil Division	12 years
CK-C	Senior Court Clerk	Land Division	six years
CK-D	Court Clerk	Commercial Division	10 years
CK-E	Lead Court Clerk	Family Division	five years

The primary method of data collection entailed the utilization of in-depth, semi-structured qualitative interview guides, which were administered individually and privately to all ten participants. These interview guides featured targeted, open-ended questions formulated to elicit detailed delineations of daily book management practices, concomitant storage conditions, internal staff friction points, and instances of judicial intervention predicated upon residual powers. To complement and triangulate the interview data, extensive document analyses were undertaken, reviewing the Oaths Act (Cap 19), relevant historical case files, court inspection checklists utilized by the Inspectorate of Courts, and administrative circulars issued by the Chief Registrar's Office.

Data were analyzed using an inductive thematic analysis framework. All audio-recorded interviews were transcribed verbatim and subsequently subjected to iterative close readings for the generation of initial open codes. These codes were iteratively grouped into broader conceptual categories and analyzed to discern major overarching themes that demonstrably aligned with the study's core research questions.

4. Interview Findings per Variable / Objective

Objective 1: Judicial Residual Power and Administrative Frameworks

The empirical data collected from the field interviews appear to indicate that the administrative frameworks governing holy books in the High Court of Uganda are characterized by a notable structural ambiguity and a discernible absence of proactive quality control. High Court judges and registrars consistently reported that, while their recognition of inherent authority to safeguard courtroom order persists, they seldom utilize this residual power to monitor, or indeed protect, the physical condition of religious texts, which may suggest a notable disjunction.

Participants indicated that, in the absence of explicit written directives from the Chief Registrar's Office, the daily custodianship of these items appears to be largely overlooked by managerial oversight. Participant **JO-A**, a senior High Court judge, described this governance vacuum clearly, stating:

"The hard truth is that holy books are invisible to our formal management systems. We have strict, computerized tracking procedures for our case files, and we guard our law volumes carefully. But the Bibles and Qurans are just left floating around. There is no administrative circular, no budget line for their maintenance, and no inspection checklist that ever mentions them. We only think about them for two minutes when a witness stands up to swear, and then they are forgotten."

This total lack of administrative integration directly undercuts courtroom quality assurance and devalues the solemnity of the oath process. Furthermore, participants highlighted that this management neglect creates sudden friction points during trials, especially when conservative religious witnesses object to the dirty or damaged condition of the books.

The data indicates that because the judiciary provides no specialized training or specific instructions to court clerks, individual attendants handle these sacred items carelessly. Clerks frequently treat them as cheap piece-rate equipment rather than sacred objects that hold deep meaning for the community and serve as a pillar of judicial integrity.

Objective 2: Policy Integration and Procedural Evaluation Gaps

The second major finding isolates a complete absence of policy integration and standardized handling protocols during active trial phases. While all 10 participants confirmed that witness oaths strictly follow the text requirements outlined in Section 5(1) of the Oaths Act, they admitted that the physical care, cleaning, and procedural evaluation of the books is entirely uncoordinated and arbitrary[1]. Participant **CK-B**, an experienced court clerk, explained these operational challenges:

"We do not have any uniform rules or handling guides for these books. When court ends, I just grab the Bible and the Quran together and stuff them into the bottom drawer of my desk along with old newspapers, broken pens, and lunch wrappers. No one ever cleans them, and no one checks their condition. I know that in Islam, nothing should ever be placed on top of the Quran, but when space is tight, we just pile everything up haphazardly because we have no alternative guidelines."

Documentary analysis of internal court checklists confirmed that court inspectors never evaluate the physical condition or storage setup of religious books. This complete lack of policy integration leads to severe text degradation and creates a double standard in courtroom administration.

While legal documents are carefully bound, tracked, and protected from dust, holy books are left to decay in unsafe conditions. Furthermore, the interviews revealed a deep professional gap among courtroom staff; clerks receive detailed instructions on managing case files but are left completely untrained regarding cultural and religious rules, leading to continuous, unintentional violations of public religious values (Musisi & Kiggundu, 2018).

Objective 3: Physical Infrastructural Protection and Courtroom Storage

The third critical theme identifies a persistent crisis of material resource scarcity and substandard physical storage infrastructure across all sampled court divisions. Court clerks and registrars repeatedly emphasized that their courtrooms lack the basic physical platforms, protective gear, and dedicated storage units needed to protect high-use religious texts from rapid environmental decay. Participant **CK-D** highlighted these severe infrastructural limitations, stating:

"Our storage cabinets are broken, damp, and completely overcrowded with old files from past years. We do not have separate shelves, protective plastic

[1] Government of Uganda. (2008). The Oaths Act, Chapter 19. Law Development Centre.

covers, or clean boxes for the holy books. They sit directly on the witness stand all day, absorbing sweat, grease, and dirt from hundreds of different hands. We are attempting to run a modern High Court division, yet we cannot provide a single clean, secure wooden box to protect the most sacred books used in our justice system."

The interview transcripts reveal that this lack of material resources directly discourages staff and reduces the overall professional quality of the courtroom environment (Peter et al., 2011). Participants noted that because divisions depend on a centralized, slow procurement network that prioritizes standard legal stationery, there are no financial resources available to buy custom book stands or silk protective cloths.

This financial neglect leads to rapid text tearing, detached covers, and heavy dust accumulation, which deeply damages the court's image when religious leaders or litigants look at the witness stand. Additionally, document reviews indicated that this visible neglect of sacred texts is a major cause of growing public dissatisfaction and a loss of trust among religious court users[1].

5. Discussion

5.1 Discussion of Judicial Residual Power and Administrative Frameworks

The empirical findings regarding strategic governance reveal that the lack of centralized regulatory integration and the ongoing failure to utilize judicial residual powers severely weakens the internal quality assurance systems of Ugandan courts. This structural ambiguity directly mirrors the broader public administration challenges documented across sub-Saharan Africa, where state inspection frameworks often overlook the maintenance of non-documentary property and cultural assets (Owoyemi & Ali, 2015). Public management scholarship establishes that when an organization is forced to operate without explicit, written rules for its high-use tools, it naturally experiences internal management confusion, a loss of strategic focus, and a total breakdown of staff accountability metrics (Lavrijsen, 2013).

As the field data highlights, court clerks are left with the burden of managing these sensitive items on an ad-hoc basis, lacking any coherent national guidelines or administrative circulars to shape their choices. This management vulnerability is further intensified by a narrow focus within the judiciary's leadership, which measures performance solely through statistical data points like case completion rates while completely ignoring everyday courtroom conditions and asset decay.

To escape this cycle of administrative neglect, court administrations must move away from these informal, reactive management practices and transition to a professional co-governance and strict inspection model. This necessary shift is strongly supported by global best practices in public facilities and judicial asset management. For instance, comparative studies from advanced legal systems demonstrate that successful courtroom property governance depends on creating formal administrative circulars and embedding clear asset checklists into routine staff audits (Reetz, 2010).

In those highly effective systems, the top management provides clerks with specific instruction manuals and holds them directly accountable for the physical condition of all courtroom tools. Implementing a similar, formalized asset governance framework in Uganda would provide court leaders with the clear protocols, stable funding channels, and streamlined management metrics required to protect courtroom dignity, enforce staff discipline, and ensure long-term public trust in the justice system (Ssekamwa & Lugumba, 2000).

5.2 Discussion of Policy Integration and Procedural Evaluation Gaps

The severe lack of policy integration and standardized handling protocols during trials presents a profound barrier to quality asset protection within the High Court. This operational disorganization stems from a deep reliance on loose, unexamined routines, where individual clerks are left to manage sensitive religious texts based entirely on personal convenience or unverified habits. Within the broader literature on organizational management and quality control, it is widely recognized that the absence of standardized, step-by-step instructions inevitably results in extreme variations in service quality, rapid property wear and tear, and widespread staff negligence (Lavrijsen, 2013).

As the field data demonstrates, attempting to manage high-use religious books without formal cleaning schedules or separate storage units

[1] Uganda Bureau of Statistics. (2016). National population and housing census 2014. UBOS.

results in severe text degradation, direct exposure to dust, and continuous, unintentional violations of community values, such as placing secular files directly on top of the Holy Quran (Musisi & Kiggundu, 2018).

Furthermore, this challenge is seriously exacerbated by the deep professional gap that exists between high-level document care and the complete neglect of non-documentary courtroom tools. While clerks receive intensive training and clear electronic systems to track and process case files, they are left completely untrained regarding basic asset preservation, property maintenance, or cultural sensitivity (UNESCO, 2012). This lack of preparation often leads to careless behaviors, such as stuffing sacred books into cluttered desk drawers alongside personal trash and food wrappers, which directly lowers the professional standard of the courtroom.

To address this operational crisis, court administrators must design and implement specialized professional development modules tailored specifically for lower-level court staff. Facilities management research confirms that when public employees receive formal training in asset care and property respect, they replace careless habits with safe, disciplined workplace routines [1] . Furthermore, establishing a centralized, written handling policy—including strict rules for regular text cleaning and mandatory separation from secular documents—would optimize daily courtroom operations and ensure that the administration of evidentiary oaths remains a highly respected and reliable process that fully supports the moral authority of the judiciary[2].

5.3 Discussion of Physical Infrastructural Protection and Courtroom Storage

The empirical evidence regarding severe infrastructural decay and critical shortages of modern storage materials illustrates a major material obstacle to quality asset care within Uganda's legal sector. This material crisis is deeply rooted in the broader political economy of public sector funding in developing nations, where capital budgets are routinely concentrated on buying standard IT equipment or building large offices, leaving everyday courtroom storage and maintenance completely under-funded (Peter et al., 2011).

According to established public facilities management theory, the physical environment of a public office serves as a primary driver of institutional authority and community respect[3]. The structural quality of storage cabinets, the presence of separate shelving units, and the availability of protective gear directly shape the motivation levels, physical discipline, and asset protection outcomes of public employees. When a public facility is trapped in a state of chronic resource scarcity, it severely limits the operational capacity of its staff, preventing them from protecting valuable assets and forcing them to rely on unsafe, ad-hoc storage setups inside cramped, damp spaces.

Furthermore, the data highlights that chronic resource shortages create severe risks for institutional reputation and public trust. The total lack of secure, custom wooden boxes, clean book stands, or protective plastic covers within busy High Court divisions leads to rapid physical damage, detached book covers, and heavy dust accumulation on the witness stand. This visible neglect directly violates national commitments to institutional excellence and erodes the confidence of religious citizens who expect state systems to treat their sacred texts with deep respect[4].

Operating without basic modern protective gear leaves high-use books exposed to constant sweat and dirt from hundreds of different hands, speeding up text damage and lowering the professional quality of the trial environment. To break this cycle of material deprivation, judicial management boards must actively pursue alternative procurement and budgeting strategies (Matovu, 2018). They must move away from a narrow focus on standard legal stationery and establish dedicated budget lines for courtroom asset protection, while state regulatory bodies must update their facility inspection checklists to include strict metrics for storage quality and material care. Buying custom storage cabinets and protective covers is a vital investment required to transform courtrooms into highly disciplined, respectful public environments that fully protect public property and reinforce community trust in the

[1] UNICEF. (2010). The child-friendly schools manual. UNICEF Division of Communication.

[2] Government of Uganda. (2008). The Oaths Act, Chapter 19. Law Development Centre.

[3] UNICEF. (2010). The child-friendly schools manual. UNICEF Division of Communication.

[4] Uganda Bureau of Statistics. (2016). **National population and housing census 2014**. UBOS.

administration of justice[1].

6. Conclusions and Recommendations

6.1 Conclusions

The empirical evidence generated by this study leads to the conclusion that while the use of holy books within Ugandan courts represents an essential structural link between public faith and legal truth-telling, the long-term protection, respect, and quality management of these sacred tools remain severely compromised by deep administrative and structural deficits. The total absence of a centralized, state-approved management policy and the ongoing failure to use judicial residual powers keep the care of religious texts entirely isolated from the judiciary's formal quality assurance networks. This lack of integration results in highly inconsistent staff behaviors, missing administrative circulars, and a complete breakdown of management oversight across court divisions.

Furthermore, the widespread absence of integrated handling rules and standardized protocols for court clerks may compromise the integrity of judicial proceedings. This deficit perpetuates operational inefficiencies, characterized by the unsystematic custodianship of frequently utilized texts; these are often stored in unsuitable receptacles alongside personal effects and managed without adherence to fundamental theological tenets. Such practices, it is suggested, may invariably compromise judicial decorum and diminish public esteem.

Finally, the severe shortage of material resources, characterized by overcrowded, damp cabinets, a lack of protective covers, and missing book stands, acts as a major physical barrier to proper asset preservation. This infrastructure crisis accelerates the deterioration of texts and potentially undermines the solemnity of sworn testimony. Ultimately, without the systematic remediation of these foundational managerial, policy, and material deficits, a process necessitating formal administrative directives and comprehensive structural professionalization, it is posited that these institutions will invariably struggle to cultivate an environment of exemplary discipline and respect, thereby failing to preserve public assets adequately and to uphold the constitutional integrity of the judicial system.

6.2 Recommendations

Based on the empirical findings and conclusions of this study, the following four targeted recommendations are proposed to advance the strategic management and quality assurance of courtroom asset care in Uganda:

1) **Issue National Administrative Circulars on Holy Book Management:** The Chief Registrar, operating in direct coordination with the Inspectorate of Courts and the Rules Committee, ought to undertake the immediate drafting and issuance of a comprehensive administrative circular regarding the preservation of sacred texts. This policy directive necessitates the formal establishment of unequivocal protocols for asset stewardship across all court levels, delineating precise personnel responsibilities and integrating explicit textual condition assessments within the judiciary's established quality assurance frameworks.
2) **Standardize Courtroom Handling Protocols and Professionalize Staff Training:** The Judicial Training Institute (JTI) ought to undertake the design and implementation of compulsory, concise professional development modules centered upon asset preservation and cultural sensitivity, intended for all judicial support staff, including court clerks, attendants, and interpreters. These training sessions are anticipated to formalize standardized, written handling protocols, such as: mandatory hand-washing regimens, systematic dust-removal procedures, and stringent prohibitions against the placement of secular case files or personal articles upon the Holy Quran or other sacred texts.
3) **Deploy Dedicated Procurement Funds for Protective Infrastructure:** The Judiciary's Permanent Secretary and procurement unit should consider the allocation of a dedicated, safeguarded budgetary provision within the facilities management fund for the acquisition of specialized protective infrastructure catering to all operational courtrooms.

[1] The 1995 Constitution of Uganda as Amended.

These public resources are intended for the procurement of custom-fabricated wooden or glass storage enclosures, dedicated shelving units exclusively for sacred texts, suitable metallic or wooden lecterns for witness tables, and premium protective plastic coverings designed to mitigate the effects of grease, perspiration, and environmental degradation on frequently accessed texts.

4) **Institutionalize Weekly Division Audits and Governance Practices:** Local division registrars and senior clerks are advised to discontinue casual, unmonitored storage methodologies and establish disciplined, transparent management frameworks within their respective divisions. Court divisions ought to initiate mandatory weekly physical inspections of all courtroom texts, uphold comprehensive documentation of text conditions, and facilitate the prompt replacement of damaged or substantially deteriorated volumes, thereby contributing to the mitigation of personnel oversight, the safeguarding of public assets, and the reinforcement of profound community confidence in the administration of justice.

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