THE POLITICS OF PUBLIC POLICY DECISIONS IN LOCAL GOVERNMENT IN UGANDA

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ACRONYMS

ACI	Actor Centered Institutionalism
CAO	Chief Administrative Officer
DCAO	Deputy Chief Administrative Officer
DEC	District Executive Committee
DLG	District Local Government
DRB	Domestic Relations Bill
DSC	District Service Commission
GT	Graduate Tax
IMF	International Monetary Fund
LC	Local Council
LG	Local Government
LGA	Local Government Act
MoLG	Ministry of Local Government
MP	Member of Parliament
NRM	National Resistance Movement
RC	Resistance Council
RDC	Resident District Commissioner
SAS	Senior Assistant Secretary
UNDP	United Nations Development Programme
URN	Uganda Radio Network
WB	World Bank

ABSTRACT

This thesis examines the question of social, political and economic factors that influence public policy decisions in Uganda's local government. Since local government is decentralised, the study explores these factors within this arrangement in order to find out how public policy decisions are made considering the many actors that the policy incorporated from within and outside government. I explore the institutional and structural set up of local government and how it works, the process through, which decisions are made, which actors are involved and the dynamics that come into play. In addition I examine the environment under which local government operates. I use one research strategy namely qualitative analysis of empirical data collected in four districts. Data was majorly collected through face to face interviews, focus group discussions and participatory observation, but also supplemented by archive material and media reports.

The study observes that the complex nature of decentralisation facilitated the establishment of power centres which then served as avenues of dominion. On the other hand the embracement of non-state actors such as religious and traditional leaders did not only diversify the groups of actors therein involved, but also granted them the opportunity to penetrate the decision making cycle. Often times, each of these actors represent different interests. Decentralisation thus created opportunities and possibilities that may not have been available to certain actors prior to it. Therefore understanding how public policy decisions are mapped necessitates knowledge of socio-political and economic factors surrounding decision makers. Politically, the atmosphere is characterised by power struggles, arbitrary use of power, patronage networks, and concentration of power in the executive. The economic environment is characterised by heavy dependence where local government rely on remittances from central government, which also relies on foreign aid. The local government council which is the decision making body is incapable of making policy decisions which it can implement because local government does not have the financial power to do so. The country's humble economic state implies that politicians too may be caught in the poverty cycle hence have to depend on external sources to fund their access and/ or stay in power. The social environment is occupied by resilient non-state actors who command high social acceptance. The amalgamation of actors from within and outside government amid weak formal institutions translates into uncertainty. I argue that local government in Uganda operates under unpredictable social, political and economic environment making the process of decision making equally volatile. As a result public policy decisions take the form of neo-

patrimonialism as actors endeavour to accommodate each actor's interests. Therefore although legal instruments such as the Local Government Act and the constitution grant local government the authority to make policy decisions within their area of jurisdiction, the conditions under which they operate do not facilitate this autonomy. These findings challenge the argument that through redistribution of power decentralisation empowers local government to make policy decisions and facilitates inclusive decision making. Such arguments under look the discrepancy between the legal provisions and the practice thereof hence do not have a universal application. As illustrated in Uganda, public policy decisions are a prerogative of a few powerful actors within and outside government.

CHAPTER ONE: INTRODUCTION

1.1. Research Background

For several decades developing countries world over have implemented and/ or are still executing decentralisation. The policy, which stands for power sharing between central and Local Government (LG) has its appeal rooted in its assumed benefits. Among these are promoting democracy and development and above all increasing people's opportunities for participation in economic, social and political decisions (Agrawal and Ribot, 1999:3; Steiner, 2004: 11). The rational for decentralisation differs from continent to continent, but in most African countries it was an attempt to restructure the public sector in order to reduce central government dominance, make LG more effective and improve service delivery (Steiner, 2004). Nevertheless contemporary studies show that decentralisation is a complex and multifaceted phenomenon that may yield both positive and negative effects depending on how it is designed and implemented. It is a complex adaptive process, in which actors draw upon the activities of others and their rules to negotiate and renegotiate their unequal power relations. The decentralisation experience varies from one country to another (Ribot, 2004). Its 'bottom-up' versus 'top-down' perspective presents a partial and split view of power sharing. As such it is arguable that to some extent, decentralisation reinforces existing inequities. In Uganda, the drive for decentralisation was based on the urge to bring social services and government nearer to the people. The main thrust of this dissertation is thus the study of the discrepancy between the legal provisions regarding public policy decisions and the practice thereof at the level of LG in Uganda. The study acknowledges the fact that rules cannot be systematically followed to the dot, but in examining the discrepancy, the study sets a high standard only to show how things are done. Uganda offers a very interesting case because its decentralisation policy is very ambitious both in scope and degree of power transfer, for instance, locally elected councilors are in charge of LG affairs. The year 1996 was a turning point in the history of local administration in the country as it marked the introduction of decentralisation. Decentralisation was perceived as a 'promise' that would redeem LG from the wrath of central government. It contained a number of broad prospects such as promoting good governance, democracy and increased political participation. The assumption was that, this paves way for a functional, efficient and effective LG system. Decentralisation thus implied total transformation of LG and empowerment of local communities to participate in decision making of matters that affect their daily lives. In the

perspective of this study, the most enthusiastic promise of this policy was devolution which, meant transfer of both executive and legal powers from government[1] to LG. Devolution, granted LG the autonomy to make policy decisions within their area of jurisdiction. By so doing, LG would be able to better understand the needs of local communities thus addressing them accordingly. Moreover this would promote accountability and transparency in LG.

Achieving this necessitated both structural and institutional changes. Institutionally an act of parliament—Local Government Act (LGA) spelling out the system, rules and regulations and functions of LG was instituted. The functions included the following; (i) exercise political and executive powers and functions, (ii) provide services as it deems fit, (iii) protect the constitution and other laws of Uganda and promote democratic governance and (iv) to ensure the implementation and compliance with government policy. In addition LG was renamed to District Local Government (DLG)[2]. Structurally it comprised of five pyramidal levels known as Local Councils (LCs) formerly Resistance Councils. New agents of government such as the office of the Resident District Officer (RDC) were created coupled with a clear establishment of the political and administrative wing also known as technical[3]. The political wing consists of directly elected and appointed politicians. These changes were designed to reconfigure LG into economic establishments other than mere institutions of governance.

As per the LGA, the primary responsibility of making policy decisions rests with the district LG council and sub-county council respectively. Councils may also delegate some decision-making responsibility to specific committees such as the public procurement committee, district service commission, accounts committee et cetera. Given the seemingly shining prospects of this policy, LG looked forward to being able to make and implement their own policy decisions. Nevertheless, the institutional restructure that resulted from this system transformed the decision making processes in Uganda's LG arena into a complex system filled with various actors representing different and sometimes conflicting interests. The grim reality presently, is that decentralisation does not necessarily facilitate inclusive decision making by local communities. As opposed to this assumption, it has facilitated the emergence of powerful actors who exploit the system to endow themselves at the expense of the community they are supposed to serve. As a result, public policy decisions are filled with

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[1] In the context of this study, government refers to central government.
[2] In this study District Local Government (DLG) is simply referred to as Local Government (LG) and stands for both singular and plural
[3] During the field study, respondents referred to the administrative wing as technical and its personnel as technocrats. This study uses the two terms (administrative & technical/technocrats) interchangeably

'politics', and do not necessarily reflect public interest, but those of powerful actors within and outside government structures. Politics in this context means tactics.

This research is interested in investigating the politics of public policy decisions in a decentralised LG setup, which is part of the process of ensuring implementation and compliance with government policy. Colebatch (2006:311) defines policy as 'a process leading to a known and intended outcome: it is a collective attempt to construct a policy in order to address some evident problem. Public policy is thus 'a system of laws, regulatory measures, courses of action, and funding priorities concerning a given topic promulgated by a governmental entity or its representatives' (Evans, 2008:vii). By politics of public policy decisions I mean the dynamics that inform the decision making processes on matters of public policy given the heterogonous nature of actors and institutions therein involved. According to Colebatch (2006) decision making is driven by emotion, imagination and memories of decision makers and when actors have different opinions, the process becomes even more complex. I set out to interrogate public policy decisions in a decentralised LG set up because it occupies an important place in the political landscape of the country both at local and national levels. Moreover, there is hardly any research done on policy decisions in a decentralised LG environment yet this is an area that directly concerns people's livelihoods. Most scholars have directed their efforts in evaluating the performance of decentralisation and assessing its relationship with democracy, development, improved service delivery and poverty eradication. Others have focused on decentralisation of some sectors such as natural resources, tax collection et cetera (see Ribot, 2001; Kulipossa 2004). The dynamics of public policy decisions in a decentralised LG remain a virgin area thus the impetus of this study. In this regard, I set out to explore the following general research question;

1. What are the social, political and economic factors that influence public policy decisions in Uganda's Local Government?

The general question is unpacked in the following manner;

(i)   In what social, political and economic context do LG operate in Uganda?

(ii)   What is the institutional structure of LG and how does it function?

(iii)   How does this institutional structure influence public policy decisions?

(iv)   Who are the most important and influential actors in public policy decisions?

(v)   How do these actors influence public policy decisions?

(vi)   How do actors and institutions interact in the processes of making public policy decisions?

In order to answer these questions, there is need to understand the structure of LG and how it works. As already stated, LG in Uganda is decentralised with its foundation located in article II (iii) of the 1995 constitution. It states that:

> The state shall be based on democratic principles which empower and encourage the active participation of all citizens at all levels in their own governance. The state shall be guided by decentralisation and devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their affairs (The Republic of Uganda, 1995).

Article 176 (2) of the same constitution further spells out the operational procedures, structure and principles of decentralisation as follows:

a. The system shall be such as to ensure that functions, powers and responsibilities are devolved and transferred to local government units in a coordinated manner.

b. Decentralisation shall be a principle applying to all levels of local government and in particular, from higher to lower local government units to ensure people's participation and democratic control in decision making.

c. The system shall be such as to ensure the full realisation of democratic governance at all local government levels.

d. There shall be established for each local government unit a sound financial base with reliable sources of revenue.

e. Appropriate measures shall be taken to enable local government units to plan, initiate and execute policies in respect of all matters affecting the people within their jurisdiction.

f. Persons in the service of local government shall be employed by the local governments.

g. The local governments shall oversee the performance of persons employed by government to provide services in their areas and monitor the provision of government services or the implementation of projects in their areas.

Article 176:3; 181:4 of the 1995 constitution of the republic of Uganda indicates that under this system, the district LG is comprised of democratically elected members who serve for a period of five years. All the five levels of LG are headed by Local Council chairpersons. The village is the smallest unit of local governance while the district is the highest. The parish is the second unit of administration and is made up of a number of villages while the sub county is made of several parishes. It is important to note that not all the five tiers are treated as LG.

Major LG activities take place at local council III and V hence these are the two LG institutions. LCII and LCI are considered administrative units while the county (LC IV) is represented by a Member of Parliament. In terms of policy making, the MP is a member of the national policy making body (parliament). Because of their elective positions, local councillors including chairpersons are supposed to be accountable to their electorates. The LG council is the highest political authority in its area of jurisdiction. The councils are corporate bodies having both legislative and executive powers. This implies that they can make and execute decisions. This mandate is however limited to only decentralised functions such as primary and secondary education, primary health care, environment sanitation and vector control. In addition they have powers to make local laws and enforce implementation. Councillors are forbidden from holding two political offices. All matters pertaining national policies for example on arms, ammunition and explosives, defence and security, banks, banking, promissory notes, currency and exchange rates control, taxation, citizen immigration, emigration, refugees, deportation, extradition, passport and national identity cards as well as policies on health, education, judiciary and agriculture are the responsibility of government (LGA,1997:696-700).

On the other hand Administrative Unit Councils are not corporate bodies, but serve as political units to advice on planning and implementation of services. They assist in the resolution of disputes, monitor the delivery of services and assist in the maintenance of law, order and security. The distinct difference between LG councils and administrative unit councils is that the former is a body corporate with perpetual succession and a common seal while the latter is not (CAP 243:6; i). A significant element of this decentralisation is the level of devolution. For instance, the LG executive committee has the power to initiate and formulate policy for approval by the council; monitor and oversee the implementation of policies and programmes; and recommend to the council persons to be appointed members of statutory commissions, boards and committees. This denotes that, for once LG have power, autonomy and authority. This means that they can manage all matters of governance at local level such as electing their own leaders and to play an active role in policy formulation and implementation.

Implications of the new arrangement on LG are such that they are able to take charge of public policy decisions, regulate service delivery and formulate development plans based on locally determined priorities. They can also receive, raise, manage and allocate revenue through approval and execution of own budgets; alter or create new boundaries; appoint

statutory commissions, boards and committees for personnel, land, procurement and accountability; as well as establish or abolish offices in public service of a district or urban council (CAP 243: 30). Accordingly, the Act establishes two wings of LG as depicted in the graph below.

Figure 1: The Structure of District Local Government
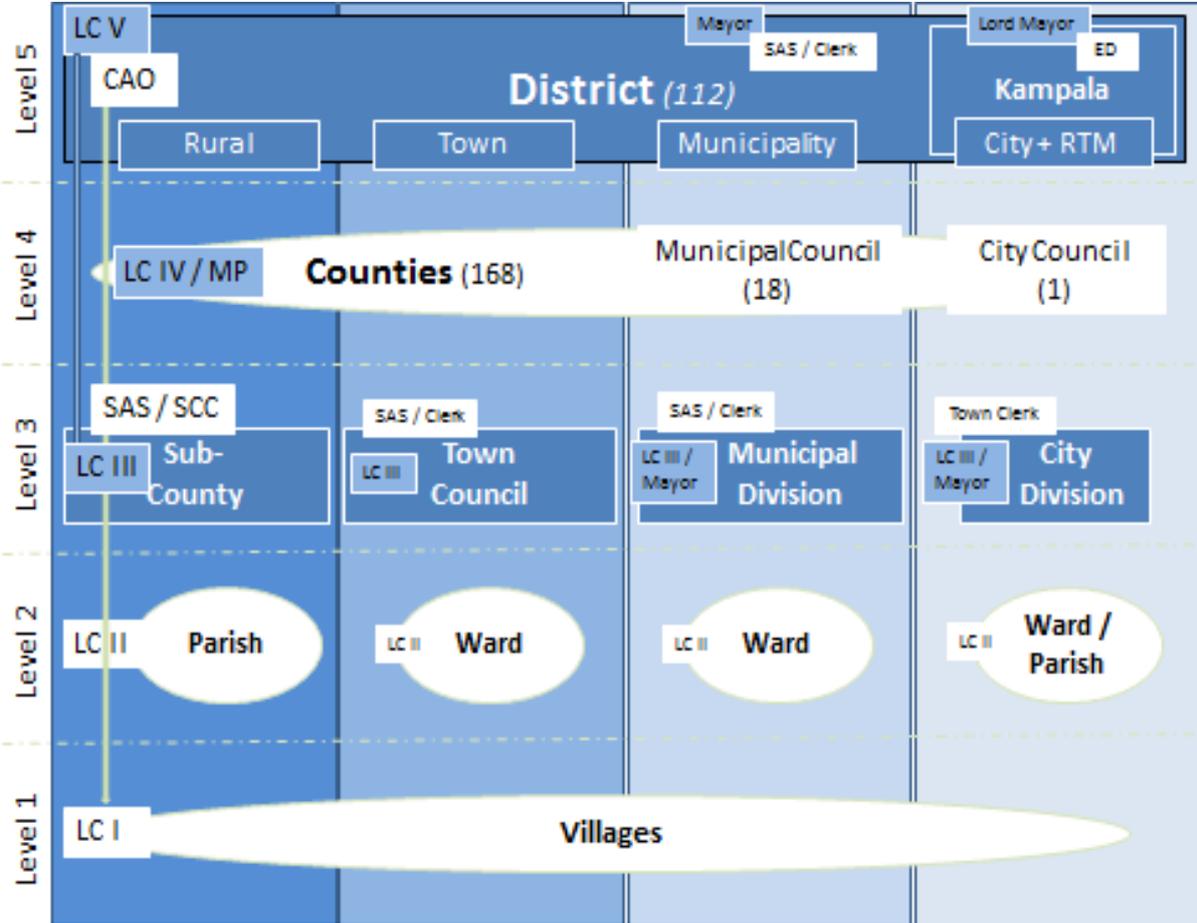
Key

1. Organisation

District	A: Local Government
County	B: Administrative Unit

2. Role

LC V **C1: Political Actors**
LC V/IV/III: Local Council Level V/IV/III chairperson
MP: Member of Parliament
Mayor: Mayor of a City / Municipality

CAO **C2: Non Political Actors**
CAO: Chief Administrative Officers
LC II/I: Local Council Level II/I
DCAO: Deputy Chief Administrative Officers
ACAO: Assistant Chief Administrative Officers
SCC: Sub-County Chief
SAS: Senior Assistant Secretary
ED: Executive Director

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The political wing is composed of directly elected members (politicians), while the technical wing is composed of administrators namely the CAO, Deputy CAO (DCAO) and Senior Assistant Secretaries (SAS). Although these are employees of the LG, the Public Service Commission (PSC) which is the national recruiting body for civil servants is responsible for the recruitment of CAOs and DCAOs, while the District Service Commission (DSC) recruits the SAS. The two wings are supposed to complement each other. This structure is replicated in both levels of LG—district and subcounty, but also replicates the central government.[4] Having explained the LGA, it is clear that the both the structure and legal provisions are strategically designed towards the achievement of the objectives of decentralisation. But besides actors spelt out in the Act, the constitution provides for appointment of other actors like the RDC and the Gombolola (Sub County) Internal Security Officer (GISO) whose duties and roles sometimes overlap those of the LCV and LCIII (see 4.4). Notably although the RDC and GISO are constitutionally responsible for security matters at district and subcounty level respectively, there have been instances when they engage in executive duties some times over ruling policy decisions made by the LG council (see 5.5.4). In the context of decision making, this arrangement provides the impetus for this study—to explore the balance between rational-legal logic and private discretion of these many actors.

Whereas it is not unusual for decision makers to bend legal provisions, the Ugandan case offers rather a different dimension. As shall be presented in the empirical chapters the law often applies when it suits ones interests. In addition, policy decisions are not a privilege of policy makers or of actors within government apparatus. As this study found out, public policy decisions are often influenced by use of power herein referred to as micro-hegemony, elite domination, use of money and subjection to external forces such as non-state actors. A crucial element to this effect is the balance between public and private actors on the one hand and state and non-state institutions on the other. Because LG is directly concerned with local communities, the idea of participation in policy decisions raises complex ethical issues such as conflict of interest between public duty and private interest. This often raises questions of trust and integrity in the minds of the voters especially when actors therein attempt to use their public position to influence or gain unlawful benefits for themselves or for those known to them. Although decentralisation was meant to address such shortfalls, not much has been achieved to this effect. Its complex nature established more power centers attracting a host of

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[4] For further details on the structure, institutions and actors in LG see 4.4.2

different actors from within and outside government. Therefore public policy decisions have to take into account the presence of these many divergent persons and groups of people whose interests often differ.

The indispensability of national government at all levels is not debatable. However, this study opted to focus on LG as it operates at the grassroot level where local communities are directly concerned. In addition, although national governments craft public policies, policy decisions made by LG affect everyone in the community in some way. It is these decisions that determine what services will be provided to the residents, the level of service delivery and the kind of development that will occur and define the future of a given community.

The study takes an Actor-centered Institutionalism (ACI) approach which specifically focuses on the interface between actors and institutions in policy studies (Mayntz & Scharpf, 1995; Scharpf, 1997). Moreover the approach emphasises the use of empirical data collected for each case. This heuristic framework of ACI offers a conceptualisation of the role of institutions in public policy-making (see chapter two). It recognises actors as key players in policy decisions and argues that institutions establish different formal and informal rules for politicians and interest groups seeking to enact or block policies. These rules have a bearing on political efforts, affecting how much influence different actors exert by increasing or decreasing their role in the policy-making process. The approach further lays emphasis on understanding the institutional setting in conducting policy studies. It contends that, social phenomena are a result of interactions among intentional actors.

1.2. Structure of the Thesis

This study documents the results of an analysis of the dynamics of public policy decisions in LG in Uganda. Bearing in mind the diversity of actors and institutions, it presents factors that influence public policy decisions. The thesis consists of two parts. Part one is comprised of four theoretical chapters while part two provides the empirical findings presented in four chapters and a conclusion. As already seen chapter one lays the foundation of the thesis providing a brief background to the study, detailing the problem statement and the respective research questions.

Chapter two provides a conceptual and theoretical framework. The first part of this chapter discusses LG, decentralisation and the making of public policy decisions. This section explores some of the main assumptions associated to decentralisation and examines their

relation and/ or practicality in decision making. The second section discusses decentralisation as experienced by different African countries and further details the Ugandan experience. It argues that the policy has faced divergent challenges and has not necessarily improved community participation in policy decisions as intended. The second part discusses the theoretical approach—Actor-centered Institutionalism. This section defines institutions and explores actors and institutions in the context of this study.

Chapter three provides a detailed discussion of the methodology. It presents the research approach, research design, sampling and data collection and analysis techniques. It provides highlights of the ethical principles that were taken into consideration during the field research.

Chapter four situates the research in the context of the political history of Uganda by providing a historical overview of the country. The history of LG is reconstructed in four phases namely pre-colonial, colonial, post-independence and the National Resistance Movement (NRM) era, which is the focus of this study. This is necessary in providing insights into LG over the different periods and how decision making was conducted. The claim made here is that in order to understand public policy decisions in LG, it is important to understand the country's socio-political history, which demonstrates a connection between public policy decisions and power/ resources. It describes the struggle and transformations that have bounded LG over the four phases including conflicts that led to the breakdown of the administrative system. It concludes by showing a transition to decentralisation as a system of LG and this leads to empirical findings.

Chapter five opens the discussion of the empirical findings. It examines the idea of constitutional leadership and the practical experience in Uganda including the conceptualisation of laws by actors. Like the rest of the chapters that follow, this chapter seeks to answer the main and sub research questions. The chapter starts with an explanation of what I call micro-hegemony, how it is established and how it influences decision making processes in LG. It explores the creation of power centres and powerful actors, and shows how these power centres have become avenues for the exercise of micro-hegemony. In order to get a proper understanding of how micro-hegemony functions, the chapter examines its application on four main areas namely; personnel recruitment, financial decisions, tendering process and the making of by-laws. Also examined in this chapter is the emergence of what I call musevenism and the tendency towards recentralisation of LG within a decentralised system. Based on the findings of this study, I argue that public policy decisions in LG are

influenced by the exercise of micro-hegemony which is often used to advance the interests of powerful actors within and outside government apparatus. As a result, the decision making process is a complex one and goes beyond constitutional provisions.

Chapter six examines LG in a decentralised context. It examines participation and its implication on decision making. The chapter does not make a case for decentralisation neither does it discuss its merits or demerits; rather it shows how different actors interact and/ or participate in making policy decisions against the background of existing formal procedures. To start with, the chapter examines decentralisation as a pathway for political participation in order to find out if there is any change. It further explores the impact of decentralisation on representation. The chapter further discusses the phenomenon of district creation and its impact on LG. Using the challenges of LG as the point of departure, it provides an assessment of how the acclaimed benefits of decentralisation especially policy decisions have remained a privilege of a few individuals and/ or groups of people. I argue that contrary to the promise of decentralisation, the process of decision making in LG is far from being inclusive while public policy decisions do not necessary reflect public interest. The developments that followed decentralisation such as the abnormality of creating new districts have further suffocated the system leading to a power capture by a few groups of actors. Furthermore, although decentralisation increased community participation it has not translated into real community involvement in policy decisions, instead it has contributed towards what I call soilisation, which is now partially the basis of decision making in LG.

In chapter seven I discuss what I call 'Monetarised Local Government'. The discussion is centered around the role of money and its influence on policy decisions. The chapter has five sections. The first section discusses the practice of neo-patrimonialism in decision making and its impact on policy decisions. The second section goes into detail to explore monetisation of LG activities. A clear picture of this trend is illustrated in the section titled 'something for something' syndrome. Here the discussion is centered on, allowances and facilitation for councillors and money as a factor in human resources attraction and retention. Section 7.4. explores the aspect of economic liberalisation with specific focus on privatisation and its implications on LG. Section 7.5 examines land as an economic factor while 7.6 examines the role of multilateral organisations like the World Bank and the IMF. The main argument presented in this chapter is that monetisation of politics in the country, denotes that money is the pillar for all policy decisions. The downside of this is that money is not looked at as a necessity for LG to operate, but a requirement for actors to advance their individual interests

including access and maintenance of power as well as the ability to influence public policy decisions. Furthermore, the ardent desire for money has turned politicians into commodities to be bought and/ or sold.

Chapter eight discusses the interface between state and non-state actors/ institutions. Non-state actors are represented by religious and traditional institutions. It starts with a brief exploration of the term hybrid as used by other scholars and goes on to situate cultural and religious institutions in Uganda. Section 8.3 examines the role of non-state actors in shaping public policy with specific reference to Domestic Relations Bill, the Anti-Pornography Bill and the Anti-Homosexual Act of 2014. The section that follows explores their involvement in the provision of social services and its implications on public policy decisions. Also discussed in this chapter is the influence of non-state actors on electoral trends, ethnic fractionalisation and politics of ethnicity. In analysing these factors, the chapter shows how the current social, economic and political conditions have facilitated the penetration of non-state actors into the political domain. Based on this, it argues that there is an emergence of hybrid governance at least in the context of national policy and public policy decisions in LG. This is because policy decisions are constructed by both the state and non-state actors.

In the concluding chapter I drew on the theoretical and empirical discussion to argue that the weakness of formal institutions and/or neo-patrimonial practices has facilitated the factors raised as being influential to policy decisions. As a result public policy decisions are, by and large a product of the interests, orientations and capabilities of powerful actors within and outside government apparatus. This is further facilitated by the current social, political and economic conditions, which do not aid government's claim to sole sovereignty over public policy decisions.

CHAPTER TWO: CONCEPTUAL AND THEORETICAL FRAMEWORK

The major concern of this chapter is to explore the concept of decentralisation, the myths surrounding it and its realities. Based on the assumptions associated to decentralisation, it examines decision making in the context of decentralised LG. The chapter is divided into two parts. The first part discusses the myths and assumptions associated to decentralisation highlighting experiences from different African countries. More attention is particularly paid to the Ugandan experience since it is the context of this study. The second part of the chapter outlines and discusses the analytical framework of ACI which is used in examining the process of public policy decisions in this study. In discussing this theory, attention is paid to which institutions and actors it deems important and influential in policy decisions. I argue that in the context of public policy decisions, decentralisation has not contributed to bigger changes. On the contrary, it has empowered other actors who have turned this empowerment into an avenue to drive personal interests. This point is further discussed in chapter six which focuses on decentralisation and participation.

2.1. Local Government, Decentralisation and the making of Public Policy Decisions

Local government refers to formal agencies within the state (Johnston and Pattie, 1996: 672). It is the level of government that is closest to the people and a system of public administration where by, locally elected members represent their communities and make policy decisions on their behalf. Local governments often act within powers delegated to them by legislation or government. In the context of Uganda, subject to article 178 of the 1995 constitution, LG is decentralised with the district being the highest unit under, which there are local governments and administrative units as parliament may by law provide. On the other hand, the concept of decentralisation attracts several definitions. The UNDP for example defines it as; 'the restructuring or reorganisation of authority so that there is a system of co-responsibility between institutions of governance at the central, regional and local levels according to the principle of subsidiarity, thus increasing the overall quality and effectiveness of the system of governance, while increasing the authority and capacities of sub-national levels' (UNDP, 1999). Authors like Rondinelli and Nellis (1986:5) define it from an administrative point of view, that is, 'the transfer of responsibility for planning, management, and the raising and allocation of resources from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-

autonomous public authorities or corporations, area-wide, regional or functional authorities, or non- governmental private or voluntary organisations'. Another definition is taken from the work of Falleti who proposes a sequential theory with three main characteristics—(i) a process that takes into account the territorial interests of bargaining actors, (ii) incorporating policy feedback effects and (iii) providing a dynamic account of institutional evolution (Falleti, 2004: 3). The main elements of this definition are process, actors, and institutions. A common principle in all the definitions is the emphasis on restructure and transfer of political and administrative authority from the center to lower levels of government. Decentralisation thus underscores the significance of institutions, actors, processes and authority. Much as Rondinelli and Nellis and Falleti's definition are equally relevant, they do not necessarily capture components of Uganda's decentralisation. Rondinelli and Nellis for instance include transfer of responsibility to semi-autonomous public authorities, NGOs and voluntary organisations. Although this organisations are present in Uganda, their functions/ responsibilities were not transferred from government. Besides, although included in the constitution, regional governments are not yet operational in Uganda. This study adopts the UNDP definition because of its underlining feature—the principle of subsidiarity which is about decision making processes and the emphasis on restructure and reorganisation of authority to local levels of governance. Moreover, in constructing this definition, UNDP (1997:4) underscores that, 'decentralisation could also be expected to contribute to key elements of good governance, such as increasing people's opportunities for participation in economic, social and political decisions; assisting in developing people's capacities; and enhancing government responsiveness, transparency and accountability. Moreover it captures the aspect of institutions and decision making and accentuates the role of LG. These are not only, some of the major elements of Uganda's decentralisation, but constitute the scope of this study.

Decentralisation can take the form of political, administrative or fiscal. Political decentralisation entails a set of constitutional amendments and reforms designed to open new- or activate existing, but dormant or ineffective-spaces for the representation of subnational polities (Falleti, 2004). Its policies are designed to devolve political authority or electoral capacities to subnational actors. Fiscal decentralisation involves a set of policies designed to increase the revenues or fiscal autonomy of subnational governments. Administrative decentralisation seeks to redistribute authority, responsibility and financial resources among different levels of government for providing public services. Administrative decentralisation

may take the form of deconcentration, delegation, or devolution. Deconcentration implies that the responsibility to deliver certain services is dispersed to regional administrative units of central government without transfer of authority. It is often considered to be the weakest form of decentralisation and is used most frequently in unitary states (Litvack et al 1999). Delegation is a more extensive form of decentralisation whereby central government transfers responsibility for decision-making and administration of public functions to semi-autonomous organisations not wholly controlled by the central government, but ultimately accountable to it. Governments delegate responsibilities when they create public enterprises or corporations, housing authorities, transportation authorities, special service districts, semi-autonomous school districts, regional development corporations, or special project implementation units. Usually these organisations have a great deal of discretion in decision-making and may be exempt from constraints on regular civil service personnel and may be able to charge users directly for services. Devolution entails total transfer of the decision-making authority regarding financing and management of functions from government to constitutionally established quasi-autonomous units of LG which have corporate status. It often transfers responsibilities for services to municipalities that elect their own mayors and councils, raise their own revenues, and have independent authority to make investment decisions. In a devolved system, LG have clear and legally recognised geographical boundaries over which they exercise authority and perform public functions. It consists of a set of policies that transfer the administration and delivery of social services such as education and health to local governments under local authorities (Falleti: 2004:3). Decentralisation scholars argue that devolution improves the performance of LG making them more responsive and effective (cf. Putnam, 1993; Crook and Manor, 1995). Responsiveness is the ability to respond to the needs of the citizens it represents. It is the extent to which government output responds to the expressed needs and preferences of the population. Effectiveness is the extent to which policy outputs correspond to previously set targets (Crook & Manor, 1995; 1998). Therefore devolution facilitates the shift of more responsibilities and functions from government to sub-national governments establishing an adequate division of functions and responsibilities between different levels of government.

In most countries, decentralisation existed way before the Structural Adjustment Programme (SAP). Nevertheless, this study focuses on the post 1990 decentralisation which has its roots in SAP which was spearheaded by the World Bank and its partner the IMF. The idea of SAP was conceived on the basis that developing countries, most of which were in Africa were

going through a difficult time due to both economic and political failures. This necessitated massive structural reforms especially in the public sector. Decentralisation was perceived as the remedy to LG that had heavily suffered from centralised systems in most parts of Africa. In order to persuade African governments to adopt and implement the policy, the two financial institutions made it a pre-requisite for foreign aid. Due to this fact, most African countries decentralised their LG or are implementing it (Lambright, 2005:ii). In the context of this study, understanding public policy decisions necessities a review of some of the assumptions attached to decentralisation namely (i) the principle of subsidiarity, (ii) improved governance, accountability, transparency, democratisation and citizen participation and (iii) improved service delivery. This shall now be discussed.

(i)   The principle of subsidiarity

The principle of subsidiarity holds that decisions should be made at the most appropriate lowest level as possible and that this is fundamental to the functioning of decentralised LG. In essence subsidiarity aims to redistribute authority and responsibility for the planning, financing and management of certain public functions from the government to LG. This makes it a devolutionary principle which entails broad decentralisation of government authority. The principle of subsidiarity therefore bridges the gap between government and its citizens. As such, it enables citizens to participate in public policy decisions that affect their daily lives. Shifting decision-making responsibility to LG means redistributing power among various groups/actors within. Proponents of decentralisation believe that reallocation of power and authority to these key stakeholders will enable elected leaders to make decisions that address local needs, because as governance functions are decentralised, LG are able to establish clear decision-making parameters for devolved responsibilities. This implies that local leaders have significant discretionary power necessary to create the infrastructure that makes decentralisation effective, but at the same time remain accountable to local communities (Ribot, 2004:1). As shall be shown in the respective empirical chapters, this is not always the case. Most often, government retains unrestricted power that enables it to dictate policy decisions on LG.

(ii) Improved governance, accountability, democratisation and citizen participation

This assumption suggests that decentralisation facilitates promotion of democratic principles. First of all, LG are able to conduct elections at local level, thus citizens are able to directly choose who they want to be their representative. This enhances the relationship between people and their leaders who in turn are assumed to better know the needs of their communities hence can better address them. By encouraging people's participation in local politics, awareness on political issues is increased and people can hold their leaders accountable. Accountability translates to transparent decision making while decisions will reflect community interests. As a result LG can perform better and effectively (Rondinelli, Nellis and Cheema, 1984). In this way, participation is seen as a form and/or Pathway to democracy. In the case of Uganda, the restructure of LG that resulted from decentralisation/ devolution created more avenues for more people to join politics thus increasing local participation in politics. Participation enables people to gain political agency and wield influence over the context and direction of their lives (Cornwall & Brock, 2005). The presence of political pluralism further enhances representation of different ideologies. The structure of Uganda's devolution also puts in place community development workers who are supposed to interact with local communities as a means of involving them in decision making. Devolution thus empowers both communities and local leaders to make and implement policy decisions that affect their lives. This implies breaking down the monopoly of the government while increasing political participation (Steiner, 2004: 11). This assumption is however questionable given the fact that several studies including this thesis have found out that in most cases participation in decision making by local communities is limited and if any, it is passive. In addition there is a tendency for elected representatives who participate in decision making to make decisions that favour their interests and not those of the communities.

(iii) Improved Service Delivery

Improved service delivery is based on the premise that if decision points are brought nearer, to the people, decision makers can see better what is needed and how things need to be done. Rondinelli and Nellis et al. (1984) observe that in most cases, the private sector is more efficient and effective in providing public services. They add that delegating responsibility for planning to officials who are working closer to the problems helps overcome the severe shortfalls of multi-sectorial national planning and facilitates economic growth. Indeed

Uganda's key thesis for decentralisation was that, when those closest to where decisions are made are empowered and given ownership of results, better decisions will be made. This would result in increased efficiencies and an improved quality of social services. All the arguments are highly relevant for policy decisions. Improved service delivery, increased opportunities for citizen participation and LG autonomy are key components of Uganda's decentralisation. Nevertheless, the link with independent policy decisions might not be so upfront.

Based on the observations contained in part (i), (ii), and (iii) of this section, I argue that, to some extent decentralisation facilitates decision making at local level. In the Ugandan case, the principle of subsidiarity is reflected in certain areas for instance LG have the discretion to decide how to allocate funds remitted to them by government. Although government releases funds to specific sectors such as education or health as well as assigns areas of use like—buying school furniture, or procuring beds for health centres, LG are left to decide about the beneficiaries. Similarly decisions on procurement and human resource recruitment at local level are the discretion of LG. In this perspective, decentralisation has indeed promoted subsidiarity, some elements of improved governance, democracy and participation in Uganda.

However caution should be taken not to generalise these and to imply that the policy is without shortfalls. In most cases, the idealistic assumptions attached to decentralisation do not match the practical situation on the ground. As Saitō (2003) argues, there is no direct match between decentralisation and improved service delivery. For such assumptions to yield positive results it requires statutory reforms that establish functional institutions that promote a system of checks and balances. This however, is not always the case in most African countries. Several scholars on decentralisation have argued that the system has not yielded much (cf. Lambright 2005, Rondinelli 1989, Crawford & Hartmann, 2008). Moreover, democracy is not just about political pluralism, elections and participation. Falleti (2004) is right to argue that decentralisation reforms may take place in either authoritarian or democratic contexts thus it should not be confused with democratisation. In Uganda for example and in deed in most African countries, the weakness of formal institutions has limited, participation to a small group(s) of actors and subjected ordinary citizens to being periodic electors. As a result their involvement in policy decisions is minimal and passive if any.

Secondly, decentralisation results in new roles and responsibilities at both the local and central level. As roles are redefined, accountability systems and evaluation procedures must also change to reflect new performance expectations. As LG becomes more autonomous, it is necessary to establish appropriate mechanisms that support its functionality. Devolution for instance implies that government delegates the responsibility of planning, budgeting and decision making to LG. The practicality of this rests on the establishment and/or existence of functional institutions. As Steiner (2004:13) argues, this can only be strengthened when mechanisms are created at the local level to facilitate the local level planning process and linking government staff to civil society. Cheema & Rondinelli (2007), however, observe that in most African countries, such mechanisms are either lacking or non-functional. On the other hand, efficient and effective service delivery necessitates establishment of semi-autonomous organisations with a great deal of discretion in decision-making. Again Rondinelli and Cheema argue that, in most countries, these organisations are non-existent and if they do, they are subject to heavy government control. This implies that decision making in these organisations is highly influenced by government or state agents.

The other challenge is that, the assumption of new responsibilities often requires improved planning, budgeting and management techniques and practices. It further requires adoption of new tools, and development of improved human resources to operate the decentralised programmes (United Nations, 1996). However this is lacking in most LG in Africa (Ribot, 2003). Moreover resource scarcity continues to suffocate the policy.

Promoters of decentralisation argue that it enables LG identify and assess local needs. These assumptions, however fail to recognise that needs assessment is different from policy decisions, which is meant to guide action on providing such needs. In the first place, decentralisation involves several stakeholders in many different fronts, which decision making has to take into account. Crook and Manor (1998:302) describe it as 'a policy forced to carry an unrealistic burden of expectations regarding its ability to transform whole societies dominated by authoritarian or patronage politics'. Outcomes of this bold effort are often negotiated and bargained over how political power and material benefits are shared and contested. It is indeed a much bolder attempt to transform the wide range of social interactions among different stakeholders than what is often assumed in the literature, especially what is adopted among donor agencies. In the case of Uganda, Saitō (2000) observes that there are not much improvements especially measured on the fact that decentralisation was supposed to reduce poverty levels in the country by improving the

essential public services like health, education, transport and environmental management. He adds that LG can barely carry out locally initiated plans/ activities due to insufficient financial autonomy. Despite the annual increment of transfers from government, it does not correspond with the high rate of inflation. Therefore, the perception that local governance labels the process of making decisions is far from reality.

2.2. Decentralisation: The African Experience

The rationale for decentralisation has been both political and economic. In Latin America it was driven by the need for democratisation. In Africa, the opening up of political space, resulting in the spread of multi-party political systems created demand for more representation of local voice in decision making (Cheema & Rondinelli, 2007). This public sector restructure can be seen as part of the significant social, economic and political transformation undertaken by most African countries (Lust & Ndegwa, 2012:1). In this section, I shall present some literature on the subject in some parts of Africa.

Different African countries that adopted decentralisation have registered different experiences. Available literature (cf. Crook and Manor 1998; Cheema & Rondinelli 2007, Nel & Binns 2003, Lambright 2010) shows that throughout the continent, the policy faced related challenges ranging from past developments such as the political history (colonialism), to present issues such as limited funding, government interference, lack of institutional structures, lack of capacity and resistance from both traditional leaders and some state officers. It has tended towards deconcentration with continued heavy government control. Compared to devolution, deconcentration merely shifts responsibilities from central government officials in the capital city to those working in regions, provinces or districts. In other words, it redistributes decision making authority among different levels of central government (Naab, 2005).

Within Africa, different countries adopted decentralisation for different reasons for instance in Ethiopia, it was mainly driven by the need to curb ethnic differences and forge national unity through political participation, but to date the country continues to experience ethnic divisions (World Bank, 2001). In South Africa, the basis was the need for public sector reform thought to address social, economic and spatial inequalities as the country emerged from apartheid (Nel & Binn, 2003). The two authors observe that local authorities are unable to meet their newly devolved responsibilities due to lack of real capacity and limited finances. They add that South Africa's decentralisation needs enhanced levels of support if it is to gain practical

reality throughout the country. In terms of policy decisions, decentralisation in South Africa experiences heavy central dominance (Galvin and Habib, 2003). The South African constitution allows the president to appoint provincial prime ministers and mayors of major metropolitan areas. Such concentration of power at the apex of the political system has severe implications on policy decisions at lower level. Galvin and Habib conclude that decentralisation in South Africa has taken a state-centric form other than community oriented. They argue that the structural and central tendencies threaten the possibility of achieving its goals and in the absence of strategies to address these issues, both development and participatory decentralisation may be far from reality (Galvin and Habib, 2003:883).

Several studies on LG in Africa point to financial shortfalls and the failure by local authorities to understand the law/ principle of decentralisation as being one of the most pressing challenges. It is also interesting to note that Francophone countries have had a different experience from that of their counterparts in Anglophone Africa in as far as implementing decentralisation is concerned. Local governments in countries like Mali, Benin and Burkina-Faso, exhibit limited financial reliance on central government while countries like Ghana exhibit heavy dependence on financial remittances from the government. This signifies failure in fiscal autonomy and strains intergovernmental relations (Boko, 2002:111-112). Ghana's move to decentralisation was a deliberate effort aimed at redirecting and changing the internal regulatory framework of the state as well as minimising Accra centralisation (Naab, 2005). Though commended as one of the best performing in the continent, Ghana's decentralisation has equally registered shortfalls. As early as 1975 Grayson argued that the dynamic nature of information flow between the central and LG on matters of planning was a major challenge. This was compounded by the colonial legacy whereby decisions that called for judgment were never delegated hence government officers deemed delegation risky and felt uneasy about it even when LG workers had adequate training (Grayson, 1975:132). Ghana associated strong leadership to centralisation hence decision making was considered possible with the center firm at the driver's seat. Grayson then asserted that because of lack of trust, government felt the need to control financial decisions in order to check mismanagement. As of 2008, the situation had not made any significant changes (Crawford, 2008). And like most African states, there was the problem of scarce manpower. In Malawi, Blessings Chinsinga (2008) argues that decentralisation lacks decisive progress due to lack of commitment by national level politicians, insufficient legislative framework and pervasive tension and conflict among key political actors at local and national level. As such the policy reforms are very unlikely to

catalyse sustainable poverty reduction efforts. Like most decentralised LG in Africa, finances are limited hence affecting their performance. The monitoring and supervisory element may have good intensions, but it has implications on policy decisions and tantamounts to bureaucracy.

Given its size and highly centralised administrative system, the Sudan attempted one of the most extensive schemes of devolution ever undertaken in a developing nation. The then country's president—Gaafar Mohammed Nimeiry saw successful implementation as a political necessity for maintaining national unity, and as a practical means to achieve more responsive and efficient administration (Rondinelli, 1981). However, where similar efforts were undertaken, the results were disappointing. Government did not have the ability to control serious economic problems, to maintain political stability, and to obtain the co-operation necessary for its success (cf. Crawford and Hartmann, 2008). Rondinelli states that decentralisation involves far more than simply declaring a policy of 'bottom-up' decision-making, reorganising the administrative structures, and establishing local planning procedures. Commenting about Sudan's experience, he observes that the country did not have well-developed public and private institutions needed to complement and bolster the managerial capacity of LG and the frailties in organisational linkages and interaction between central and local administrations. The functions usually performed by private enterprises in non-socialist countries are the responsibilities of parastatal organisations in the Sudan, and with few exceptions they are poorly managed (Rondinelli, 1981).

In summary, the driving motive for most African countries to adopt decentralisation was to address socio-political and economic problems. The different experiences however show that, although the policy may have been structured differently, there appears to be similar characteristics such as the tendency for decentralisation to take a more state-centric form, resource scarcity, weak formal institutions and lack of adequate human resources. Apparently, the presumed total transformation of LG thought to result with decentralisation is far from reality.

Local Government and Decentralisation in Uganda

In Uganda, decentralisation is synonymous with LG. Decentralising LG resulted in its reconfiguration such that new institutions of governance, procedures and practices were created. On the other hand, devolution shifted responsibility for policy decisions and implementation from the centre to LG. According to Lubanga, (1996) this has been the major

contribution of decentralisation in Uganda. Lubanga perceives it as one of the most ambitious public sector reforms undertaken by Uganda since its independence in 1962. Ndegwa (2012) considers it one of the most far reaching LG reforms in the developing world, while others see it as having set the stage for community participation (Nkalubo, 2007). Much of the recent literature on decentralisation of decision making suggests that significant benefits accrue when decision making is brought closer to those most affected by decisions. The Ugandan experience however, shows that interference from government has become the norm (Okidi & Guloba, 2006). Its influence upon policy decisions is increasing and in some areas, already substantial (cf. Okidi and Guloba 2006; Lambright 2011). Over the recent past, government has issued a number of regulations and directives on how policies should be aligned with national programmes. Furthermore, it insists that LG align their development programmes with national development programmes. As this study found out, there is growing conviction that LG are only, but default implementers of government's programmes because in most cases their discretion on policy decisions is limited.

Uganda's LG depend on funding from government and operate in a poor performing economy which makes it difficult for them to raise local revenue. As a result they suffer from heavy government interference. Decentralisation proposes that downwardly accountable or representative local actors with significant discretionary power constitute the necessary infrastructure for effective decentralisation (Ribot, 2004:1). But the heavy interference from government undermines this function. In addition, local populations themselves do not understand the system. It is only understood by those in active leadership positions. Perhaps this explains why some scholars argue that it was an attempt to revamp the tinted history of the country including correcting the image of the NRM government which came to power using the gun (Wetaaka Wadala, 2007). Despite the several achievements that the policy ushered in, it is based on a complex set of institutional arrangements which must work in harmony for it to achieve its stated objectives (Nakanyike, 2007:3). There has been an increase in central control of local finance, privatisation and commodification of public services, loss of LG autonomy, and the expansion of non-elected state agencies. The introduction of multiparty politics rendered the system more problematic in relation to its institutions, systems, procedures and above all policy decisions.

Compared to LG during the colonial and post-independence era before the NRM came to power, LG generally implemented government policies. Devolution however, empowered the current LG to make policy decisions. The challenge however is that, the process has also

become a more multifaceted affair since there are many actors involved. The council as the decision making body is often overridden by cunning actors who often engage in constellations to devise strategies to ensure a win. The implication is that meta-policies or constitutional choices are concluded and sustained in the presence of the civic public realm. The academic gap presented here is that despite policy decisions being an area that affects people's daily lives, scholars on decentralisation in Uganda have concentrated on evaluating its performance especially in relation to service delivery and poverty eradication. There is barely any publication that concerns itself with the dynamics of public policy decisions. This study aims to fill this gap by exploring the politics behind policy decisions in Uganda's decentralised LG arena. Data filling up this gap is analysed using ACI approach because of its focus on the strategies that actors use in order to achieve their goals—'games real actors play'. The next section therefore elaborates this approach.

2.3.   Actor-centered Institutionalism

Actor-centered Institutionalism proceeds from the point that, 'social phenomena are to be explained as the outcome of interactions among intentional actors—individual, collective, or corporate actors, that is—but that these interactions are structured, and the outcomes are shaped by the characteristics of the institutional settings in which they occur' (Scharpf, 1997:1). Institutional setting refers to the most important influences on those factors that drive their explanations namely; actors with their orientations and capabilities, actor constellations and modes of interaction (Scharpf, 1997: 39). ACI further explains why, given specific social problems, some public policies succeed and/ or emerge as solutions while others fail and why collective characters produce different responses to seemingly similar problems. It seeks to explain these phenomena by examining how institutional arrangements structure interactions that in turn shape policy making across jurisdictions. Below is a graphic representation of how actors interact.

Figure 2: The Domain of Actor Interaction
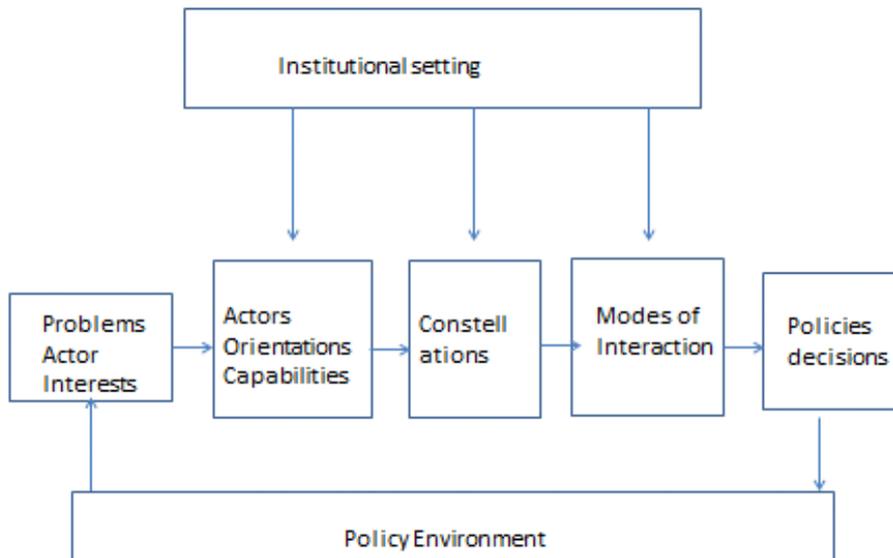
Sources: Scharpf (1997: 44).

The graphic representation of the domain of actor interaction illustrates that policy decisions are a result of how actors define a problem, their interests, orientations and capabilities and their interactions in a given policy environment and the institutional setting. Scharpf argues that, it is wrong to assume that actors will merely follow cultural norms or institutional rules, that, 'policy is produced by human actors who are not merely driven by natural impulses or by the compulsion of external factors. Instead, public policies are the outcomes under external constraints—of intentional action (Scharpf, 1997: 19). Institutions influence the behaviour of actors, but do not determine it. Therefore to judge policy effectiveness requires not only information about its empirical consequences, but also normative assumptions about what should be considered a problem and what would constitute a good solution.

2.3.1. Institutions in Actor-centered Institutionalism

Institutions are systems of rules that structure the course of actions that a set of actors may choose (Scharpf, 1997:38-39). They include formal legal rules and norms that actors generally respect and whose violation will be sanctioned by loss of respect, reputation, social disapproval and withdrawal of cooperation and rewards, or even ostracism. Institutions are the outcome of particular constellations of actors and their interactions and they define what actors can do, their perceptions and preferences, and what they will want to do. Institutions

are not simply the given result of a previous evolutionary development, but can be intentionally created and changed through the actions of specific actors. That means including daily routines in the definition of institutions, lives little room for individual actors to manoeuvre (Mayntz & Scharpf, 1995: 45-46). Mayntz and Scharpf argue that it makes more sense to start with institutional explanations and only when there are clear indications that institutionally shaped perceptions and preferences will not provide satisfactory explanations, should we look for empirical information on more idiosyncratic, actor-centered factors (Mayntz and Scharpf, 1995: 66; Scharpf, 1997: 42). Since institutions are created by human action (either through evolutionary processes of mutual adaptation or purposive design), there is no reason to assume convergence towards one best solution—if that should exist at all. Once institutions have been installed, and actors have come to rely on their coordinating function, institutional change will be costly. Scharpf argues that this makes institutions hard to reform or abolish even if the circumstances that brought them about and originally justified them, no longer exist (Scharpf, 1997: 41).

Institutions have explanatory value because sanctioned rules will reduce the range of potential behaviour by specifying required, prohibited, or permitted actions (Ostrom, Gardner and Walker, 1994:38). In other words, institutions that disperse power allow more points of access (veto points) for informal groups to block policy because of the positive and negative incentives attached to the use of institutionalised rules which merely increases or decreases the payoffs associated with the use of particular strategies. Institutions not only facilitate and constrain a range of choices, but they also define how the outcomes achieved through such choices will be evaluated by the actors involved and they will thus determine the preferences of these actors with regard to the feasible options. Institutionalised responsibilities also influence perceptions (Scharpf, 1997:39). Rules and systems of rules in any historically given society not only regulate and organise social behaviour, but make it understandable and in a limited conditional sense predictable for those sharing in rule knowledge (Burns, Baumgartner and Deville, 1985: 256). The fact that institutions determine the choices of actors, the sequence of moves, as well as the information they control implies that different institutional structures will produce different strategies of the actors, and different outcomes of their interactions. Institutions have an influence on the perceptions, preferences, and capabilities of individual and composite actors and on their modes of interaction. Institutional structure influences actor behaviour, but does not determine it (Scharpf, 1997: 38).

2.3.2. ACI perspective of Actors

Actors are players or agents in the policy-making process. They are characterised by their orientations (perceptions and preferences) and by their capabilities. Capabilities are all action resources that allow an actor to influence an outcome in certain respects and to a certain degree. These could be personal properties like, physical strength, intelligence, or human and social capital (Scharpf, 1997:43). Viewed theoretically, capabilities are highly contingent while, actor preferences can be individual or organisational (self-interest on the one hand, and internalised normative obligations and aspirations). In addition capabilities are critical to any explanation of policy outcomes in that in the absence of action resources, even the most enlightened perceptions and preferences will fail to make a practical difference (Scharpf 1997: 51). Actors' identities and interests are shaped by the broader institutional setting. Principally actors constitute the key element in the institutional setting. They can take the form of corporate or individuals and depend on socially constructed rules to orient their actions in otherwise chaotic social environments. This, however necessitates considerable knowledge of these rules among actors. Actors with different responsibilities will often focus attention on different phenomena, and may have different views on the causes of the same phenomena. 'Once we know the institutional setting of interaction, we know a good deal about the actors involved, about their options, and about their perceptions and preferences' (Scharpf, 1997: 39-40). A further classification of actors features composite (collective and corporate) that are institutionally constituted because they were created according to pre-existing rules (such as schools according to education laws) and they depend on rules for their continuing existence and operation (for example the state education budget). Composite actors only exist to the extent that the individuals within them are able to coordinate their choices within a common frame of reference that is constituted by institutional rules. Such rules define the membership of composite actors, material and legal action resources they can draw upon, the purposes they are to serve and the values they are to consider; they are of particular interest within ACI (Mayntz & Scharpf, 1995: 48; Scharpf, 1997: 39). Collective actors are highly dependent on and guided by the preferences of their members, while corporate actors have a high degree of independence from the ultimate beneficiaries of their actions, and their activities are carried out by staff members whose own private preferences are supposed to be neutral (pg:54). Collective actors may be further differentiated by two dimensions. The first is the degree to which critical action resources are either controlled individually by the members or have been collectivised and are controlled at the level of the

collective actor. The second dimension refers to the action orientation. Unlike individual or corporate actors, collective actors are not autonomous in their choices, but depend on the preferences of their members. But these members' preferences may either be related to the separate goals of these members or refer to purposes that can only be defined at the level of the collective (Scharpf, 1997: 54-56). Corporate actors are typically 'top-down' organisations under the control of an owner or hierarchical leadership representing the owners or beneficiaries. Even if they have 'members' in the formal sense, these are not actively involved in defining the corporate actors' course of action, but rather have at the most the collective power to select and replace the leaders. Strategic choices are disengaged from the preferences of membership, and corporate actors may thus achieve identities, purposes and capabilities that are autonomous from the interests and preferences of the populations they affect and are supposed to serve. There are no sharp dividing lines separating the analytically defined categories of actors. But the distinctions are useful in alerting us to the fact that the degree and method of integration of composite actors varies widely, and that it is necessary to identify the conditions that may justify the simplified assumption that a plurality of individuals could, for certain purposes, be treated as composite actors (Scharpf, 1997: 56-58). Therefore, the previous typology of actors is not comprehensive, in the sense that there are solutions that separately institutionalise structures of collective and corporate actors and combine these to serve complementary purposes. The prime example is the democratic state, which uses the associative structure of general elections, party competition, and parliamentary responsibility of ministers to control the power of bureaucratic machinery, which is largely immunised against immediate interventions from political processes in its day-to-day operations (Scharpf, 1997: 57). At that level, state departments largely operate as a top-down organisation and resemble a corporate actor, with the minister or secretary heading the department as its 'owner'. At the same time, however, this minister is restricted by parliamentary control. In the case of this study, both organisations and individuals or groups are treated as actors. On the part of organisations, these may include LG establishments and/ or state institutions and non-state establishments like traditional and religious institutions. Individuals or groups are drawn from these two categories.

2.3.3.   Actor Constellations and modes of interaction

Fritz Scharpf uses actor constellation as a link between substantive policy analysis and interaction-oriented policy research. Actor constellation involves players, their strategic options, outcomes associated with strategy combinations and the preferences of the players

over these outcomes. Although individual actors cannot make or determine policy outcomes, they are capable of having intentions hence the capacity to act at higher levels must be produced by internal interactions (Scharpf, 1997:52-70). Interaction orientation policy suggests that, in real world interactions, actors care very much positively or negatively about the payoffs that others will receive. In the context of local governance, imposing regulations or negative incentives, public policy is used as an intervening strategy to ensure positive outcomes. In addition to imposing substantive prohibitions, institutional rules also define the constellations of actors that may participate in the adoption and implementation of policy responses as well as their permissible modes of interaction which could be classified as mutual adjustment, negotiated agreement, voting or hierarchical direction. Together, these rules determine the most basic and policy-relevant characteristic of the institutional setting, namely the number of formal veto positions. In extreme simplification, one may thus speak of single-actor constellations in which all relevant policy choices are potentially determined by the preferences and perceptions prevailing in a unified action center, or of multiple-actor constellations in which effective policy depends on the choices of several independent actors that may be acting from separate and potentially conflicting preferences and perceptions. Here, policy can be blocked at multiple veto positions, and effective action will depend on negotiated agreement. The theoretical expectation is that, everything else being equal, the adoption of policy changes will be more difficult in multiple-actor than in single-actor constellations.

However, this is not practical in cases where hierarchical direction is an institutionally available mode of interaction. Institutional rules will affect policy responses not only by restricting options and by constituting actor constellations and regulating their modes of interaction, but also by structuring the incentives of the participating actors. In rational-choice institutionalism, these incentives are defined by reference to the self-interest of the corporate and collective actors involved in the policy process—like governments, political parties, central banks, labour unions, their sub-units or the individuals acting for them (Mansbridge, 1995). Mansbridge adds that in single-actor systems, the incentives that have the most direct effect on policy choices are constituted by the mechanisms of political accountability. In addition to multi-actor systems, accountability is weakened, and policy outcomes are more affected by incentives favouring cooperation or conflict among the veto-actors. The relationship between the orientations and capabilities of policy actors and the underlying societal interests is a complex one. In referenda and in all other forms of direct democracy,

citizens may directly participate in policy processes, but in all other contexts the individuals affected depend on complex structures of interest intermediation to have their preferences considered in policy interactions (Scharpf, 1997:71). Likewise, some institutions create arenas in which various actors could interact, as well as occasions or reasons to do so (Mayntz & Scharpf, 1995: 48). Where institutions ascribe tasks to actors, and put actors into a particular constellation with one another, one can also speak of social differentiation (Mayntz, 1988). Second, as rules also (co-) define interests and values, they will (co-) determine how outcomes will be evaluated by the actors involved, thus, (co-) determine the preferences of these actors.

The idea of constellations suggests that actors play the cooperative game and employ different modes of interaction through which strategies are selected via a particular type of interaction. ACI prominently features composite actors—actors with the capacity for strategic action—the basis of accurate perception and adequate information-processing capacity, ability to respond to the risks and opportunities inherent in a given actor constellation by selecting those strategies that will maximize its interests. Constellations among actors are 'intent' based while the degree of interaction varies greatly among the different types of composite actors (Scharpf, 1997:54). In the cognitive dimensions, composite actors depend on interpersonal information processing and communication. Strategic capacity increases as the worldviews and causal theories of relevant subgroups converge on common interpretations of a given situation and of the options and constraints inherent in it. In the evaluative dimension, the capacity for strategic action presupposes the integration of preferences. In general terms, this implies a capacity to accept some losses in order to obtain larger overall gains (or to avoid larger overall losses). The capacity for strategic action thus depends, on the one hand, on the pre-existing convergence or divergence of relevant perceptions and preferences among the members of the composite actor, and, on the other hand, on the capacity for conflict resolution within the collective unit. Empirically, we are likely to find composite actors that are by and large capable of strategic action in those areas in which they are routinely engaged. Differences in strategic capacity will primarily show up when existing collective actors are confronted with novel problem situations that cannot be handled successfully within the existing repertoire of strategies (Scharpf, 1997: 58-59). Composite actors build the context for action for these individuals, in the same way as the institutional environment builds the context for the organisation's actions. This implies that in principle the same empirical phenomenon must be analysed from two perspectives—from the outside as a composite actor

and from the inside as an institutional structure within which individual actors interact to produce the actions ascribed to the composite actor. In particular composite actors are operating within institutional settings in which they are much less free in their actions than autonomous individuals might be. As a consequence, these actors are likely to find themselves in relatively stable 'actor constellations' that can be analysed with the help of game theoretic concepts (Scharpf, 1997: 12).

Whereas it is agreeable that this approach is well suited for policy analysis, it is should also be noted that it has some shortfalls. The two lengthy case studies in the appendix on which Scharpf bases his analysis are drawn from western countries, hence one can argue that the approach is basically set and/ or is more applicable in developed countries where formal institutions are not only functional, but also command legitimacy. This approach may be difficult to apply in countries like Uganda where formal institutions are not fully developed and functional, such that people mostly rely on informal rules. Whereas people in both developed and developing countries rely on informal institutions to facilitate transactions, in Uganda and perhaps in other developing countries, informal institutions are relatively more important. Moreover, poor people in these countries are often ill-served by the limited formal institutions available. In such instances, informal institutions substitute for formal institutions.

Another shortfall is when Scharpf argues that institutions influence, but do not determine behaviour and that it is difficult to change institutions. This however is not exactly true in the case of Uganda. Evidence from this study shows that, actors being aware of the state of institutions and also their position within institutions, may choose to behave in a manner that pleases them, and interpret the law in a way that serves their interests, as a result of which one can argue that institutions determine actors' behavior. Furthermore, actors may choose to ignore them and only refer to them when it serves their interests. In the context of LG, where the system empowers councils to make by-laws and ordinances as well as policy decisions, these may be structured to capture the interests of those in charge. In the discourses on democracy, it is suggested that when formal institutions fail to guarantee the order for which they were created, informal institutions take over to shape the actual behaviour of actors against the behavioural norms of formal institutions creating 'new' or 'different' order patterns (Lauth, 2000). In other words, institutions do not necessarily constrain choices that actors are able to make.

The findings of this study show that there is a gap between ACI approach and the practical experience at least for the case of Uganda. This gap presents itself in some three prepositions suggested by the approach namely; (i) institutions do not determine the behaviour of actors, (ii) Institutional change is costly, (iii) institutions are hard to change. In the case of Uganda, all these prepositions are possible for instance findings suggest that actually institutions determine actors' behaviour. The argument that institutional change is costly and that institutions are hard to change does not surface. In Uganda there have been several changes in legal instruments such as the LGA and the constitution in form of amendments, but as shall be demonstrated, there is minimal change in institutional practices.

To explain the economic motivation, a gap presented in ACI, reference is made to some aspects of rational choice theory which suggests that actors are wholly motivated by economic self-interest (Browning, Halcli and Webster, 2000). For instance ACI assumes actors to perceive the economic environment in the same way as the researcher; to have complete information on the situation they face; and to have computational capacities good enough to select the course of action that will maximise their self-interest. Again, the Ugandan case provides different results. It shows that indeed, most often policy decisions are determined by economic values that may accrue to their benefit. That is why actors will apply all the Lasswellian values such as power, respect, rectitude and affection and instruments for political influence to achieve their interests (Lasswell and Kaplan, 1950). This qualifies actors, at least in the Ugandan context, as rational in the sense that they attempt to maximise their own self-interest (in terms of payoffs). Moreover periodic elections and the nature of process whereby politicians invest so much money to win an election subjects policy actors to focus on monetary gains.

ACI further argues that in policy issues, no single actor has an absolute command to make the final decision, hence actors engage in constellations. This argument is rather too general and assumes that all institutional settings contain strong and functional mechanisms for checks and balances which is not the case. In Uganda, the creation of power centres within LG heavily empowered some actors such that they can make final policy decisions without necessarily involving other actors or paying attention to legal provisions. In the coming chapters, this argument will be made clear.

Despite these shortfalls, three aspects explain why this approach is used in this study. From the methodological viewpoint it draws on individualism when regarding policy outputs

primarily as the 'outcome of the interaction among purposeful actors' (Scharpf 1997:1). Policies and institutions in general do not mechanically come into place nor reproduce. The suggestion that 'actors make policies' denotes that we accord a theoretical primacy to agency as a causal factor to policy-making and an analytical focus on actors as objects of investigation. Secondly, ACI proposes a move from the reductionist perception of actors as self-interested utility-maximisers and seek to lend an enriched theoretical and analytical corporeity to actors. This does not only mean the consideration of both material and cognitive dimensions of agency. It also entails that we separate distinct dimensions of analysis— preferences and strategic interaction as well as to have deeper regard for the internal complexity of actors, especially collective actors. Thirdly, ACI contends that our understanding of political phenomena would be severely crippled if we do not recognise that 'real' actors and their interaction are embedded within a thick set of institutions—broadly intended as both formal rules and social norms that condition their self-perception of reality, structure their interaction, and hence shape policy outputs. In short, it is actors that make institutions, but to a certain extent institutions also make actors. In this case, ACI is a useful approach to the study of public policy. In particular, it conveys scholarly attention on the salience of actors and their interaction as more proximate explanatory factors to policy outputs than institutions. It is an analytical approach that casts attention on the behavior of, and interaction patterns between actors as proper causal factors in order to explain policy-making and institutional development processes.

Therefore adoption of an actor-centered approach in this study facilitates an understanding of the role played by the different actors in shaping policy decisions within Uganda's LG. It enables the researcher to maintain a clear analytical separation between actors' interaction dynamics and institutional factors when explaining policy decisions. Much as institutions (formal rules and social norms) certainly influence actors' perception of reality, structure their interaction, and therefore condition policy outputs, it is simply actors that make policies. In this way choosing ACI encourages the researcher to cast deeper theoretical and empirical attention on actor-related factors as possible explanatory variables in their own right to political phenomena, to be treated distinctly from the effects that institutions exert on them.

In general the following prepositions from ACI will be taken as a point of departure because they resonate with this study hence can be applied to explain my findings. They include the argument that (i) institutions influence the behaviour of actors, (ii) actors orientations playing a major role in enabling actors influence policy decisions, (iii) institutional arrangements

structuring actor interaction and that (iv) institutions can be intentionally created and changed through actions of specific actors.

In summary, this chapter has presented a review of the decentralisation discourse drawing highlights from African countries including Uganda. The discussion shows that the policy as adopted by different countries has been plagued by numerous challenges, but almost similar in nature. These include dominance of central governments, resource scarcity and weak institutions among others. In the context of decision making, the chapter shows that there are barely any studies dealing with the dynamics of public policy decisions in decentralised LG. The second part of the chapter has provided an extensive summary of ACI. This approach was particularly chosen because it facilitates understanding of political maneuvering and underlying dynamics of complex policy considerations that involve many actors. Bringing the two together, it has shown how in the context of LG, public policy decisions revolve around actor and institutional interaction. To match this approach, corresponding research methods were chosen as elaborated in the next chapter.

CHAPTER THREE: METHODOLOGY

3.0. The Research Approach

This is a case study and qualitative in nature. Qualitative studies deal with exploring issues, understanding phenomena and finding answers to unanswered questions while providing a lot more descriptive detail in reporting their empirical findings. Denzin and Lincon (2005) explicitly define qualitative research as one which attempts to make sense of, or interpret phenomena in terms of the meanings people bring to them. The explanatory concern of the approach rhymes with the purpose of this study which is to explore and explain the politics of public policy decisions in LG in Uganda. Qualitative research is often driven by the need to examine complex phenomena and to define reality within its natural setting. This argument is confirmed by the works of Creswell (2007) who views it as a process of inquiry which attempts to understand a social or human problem based on building a complex holistic picture, formed with words, reporting detailed views of information and conducted in natural setting. According to Bryman (2012: 402) qualitative research tends to view social life in terms of processes thus providing the basis to explain events and trends such as policy decisions as they unfold. This argument has a direct connection with the direction of this study—an examination of the dynamics of public policy decisions.

In choosing this approach, special thought was given to the method of data collection and analysis. Bryman (2012) perceives qualitative research as an approach constructed around the use of more words than quantification. Knowing that the study predominantly explores actor interaction, it ruled out the possibility of statistical data collection methods. Moreover, efforts to find documented quantified data on policy decisions were futile. Interaction and decision making process can be described as part of human behaviour. Qualitative approaches often seek to understand human behaviour by developing a complete narrative description of behaviour. By examining the manner in which actors and institutions interact within their natural setting, the study situated itself to gain a proper understanding of their behaviour reflecting on the context thus drawing a complete picture of why actors behave the way they do and how things are done. Accordingly, this facilitates the study of the different units of analysis (actors as individuals, institutions or organisations). It states that, to be meaningful, inquiry must be holistic and contextual. Moreover, qualitative research facilitates investigation that enables the researcher to understand some larger reality by isolating and measuring components of the reality with regard to their contextual setting. The presumption

of this approach is that human understanding and interpretation define reality, while complex reality can be understood only as an amalgam and not simply as a sum of its parts. The approach strives to understand the subject under investigation and is oriented towards discovery using subjective data from which meaning is extracted and results are interpreted in context. In the framework of LG it is impossible to explain public policy decisions without understanding factors surrounding it—in other words the importance of what Scharpf (1997) calls the institutional setting.

In terms of inquiry, qualitative approach is associated with epistemology whose goal is to learn about a given culture from the perspective of its members. Drawn by what Bryman (2012:399) refers to as 'seeing through the eyes of the people being studied, the study assumes an inductive reasoning which begins with specific observations in order to draw a more generalised conclusion based on accumulated evidence. This form of reasoning is particularly convenient when analysing data collected using qualitative methods such as face to face interviews, focus group discussions and participatory observation because the researcher draws the evidence from one case and compares it to another, in search of patterns, while forming a theory to explain what is seen. Moreover since not all local governments were examined, inductive reasoning was necessary to explain the results because it facilitates probable, but cogent conclusions, yet at the same time these conclusions can be reliable.

3.1. Research design

The study is mainly exploratory in nature. Robert A. Stebbins (2001) states, that exploratory research is best fitted for research in social science when one is looking at phenomena broadly. Exploratory research design enables the researcher to engage the reader through the study in an easy-to-read style. In this regard, the study combines elements of cross-sectional designs and case studies. By so doing, the researcher can carry out semi-structured interviews while bearing in mind the institutional setting and characteristics of the contexts under investigation. This would later serve as a guide in data analysis and drawing of conclusions which also bear a reflection on such factors. Although often associated with quantitative studies, cross-section designs mostly enable the researcher to examine more than one context at a time. Since this study aimed to draw conclusions from more than one district local government in Uganda, this design was found to be more befitting. The use of more districts was aimed at establishing variation. Bryman (2012: 59) observes that variation can be encountered in all variables under investigation. This facilitates finer distinctions between

cases and provides a guide for the sampling procedure. It is however important to note that unlike in classical cross-sectional designs where a single case is studied at a time, all the sampled contexts, participants[5] and other qualitative variables were examined within the same period. By so doing, the researcher was able to establish patterns of association without time ordering of the variables. Drawing of the decision making process was further facilitated by inductive reasoning which is a result of the qualitative oriented strategies. To cover for the problem of external validity (reliability, validity & generalisability) often associated with qualitative studies, a number of semi-structured interviews were conducted in addition to the use of other data collection techniques. Interview questions were specifically designed to capture the subject of study and to answer the research questions. Moreover the conversational nature in which some of the interviews were conducted as well as casual data collection methods made the study more naturally valid thus bridging the validity gap.

Importantly, the study focused on the influence of actor interactions drawn from the institutional setting and on decision making processes. The idea of influence as observed by Bryman (2012:63) suggests a presence of a causal relationship. Though the study did not intend to examine the cause-effect relation, as a social science situated study, relationships often present themselves in the process. Because the study is dealing with an abstract concept—politics of public policy decisions, it is difficult to establish the process of evaluation in terms of reliability, validity and replicability. Adopting the qualitative approach facilitated the filling up of this gap in that it provides for confirmability, dependability, credibility and transferability. Confirmability implies that accuracy and unbiased tendencies can be confirmed by others. Dependability implies that the same results are expected if the study was replicated while credibility entails a reasonable accuracy of identification and description of the subject of the study. On the other hand, this gap is covered by applying the Lincoln and Guba's assessment criteria which mainly emphasises the aspect of trustworthiness and authenticity (Guba and Lincoln, 1994). The idea of trustworthiness is captured within credibility, transferability, dependability and confirmability (Bryman, 2012: 390-4). Trustworthiness was assumed during the selection of respondents that is, the researcher anticipated that the sample would respond to the interviews to the best of their honesty. In terms of transferability, the findings can be generalised to other settings and participants. This point was proved from the fact that although participants were taken from different districts/ regions, those that held similar positions expressed similar perceptions and

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[5] Participants refer to interviewees/ respondents who participated in this study

opinions on the subject matter of the study. The districts sampled have similar characteristics with most districts in Uganda especially the newly created ones. In all the contexts and participants sampled, there is a consistent interface of actors and institutions.

The study is situated in Uganda and covers four districts of Kabarole, Mukono Wakiso and Pallisa. The districts are located in west, central and eastern parts of the country, an attempt was made to geographically cover the entire country. The four districts present different economic, political and social features making it an interesting mix. The main period of examination is the NRM era (1986-to date). Using ACI, the study examines how actor and institutional interaction influences decision making process on matters of public policy. This serves to show how exactly decisions are made at different levels of government. At this point, it is important to emphasise that the study is about dynamics of public policy decisions. However to explore this, the researcher chose to examine the decision making processes.

3.2. Sampling

Guided by the main research question, four districts were sampled using a combination of three sampling techniques—typical, critical and criterion. The choice of typical case was used because it exemplifies a dimension of interest while the critical case permits a logical inference about the phenomena of interest—for example a case might be chosen precisely because it is anticipated that it might allow a theory to be tested. Criterion was majorly used because it allows the researcher to sample all units (cases or individual) that meet a particular criterion of importance and are information rich (Bryman 2012: 419). Purposive sampling facilitated access to the target population.

Sampling of respondents

Three categories of respondents were sampled. They included politicians, administrative personnel and academicians. Participants were chosen based on their role and status in the political arena. They were drawn from within and outside government. Respondents from government included administrative personnel and politicians. For both categories respondents were chosen from three levels namely national, district and sub-county. At national level, policy makers—MPs, were drawn while district and sub-county councillors catered for LG. MPs were particularly chosen depending on their role for instance if they were part of the LG committee, or represented a county in a sampled district. In all areas, actors holding the same office were interviewed to draw behavioural characteristics as

perceived from a particular context. This facilitated drawing of similarities and differences among the respondents within and between areas. At national level, administrative personnel were drawn from the Ministry of Local Government (MoLG). For the LG, respondents included civil servants—CAOs, deputy CAOs and Sub county chiefs now known as SAS from all the sampled districts. Academicians were drawn based on their expertise on LG and/ or decentralisation.

Two field researches were conducted the first one was in 2012 lasting two month (July to September), and the second took place in December 2013 lasting three weeks. It was known to the researcher that, this timing was ideal in terms of political activity. It is after the reading of the national budget and there are no seasonal holidays round the corner. Basically it is a time when one can expect most Ugandans to be available and full at work. So timing of the field study was also given serious consideration. This choice serves to minimise the gap that could affect interpretation of people's behaviour as influenced by context. Interviews conducted during the first field trip were mainly extensive in nature while second interviews were more intensive and aimed to fill the missing information.

Given the approach used a total of 93 people were interviewed. This included 53 individual interviews and six group discussions of 5-10 participants. Warren (2002:99) suggests that qualitative steady based interviews require a minimum number of twenty to thirty. Gerson and Horowitz (2002:223) however, suggest that fewer than 60 cannot support convincing conclusions and more that 150 produce too much material. I used these as indicators and settled for the above number as it lies within average. Participants covered all the categories stated above (see also list of respondents in the appendix). The challenge was that each time I thought the responses were becoming saturated, I came across a new idea with the next interview such that I believed something new would come up in the next and indeed although not always, it did.

Figure 3: Map of Uganda showing District Local Governments and sample sites
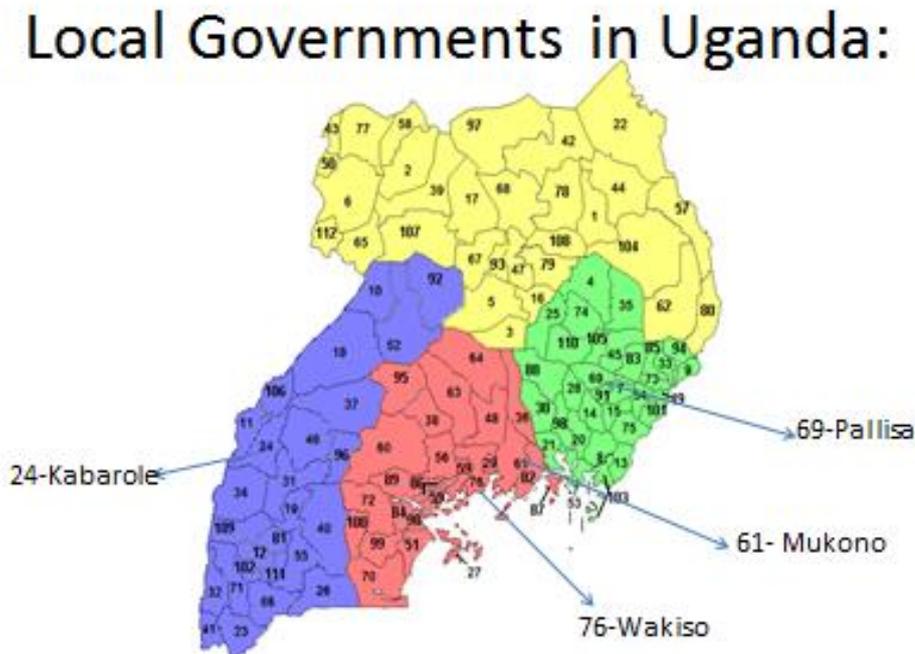
As shown in the map, four districts were sampled. Each district has a different dimension in terms of economic activity, level of development, geographical location and political affiliation. By political affiliation I mean subscribing to a specific political party. Some districts are dominated by the ruling NRM party, others by the opposition while others are mixed. The selection was further guided by a reflection of political trends in the region such as election practices both in the past and current. Similarly two of the contexts are municipal council districts and two are town council districts. Two are urban located while the other two are rural districts. Three districts are traditionally kingdom oriented while one is a traditional segementary. Nevertheless, each case is exemplifying in its own, besides I wanted my contexts to cut across the country.

Pallisa:- the main reason for choosing Pallisa is that it is my home district hence it provides an easy entry into understanding the system. More so because I speak all the three languages spoken (English, Ateso & Lugwere) there, thus communication was not of any problem. It was my conviction that starting with a home town would pave a clear picture of the process

such that I can easily penetrate other districts with an understanding of how things work. The second reason for choosing Pallisa is that following the electoral trends, it exhibits a mixture of both the ruling party and opposition parties. Thirdly, at least three districts have been curved from it. On this note, it is my conviction that the findings here represent the situation in other districts given the fact that they still possess similar characteristics and most of the social services are found in it; moreover actors in these new districts were formally in the mother district. In addition the district is ethnically and religiously heterogeneous.

Kabarole:- Just like Pallisa, Kabarole has mothered about three other districts thus the same reasons apply. But unlike Pallisa, it is a purely NRM strong hold as per the election results. In fact as proved during my interaction with the council, there was only one opposition councillor and one independent with NRM leaning. Being a monarchical district there is a tendency towards strong cultural heritage which makes it an interesting case. In the historical background, I observe that geographical location does shape social developments in Uganda. Kabarole being located in south west enjoys considerably strong economic growth compared to Pallisa though both are rural LG. Unlike Pallisa and the other two districts, Kabarole has mainly one ethnic group and all the people speak the same language (Lutoro).

Mukono and Wakiso:- both districts are urban local governments and border the capital city which is also the nation's commercial hub. Despite being Buganda districts, their central location renders the two a habitat for dynamic ethnic groups thus both have religious, ethnic and cultural diversity. But this does not render its monarchical heritage weak. In fact Buganda is the strongest and biggest kingdom in the country and its influence on political matters is equally much felt. Both districts are where the ruling party does not command much support deducing from the previous electoral trends. In addition, it is here were decentralisation is much opposed in favour of federalism. And like the other two districts, these two have been reduced by the creation of new districts being curved out. Conducting research in more than one setting is helpful in identifying the significance of context and the ways in which it influences behaviour and ways of thinking. In the context of this study, it is interesting to find out what factors influence public policy decisions in each sample area. Although context sample attempts to provide a geographical balance, no district from northern Uganda was sampled. This is because the region is still undergoing post conflict rehabilitation and hosts several rehabilitation programmes like Northern Uganda Rehabilitation Programme (NURP) and Northern Uganda Social Action Fund (NUSAF) among others. The implementation of these programmes is conducted by both government and LG. At the same time it involves yet

another set of actors such as NGOs and civil society, which may imply a different form a of decision making. Due to the different status and/ or operational procedures of LG in the region I deemed it fair not to include it among the sample.

3.2.1.   Data collection techniques

Qualitative research paves way for in-depth open-ended interviews, direct observation, and analysis of written documents (Patton, 2002). Interviewing gives the researcher an opportunity for face to face contact with respondents while direct observation provides the researcher a chance to intermingle with the target group through interpersonal interactions. Given the empirical and qualitative nature of the study all these methods were applied, but interviewing was largely used because it provides for flexibility (Bryman, 2012: 469).

Interviews: With the help of an interview guide, semi-structured interviews, in-depth in nature, were conducted. Interviews paved the way for me to get the information I wanted without limiting myself with pre-determined answers. The interview guide consisted of about 12 questions aimed to answer the main research question, but also designed to capture the topics I was interested in. The first question was more general such that though it acted as an opener, it covered most of the questions at hand. Once this was done, it was then easy to carry on with follow up and probing questions. This gave me the ability to ask questions that were not originally included in the guide. The same set of questions were asked for all respondents save for the fact that question framing, wording and order would be differed depending on the respondent—political or administrative personnel. This is particularly necessary in understanding meaning that people associate to events, and social interactions around them. The researcher's long time experience as a journalist facilitated easier access to respondents above all provided the basis for understanding of the LG arena and political set up of the country. Prior to the field research, telephone interviews had been conducted. These served as openers and further guided the study on the development of the detailed guide. The questions were designed to capture the nine types of questions suggested by Bryman (2012:477-8) namely introductory, follow up, probing, specific, direct and indirect, structuring, silence and interpreting questions. This was done very carefully and was very important in ensuring that the study gains detailed information on the subjects of the study. Bryman notes that qualitative researchers are often interested in detailed accounts of what goes on in the setting being investigated thus application of such interview questions helped the study fulfil its need for detail. This was also important because of the inductive

reasoning adopted, because then the research was able to come up with reliable conclusions. Detail is necessary and significant because it allows the researcher to provide an account of the context within which people's behaviour is shaped and how it impacts on the decisions they make. Some interviews were conducted in a more conversational manner which provided much detail that helped in contextual understanding of social behaviour that is, values and other norms including other elements that must be understood in context.

Both face to face and telephone interviews were digitally audio-recorded and later transcribed. Audio-recording was particularly helpful in that listening to the interviews thereafter facilitated development of further areas of interest as well as redesigning interview questions. The interviews were mainly conducted in English, but also in the local language in circumstances where the respondent was not comfortable with English. However it is also important to note that interviews took two different forms—formal and informal. By formal I mean interviews that were recorded with the full consent of the participant. The informal interviews included all the casual conversation that the interviewer shared with the respondent. Often times, after the recorder was switched off, respondents started another conversation in which they revealed more interesting things, but which they did not want to be recorded. Such information is used in the empirical chapters, but is not referenced in the data analysis since the respondents did not want to be known on these particular cases.

Participatory Observation: This was mainly done in form of attending council meetings and following up councillors and civil servants during their free time activities. This enabled me to submerge myself in the social setting with a fairly general research focus in mind and gradually develop a narrow emphasis by making as many observations of that setting as possible. Attending council meetings and budget conferences enabled me gain a broader understanding of the nature of interaction, debating processes and consequently witness how public policy decisions are made. In case of participating in leisure activities, field notes were immediately documented as soon as I returned home to minimise the possibility of forgetting since the recorder was not used during such times. By so doing, I was able to gain a more advanced level of seeing through the participant's eyes.

Archival research:- Newspaper articles, photos, minutes of meetings and operational manuals such as LG operational framework, periodic reports, ministerial statements, Joint Annual Review of Decentralisation, statistical data from the state, budgets and of course a series of legal documents were analysed. Legal instruments in particular were used for reference

purposes, that is, to facilitate understanding of certain practices performed by actors under investigation. Analysis of such documents aids proper comprehension of the day to day practices of LG in terms of policy decision making. In line with this, even mission statements were treated as sources of information for instance the Ministry of LG mission statement states that the ministry takes responsibility.

> 'To coordinate, support and advocate for Local Governments for sustainable, efficient and effective service delivery in the decentralised system of governance.'

On the other hand the vision statement promises.

> 'To have a democratic, participatory, decentralised LG system that can sustain development and deliver services efficiently and effectively to the people'.

An understanding of such statements together with other information stipulated in the respective organisations/ institutions helps in building the parameters within which to examine actors and their day to day practices. Archival research constituted the first step in data collection and helped to draw the parameters of the study in terms of participants. Media reports equally contain vast reports on LG hence contributed a great source of information especially in filling information gaps in situations where respondents were uncomfortable to comment. In analysing these documents, keen attention was paid to observe emerging themes which were later adopted to, or compared with themes that emerged from primary data.

Focus Group Discussions:- A total of six focus group discussions comprising of 5-10 people were conducted in three out of the four sampled districts (see table on appendix). These discussions were accidental as no such data collection method was planned. However having attended council meetings in the respective districts, I got access to a group of councillors or civil servants who consented to my request. Each discussion lasted between one to two hours. Important to note is that such discussions provide another angle to understand group influence in articulating issues compared to when talked to on individual basis. Often times groups tended to share a common argument yet when talked to on individual basis they differed. In the context of LG this serves to show how sometimes actors consent to certain policy decisions even if they work against their own interests. The result is that sometimes these decisions are not implemented because the implementation process is rather more individualistic and attracts a different set of actors.

3.2.2. Data Analysis

Using F4 transcription software, all the interviews were transcribed verbatim. I later read through the transcribed material line by line while noting down emerging themes (coding). A combination of data analysis strategies was used. They included thematic data analysis, critical discourse analysis and qualitative content analysis. Data analysis started with thematic coding where by the researcher identified themes arising from the data and later grouped them according to how they relate to each other. This was done purely to ensure that the study does not come up with too many tiny themes. Themes were then combined to formulate topics from where the discussion leading to findings rooted. Grouping of the data into themes and finally topics was conducted to reflect the research questions. At least four broad themes emerged thus constituting the four empirical chapters. Identification of themes was based on Ryan and Bernard's (2003) recommendation namely; repetition, indigenous typologies, similarities and differences, missing data, metaphors and analogies, transitions and linguistic connections bearing in mind their relevance to the research questions. Data analysis was basically grouped according to sources from, which the procedure was drawn as inductive analysis/ reasoning. Analysis of secondary data was equally based on identification of themes related to those identified by the primary data. Throughout the analysis the interpretation attempted to answer the why and how questions. Interpretation was directed towards understanding what factors influenced policy decisions, why actors behave the way they do and how decisions are made. In discussing the findings, three voices are presented—the respondent, other scholars and the researcher's interpretation. The choice of the quotations used throughout the entire thesis was based on the typology of the data that is to say quotes that reflect the themes and or topics in the different chapters. In Most cases, quotations were chosen if they had the following characteristics (i) confirm or relate with certain concepts used in the work or existing literature (ii) deviate from general perception (iii) contradict constitutionalised rules, (iv) have shared meaning with others (v) reveal respondent's level of emotion and/ or their perception on a given phenomenon. Save for secondary literature most of which is contained in chapter two, the rest of data herein is primary and was collected by the researcher. The research is therefore responsible for it.

3.2.3. Ethical Considerations, Technical Aspects and Challenges

Any research demands observation of ethical principles such as trust and confidentiality. Since the study does not necessarily involve invasion of privacy, written informed consent

was not necessary. Nevertheless, participation in the study as well as the recording of interviews took place with full consent of the participants. Although all participants are known in terms of name, place of work, position and political affiliation, the study gives priority to their confidentiality and safety. Participants are thus identified using codes. Were attributes that can lead to easy identification of the respondent are used, consent was thought in order to enable the research make such references.

The filed study started by seeking clearance from the National Council for Science and Technology (NCST), which is responsible for clearing all researcher proposals in Uganda. The researcher had a letter from the university spelling out the nature and purpose of the field study, which made it easy to get clearance. As a Ugandan, I knew that it is possible to complete my field study without seeking any clearance. Nevertheless, this was thought in order to ensure ethical conduct. The NCST clearance letter authorised the field project to go on without any further objection save for individual disagreement. All respondents were contacted by telephone prior to the interview.

However some challenges were encountered along the way—the very first being the delay in getting clearance from the NCST. It took me about three weeks to get the clearance letter. However, to overcome the time constraints that this would have caused, I decided to embark on the research without the letter using my journalism expertise. By the time the letter was ready, a significant number of interviews had already been conducted. Nevertheless the letter was helpful especially in rural districts. Time constraint was one of the major setbacks. The culture of time keeping and respecting appointments is not mature in Uganda. On several occasions I came to the appointment venue and the respondent did not turn up or came very late. In the rural areas, it was very difficult to access participants. My experience was that some officers only come to open the office and went back to their respective homes to go about their family business. It often took me several attempts to get hold of the respondents. The spatial distance was another setback. Apart from the urban districts, the rural ones are located far apart (west and east). This made it difficult to cover both concurrently. I had to travel to one district at a time which increases the possibilities of missing some participants who often frequent Kampala. In such instances, telephone interviews were conducted both in Uganda and back in Germany.

In addition to these was the financial restraint given the fact that the study was individually sponsored yet the area of coverage was wide; notwithstanding the challenge of inadequate

infrastructure in terms of public transport. This was taken care of by proper planning and allowing ample time for each district. It is also important to note that in some cases more time was needed to convince participants to consent to being audio recorded. In certain cases, participants would threaten to withdraw once they saw a recorder being pulled out which took another moment of convincing. However, after a few interviews, I had gained enough experience hence participants would be informed in advance that their responses would be audio recorded with an assurance that this was purely for academic purposes. The following chapter will examine historical developments of LG in Uganda.

CHAPTER FOUR: REFLECTIONS ON THE HISTORY OF LOCAL GOVERNMENT IN UGANDA

In this chapter I reconstruct the historical evolution of LG in order to bring into vision a view of Uganda's past and present. I categorise this evolution into two main divisions each having two phases. The first division is constituted by the pre-colonial and colonial developments regarding LG whereas the second division discusses two phases in the post-independence era in the periods of 1962-1986 and 1986 to present. These phases show how certain practices with minor changes have been carried on from one regime to another. I argue that these historical structures have implications not only on LG, but also on public policy decisions. Therefore, when exploring the politics of public policy decisions, historical reflections provide necessary insights about the context in which public policy decisions take place.

Contemporary Uganda is a result of colonial administration which amalgamated a host of pre-existing centralised states from the Bantu speaking tribes in the south and the Luo tribes bringing south and north together as one nation (Mutibwa, 1992). As a result Uganda's population is characterised by ethnic and religious heterogeneity. Ugandan communities are classified into four main ethnic groups namely, the Nile-Hamities, the Hamities, Nilotics and Bantu (Mamdani, 1976:17). It is a developing country with an estimated population of over thirty four million (34, 509, 2) people (UNDP, 2011). At least seventy percent of the population is considered literate (UBOS, 2006). Having been colonised by the British, English is the official language. It is a presidential republic where by the president is the head of state and head of government. Executive powers are vested in the government, but there is a presence of multiparty politics. Based on democratic parliamentary system, legislative power is devolved, both in the government and the national assembly whose members are elected based on adult suffrage and serve a period of five years. The current constitution was ratified in 1995. Such institutional, structural and physical features not only shape the country's political environment, but also the nature of LG and have a significant bearing on public policy decisions. How and why is the focus of following sections.

4.1.   The Pre-colonial Era

The pre-colonial societies of modern day Uganda are divided into two broad categories according to their political setup, that is, the centralised kingdom states of central, south and south west and segementary societies found in north and east of the country (Omara-Otunnu,

1987). In terms of government, the centralised kingdom states (Buganda, Bunyoro, Toro and Ankole) had a well-developed and defined hierarchical system, while the non-state segementary societies (Acholi, Iteso, Langi and Lugbara) followed an age-set clan/ lineage system for the clan and the entire ethnic group (Tamale, 1999). Although kingdoms adopted a hierarchical system of authority, the clan remained an important basis of political, social and economic association in both political systems. Individualism as a dominant ethos of social relations was a concept alien to nearly all pre-colonial societies in Uganda (Karugire, 1980:5).

In the context of LG the political set up varied from one ethnic group to another (Tamale, 1999). Buganda for instance followed a feudal arrangement in which the *Kabaka* (king) had absolute power assisted by his chiefs (Sathyamurthy, 1986: 75). Everybody was obliged to pay allegiance to the king. The king's subjects paid tribute in form of surplus produce and regular taxation. The practice of paying tribute was treated as extra economic coercion while the kingdom acted as a uniting institution (Mamdani, 1976: 25). Kingdom administration was run by the king's chiefs, but the king himself was the final man. Chiefs only acted on his behalf or implemented his word. In terms of decision making, it implies that the *Kabaka* was the final man having the ultimate power, thus it was not a collective process. Although Uganda had several kingdoms, Buganda was more powerful and influential.

Historically Buganda has been a powerful and organised federal kingdom (cf. Sathyamurthy 1986, 80-81; Mamdani, 1976 and Ofcansky, 1996). It is indeed still the most powerful in present day Uganda. Perhaps this explains the Kingdoms continued demand for federal status (Mwakikagile, 2012). But more important is its role in shaping the politics of the country. Since the restoration of kingdoms in the country, Buganda has pursued its demand for federal status against decentralisation. Advantaged with its central location to government, Buganda has positioned itself to be one defining factor in the politics of public policy decisions in Uganda's governance arena. In the context of LG, it plays a significant part in the politics of public policy decisions. The complexity of it is that sections of Baganda want the kingdom (king) to be directly involved or even be the final man within the Buganda region, yet constitutionally, traditional institutions are forbidden from partisan politics.

Among the segementary societies, people were bounded by rites, rules and rituals of social obligation and materially cemented by the institutions of gift giving. Political and social distinctions operated along generational lines and power was exercised by a council of elders. Each generation came to power as it grew older. Further, the relation between elders and non-

elders was status and not class relation. Thus age earned one some sort of status. Membership in the council of elders did not give one privileged access to the social surplus, but only privileged status in society. Where a chief existed he was chosen by a group of elders and could be removed by the same (Mamdani, 1976:21-22). A person (man[6]) chosen by a group of elders (men) was in charge of local or community administration. Decision making in segementary societies involved male elders hence the chief was not the final person. The LG practice of Ugandan segementary societies can be likened to other African states such as the Kikuyu in Kenya, the Igbo of Nigeria and the Oromo in Ethiopia where all adults participated in the planning and implementation of public affairs and in the adjudication of disputes (Chazan, 1991,cf. Asmerom, 1974). Chazan argues that in such arrangements, decisions were arrived at through lengthy debates whose purpose was to blur opposites to find the middle road and thereby ensure compliance. Debate was an essential feature of the practice of politics in much of pre-colonial Africa (Chazan, 1991). Therefore, whereas decision making in kingdom areas was a privilege of the king, in segementary societies, it was a collective process, but which involved only male elders, especially those of high social status. This implies decision making in each region took a different form.

4.2.   Local government in the Colonial Era

Scholarly literature suggests that colonial rule in Uganda attracted both acceptance and resistance (Mamdani, 1976). Nevertheless, it is important to note that colonial states were an expanded hierarchical administration through the concentration of political and administrative functions in the hands of a colonial civil service backed by a well-managed coercive apparatus. The fundamental nature of the colonial states was militaristic and authoritarian (Saitō, 2003: 28). Within this highly authoritarian structure, connections between the rulers and the ruled were strictly vertical. To assist in the task of administration colonial regimes encouraged the formation of new horizontal strata, dependent elites, usually the products of western education and Christian religion, who enjoyed privileged access to the new centres and their resources. This tiny bureaucratic class was the outward expression of a new norm that placed particular value on the state as the primary source of social mobility (Chazan, 1991:272-3; cf. Mamdani, 1976). Indirect rule thus resulted in the establishment of what Ofcansky calls the 'sub imperial' system that enabled the British to rule Uganda by

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[6] It is important to note that this was a male dominated era where woman played no role in public affairs hence leaders were always men.

maintaining a network of African governments that owed allegiance only to the colonial administration (Ofcansky, 1996:22).

The Buganda region was notably the most collaborative region hence the British found it easy to 'work' with them (Burke, 1964). Burke adds that Buganda was stronger and more organised at that time with an organised hierarchical government system. The system was familiar with the British mode of governance hence they could easily identify with it. In order to win more loyalty, the British rewarded their collaborators by appointing them to leadership and/ or administrative positions. So as to penetrate resistant regions, the British appointed and used Buganda chiefs to spread their so called 'organised' form of leadership or local governance (Burke, 1964:33-36). This marked the beginning of indirect rule[7] rendering Uganda a British Protectorate and not a colony as was the case with her neighbours Kenya and Tanzania (Mutibwa, 1992). Colonial administration was then adapted to prevailing local conditions and the historical experiences of the colonial powers at home (Burke, 1964).

Indeed such control was further enhanced with the signing of the Buganda Agreement (BA) in 1900. The agreement defined the boundaries of Buganda kingdom and stated that;

> 'So long as the Kabaka, chiefs and the people of Uganda shall confirm to the laws and regulations instituted for their governance by Her Majesty's Government, and shall cooperate loyally with her Majesty's Government in the organisation and administration of the said Kingdom of Uganda, Her Majesty's Government agrees to recognise the Kabaka of Buganda as the native ruler of the Province of Uganda under Her Majesty's protection and over-rule (Native Ordinance Authority, (1919)'.

Although the Buganda Agreement was a response to Buganda's demands, it clearly defined the hierarchy of power by stating duties of the African chiefs—to maintain order within areas which were under their jurisdiction. The agreement allowed the Buganda Lukiko (council) to coexist alongside the colonial government, but the latter retained control over activities of Buganda chiefs (Mamdani, 1976: 120-7). The contents of the agreement were however controversial and caused dissatisfaction among the different groups within the kingdom. Resolution of these differences was only contained by the intervention of the colonial

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[7]Indirect rule is designed to adopt for the purposes of local government the tribal institutions which the local people have evolved for themselves, so that the latter could develop in a constitutional manner from their own past, guided and restrained by the traditions and sanctions which they have inherited, moulded or modified as they may be on the advice of British officers, and by the general control of those officers (Burke, 1964).

government. This did not only subject the landlords to depend on the colonial government both politically and economically, but also served to prove the center of power. According to Mamdani the members of this class run a rubberstamp administration in return for favours. For the British it was a matter of divide and rule and politicisation of tribes—a strategy that seemed to work for them (Mamdani, 1976). At the same time this policy strengthened Buganda.

With this kind of system, the British, as was the case with colonialists elsewhere did not only dislocate African societies, but also did not promote the values associated with good governance despite the fact that the main colonial powers in Africa were themselves democratic countries (Chazan 1991:272). According to Chazan, access to colonial order was generally blocked and removed from the scrutiny of the people it purported to govern. As a result a remote, bureaucratic, and patrimonial form of politics emerged under a state which violated as a matter of routine the values of the normative dimension of governance. The institutions created by colonial governments were mostly instruments of domination established to provide the means of control over vast areas containing disparate populations. They stressed functional utility, law, and order, but not participation and reciprocity. The colonial state thus exemplified western concepts of sovereignty and territoriality at the expense of notions like nationality and legitimacy; this explains why nationalism was not deeply cultivated among Africans, although it is slowly developing. Besides, the British never delegated decision making of major issues to lower servants and /or to LG. In the context of LG, it was completely detached from the people, and did not address people's needs. It is therefore not accidental that these practices continue to characterise LG in Uganda and Africa in general.

What this tells us about LG is that, there existed two classes of leaders—the British and the Africans. Although new horizontal strata were established, they were dependant on the vertical leadership headed by autocratic Imperial British leaders who maintained the privilege of decision making. Local governments operated in a vertical manner comprised of hierarchies such as provinces, and districts. Respective leaders at different levels 'were appointed, paid their meagre salaries and told what to tell their people; if they did not they would be sacked. Although there existed some decisive autonomy at local level, Mutibwa (1992:9) argues that 'there was no mistaking where power lay'. This meant that LG that the African chiefs managed were there to serve the interests of the central government which were colonial interests. According to Mutibwa, regions were not encouraged to make contact

with another and policies encouraged rather than removed differences. This was disastrous for the functioning of LG before and after independence. In the context of policy making, this shows how bureaucratic/ political actors at national level often structure rules and policies in their favour. The same can be said in the case of Uganda today whereby LG actors depend on government to resolve any conflicts arising despite the fact that the LGA empowers them to resolve conflicts within their jurisdiction. It is important to note that the colonial administration maintained a vertical relationship between the rulers and the ruled. Besides it used a coercive apparatus that ensured that locals subscribed to the demands of the colonialists. The hierarchical structure of institutions of government meant that policy decisions followed a certain order which excluded locals from the decision making ladder.

4.3. Local Government in Post -Independence Uganda

Since independence, the political milieu of Uganda has been in a continuous transition. In the context of governance, there have been a series of public sector reforms including a move to decentralisation. But at the same time, it can be seen as a continuation of colonialism given the many inherited features such as centralised systems, authoritarian, autocratic, military rule, and bureaucracy (Mutibwa, 1992; Omara-Otunnu, 1992). Unlike her neighbours, Uganda's path to independence was not a bloody one (Ofcansky, 1996). Nevertheless LG has suffered a lot of inherited problems because the colonial legacy was never wiped out. The previous section highlighted some of the weaknesses of LG during the colonial era hence no need to restate here. It should, however, be clear that these characteristics have had enduring implications on LG and the structuring of public policy and policy decisions in post-colonial Uganda.

To start with was the independence constitution which some scholars have described as a document of compromise hence did not have elements necessary to steer LG (Karugire, 1980). It was not much different from the colonial constitution in that it maintained sections that granted Buganda federal status, but at the same time subjected other regions to central control. Karugira argues that the constitution was only 'a convenience alliance' between two parties (Uganda People's Congress & Kabaka Yekka) and aimed at over powering the Democratic Party (Karugire, 1980). Besides, it contained elements of the colonial constitution in, which governance was structured on a quasi-federal system; one such instance being the accommodation of sub-centres of power. The constitution had created an imbalance of power between the different regions. For instance, it granted the Buganda kingdom federal status

while others remained subject to strict government control. Given the fact that it was drawn by two parties representing different interests, it lacked a common ground. This constitutional arrangement did not only deny LG autonomy, but it also did not provide for uniform systems of administration. Mutibwa (1992:27-30) observes that districts appointed constitutional district heads and competed to give them nice titles. The constitutional placement of Buganda gave it superior status and it commanded more loyalty from the kingdom's subjects compared to government. Although designed to serve central interests, the differences therein and the creation of a state within a state made it difficult for LG to operate.

The creation of the Ugandan state through an amalgamation of different ethnic groups without proper mechanisms to advance national unity was bound to fail and indeed took its toll on LG too (Mutibwa, 1992). The so called national movements that fought for independence were organised along ethnic and religious basis. Although they claimed to have been fighting for a common cause, ethnic divisions emerged almost immediately after independence was achieved. As Mutibwa observes, it was extremely difficult for officers of different ethnic background to lead LG in other parts of the country. Besides the people who now occupied these offices were former Africans very familiar with the people they were supposed to lead. According to Mutibwa Africans were not accustomed to being headed by fellow Africans. Besides, sections of Baganda could not accept to be led by people from other areas whom they considered to be of low status. Indeed, the then prime minister Apollo Obote had the formidable and unenviable task of welding the various communities of the country into a modern nation-state called Uganda (Mutibwa, 1992:24; cf Sathyamurthy 1986, Mamdani, 1976 and Ofcansky). Like most African states, right from independence, the leaders were not able to cultivate a state of unity among Uganda's heterogeneous population (Ofcansky 1996:39- 41). Coupled with the abrogation of the independence constitution amid a divided society, local governance became complex while policy decisions tended to follow ethnic and religious divisions. It can be argued that all these factors, coupled with unbalanced level of development, low levels of education added to the many problems of local government.

Post-independence LG has had to operate amid defunct formal institutions (Omara-Otunnu, 1987). This feature enabled political actors to take the law in their hands including commanding LG as they pleased. It should be noted that the respective post-independence regimes have amended the constitution, but in all, LG remained under the control of the government and served to undertake the diversified functions of the government. As such LG have always been microcosms of the government rather than its local outpost. An example

can be cited from the Obote II regime where LG was located in the district headed by the district commissioner who represented the government. During this time, LG affairs were conducted by an elected district council and assisted by staff members recruited by the district (Sathyamurthy 1986: 467-77). Political participation in the affairs of LG was restricted. As it is with the current decentralised system, the district government was a replica of government albeit with considerably reduced paraphernalia of administration in comparison. Notable about this system was that a minister could dissolve the entire district council if he deemed it in public interest and could also nominate all councillors thus they depended on his good will.[8] Local governments were thus rubberstamps of government or worse still of an individual such as a minister. This resulted in endless conflicts between the central and LG.

Scholars like Ofcansky, argue that the failure of formal institutions was a result of politically ineptitude leaders hence their failure to establish a stable government (Ofcansky, 1996, 48-9). Omara- Otunnu adds to this argument by suggesting that the independence constitution tasked leaders to govern pluralist institutions of foreign origins such as parliaments and political parties of which they barely had any experience (Omara-Otunnu, 1987). Once these institutions failed, respective post-independence presidents turned to the military to consolidate themselves in power. Since then, most Ugandan governments have often relied on the military to sustain themselves in power (Ofcansky, 1996; Kagoro, 2014). Nsibambi (1998) argues that institutional collapse led to the failure of the line ministries to monitor and/ or carry out their duties which in turn led the leaders at lower levels becoming autocratic and arbitrary in their relations with local councils. On the other hand, dependence on the military meant investing more on it amid a collapsing economy (Omara-Otunnu, 1987). In this regard, and as suggested by the findings of this study, funding LG was near to impossible hence performance was heavily affected.

Characteristic of post-independence LG was that it had limited resources and mostly depended on remittances from government. The highly centralised administrative structures have often stifled local initiatives, misappropriated revenues and promoted inefficiency in resource utilization (Nsibambi, 1998). Dependence on remittance from government meant that government had full control over public policy decisions. The failure of LG to deliver to people's expectations resulted in loss of trust in government systems and dissolution among the local populace.

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[8] Interview with a district civil servant in Mukono

The challenge to policy decisions during the post-colonial era can be sited in the formation of the nation-state of Uganda and the construction of the independence constitution. Bringing different societies together meant some sort of a unified process of decision making. However, due to socio-political differences, not only did the process of decision making become complex, but public policy decisions became more multifaceted due to different interests. This is not different from what it is today under decentralised LG. Despite the constitutional declaration of traditional institutions as non-political, sections of actors in kingdom areas demand that the king be allowed to determine the destiny of his subjects. It implies that decision making in the verge of many actors with different interests is a complex process.

4.4.   Local Government during the National Resistance Army/Movement Era

Before discussing LG in the NRM era, a quick review of the civil conflict that led to its power capture is necessary. In 1979, Uganda went to war with Tanzania leading to the removal of the then president Idi Amin. This was followed by a period of intense competition and fighting between different groups that had fought alongside the Tanzania People's Defence Force which removed Amin. These groups had united as Uganda National Liberation Army (UNLA) and its political wing, the Uganda National Liberation Front (UNLF) and had formed a quasi-parliamentary organ known as the National Consultative Commission which later removed the interim government of Yusuf Lule and installed Godfrey Binaisa as a president. Binaisa was himself removed from power by the Military Commission which was then a powerful organ within the UNLF. This military commission was headed by Paul Muwanga deputised by Yoweri Kaguta Museveni then leader of the Uganda Patriotic Movement (UPM). A three member presidential commission then governed the country. In December 1980 general elections were held and Milton Obote's Uganda People's Congress won. Museveni's UPM party disputed elections on allegations of fraud. Together with his supporters Museveni retreated to the southern part of the country and formed the Popular Resistance Army (PRA) which later merged with former president Lule's group the Uganda Freedom Fighters (UFF) to create the NRA. The NRA then declared an armed rebellion against the Obote government. The fighting mostly took place in what came to be known as the Luweero triangle. The deteriorating military and economic situation coupled with inside conflicts among the UNLA resulted in a coup against Obote forcing him into exile in Zambia and Tito Okello became president. In 1985 a peace accord was signed in Nairobi, between Tito Okello and the NRA, but the ceasefire broke down almost immediately. Fighting intensified in Luweero and shortly

after, the NRA captured power with Museveni becoming president. The NRM became the national army and was renamed Uganda People's Defence Forces.

As the NRA captured power, two rebel groups formed in West Nile—the Uganda National Rescue Front and Former Uganda National Army. At the same time another rebel group—Allied Democratic Forces was in full operation in the south western part of the country, while in the Acholi region, the Holy Spirit Movement led by Alice Lakwena and the Lord's Resistance Army (LRA) led by Joseph Kony respectively launched rebellion against the NRA/M. The LRA became the longest conflict in the country. Its area of operation was wide, covering the entire north and parts of west Nile and the Teso region. The LRA inflicted massive destruction both in terms of political structures as well as social welfare/ human rights. In the east, the Teso insurgency equally contributed to a breakdown in social and political infrastructure. Put together these civil wars created a big dent in the social, political and economic milieu in the country. In the context of LG, they led to an almost total destruction of the administrative system.

However, in 1986 when the National Resistance Movement herein referred to as the 'Movement' came to power, LG took yet another form[9]. As indicated above, the Movement, which came to power through a protracted civil war popularly known as the 'bush war'[10] re-organised the LG system into what it called resistance councils now Local Councils. Under the leadership of president Museveni the Movement promised an interim period of four years within which it would restructure the system and create democratic institutions. It argued that post-independence Ugandan political rulers had greatly exacerbated the problems of economic distortion introduced by British colonial rule. Therefore the solution to these problems required a new political and economic strategy hence the 'Ten Points'. The 'Ten Point Program' propagated for a pro-people system of governance. As part of its programme for fundamental change' LG would be rooted at local level (Oloka-Onyango, 1995). In deed an intricate structure of resistance councils from village to district levels were installed (Hansen, Twaddle, 1995: 139 cf 1998). They performed duties of defunct state organs including service delivery, which was formerly a reserve of the central government.

However, contrary to its promise of political stability, the Movement banned political parties and advocated for no party democracy. In opposing the idea of multi-party politics, Museveni is quoted to have said ' ...*therefore our view is that trying to introduce multiparty politics in a*

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[9] NRM era is also post-colonial but discussed separately since it is the period under examination
[10] The NRA bush war is sometimes known as the Guerillar war, Resistence war or the Luweero war

backward, pre industrial society is trying to push a square peg in a round hole as the English say. It is myopic, irresponsible and destructive. Our strategy is a movement strategy[11]. To him, the resistance councils were the core element of grass-root participatory democratisation (Hartmann, 1999: 234). It meant that LG would operate under a movement system. This however undermined the principle of representation and/ or freedom of association. In his analysis of decentralisation in Africa; Ndegwa (2002) credits the Movement for creating Uganda's most effective grass root political system. Nevertheless, it should be noted that during the period of Resistance Councils, participation was limited to members of the Resistance Council. Since political parties were banned other ideologies were supressed. Oloka Onyango, (1998) observes that the Resistance Councils were designed to serve the interests of the regime making them equally rubberstamps of the government as was the case with previous regimes. The implication of these on LG was that it was not an independent institution hence did not serve the interests of local communities, because government reserved the right to policy decisions. Besides the Resistance Councils were initially spies, security apparatus and support groups used by the Movement during the bush war (1981-86) to solicit support and to source for potential recruits to join the war against the Obote regime (Dodge, 2002: 16). Banning of political parties was a strategy used to minimise political competition in almost all post-colonial governments in Africa, which led to the emergence of states as sole viable mechanisms through which African leaders could maintain their power and seek their other goals (Clapham, 2003:57). Clapham adds that the preservation of the state became the overriding priority of governments not only domestically, but also within foreign policy. Local governments helped in this preservation.

The opening up of political space, as a result of the 2005 referendum had yet another turn on the country's political milieu (Kakuba, 2010). The resulting wave of democratisation reinforced broader approaches to governance. Some scholars have attributed the opening up of political space to mounting pressure from the international community and the donor agencies such as the World Bank and IMF which made it a pre-condition for aid (cf. Clapham, 1996: 187-207). Most significant of WB demands was the call for public reform, which resulted in the adoption of decentralisation yet another transition in Uganda's LG system. The setup of LG under decentralisation and how it works was already discussed in chapter one. The next section will thus focus on explaining the LGA as the basis of decentralisation.

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[11] New Vision, 19.12.1994:6

4.4.1.   Explaining the Local Government Act

Upon its commencement on 24th March, 1997, the Act popularly known as CAP 243 stipulated that;

> The purpose of the Act (CAP 243) was to amend, consolidate and streamline the existing law on LG in line with the Constitution to give effect to the decentralisation and devolution of functions, powers and services; to provide for decentralisation at all levels of LG to ensure good governance and democratic participation and control of, decision making by the people; to provide for revenue and the political and administrative setup of LG; and to provide for revenue and the political and administrative setup of local councils and for any other matter connected to the above (LGA, 1997: 563).

Accordingly the Act sets out to achieve the following objectives;

a.   to give full effect to the decentralisation of functions, powers, responsibilities and services at all levels of local governments;

b.   to ensure democratic participation in, and control of decision making by the people concerned;

c.   to establish affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of addressing imbalances which exist against them;

d.   to establish sources of revenue and financial accountability;

e.   to provide for the election of local councils;

f.   to establish and provide for the composition of interim councils for newly created local government units pending elections of the councils; and

g.   to provide for formation of interim executive committees for interim councils (LGA, 1997:577-578) .

The objectives are aligned with the main principles of the LG system enshrined in the constitution (see 1.1). Put together, the key highlights of both the LGA and the national constitution clearly emphasise certain elements of decentralisation. To begin with, both organs underline the aspect of devolution. Therein contained is the component of subsidiarity whereby power is transferred to the respective LG in a coordinated manner. This power 'enables' them to perform devolved functions such as planning, initiating and executing policies in respect of all matters affecting the people within their jurisdiction. It also allows them to conduct employment procedures for their staff and/or workers including monitoring of the same. While giving full effect to decentralisation, the LGA like the constitution

establishes avenues for democratic participation, affirmative action for marginalised groups and control of decision making by people concerned. Above all, both instruments approve an establishment of a financial base with reliable sources of revenue while also promoting financial accountability. The Act clearly spells out institutions and actors responsible for this.

4.4.2. Institutions and Actors in Local Government

As indicated in figure 1.1, LG in Uganda is structured as follows; Village, Parish, sub-county, county and district. Each level is led by a council and governed by a chairperson. The village is the lowest political administrative unit and usually consists of 50-100 households. Its population may range between 250-1000 people. The leader here is known as the chairperson of local council I commonly known as LCI[12]. The Parish is the second lowest level and is made up of several villages. The parish council is called LCII. It has a committee made up of the LCI chairpersons constituting that parish. The Parish is largely run by a parish chief who is a government employee responsible for providing technical leadership to the LCII. Village plans and/ or concerns are passed on to the parish which then forwards them to the subcounty.

The sub-county also known as LCIII is made up of several parishes and is run by a Senior Assistant Secretary also known as the sub-county chief on the administrative side and an elected LCIII chairperson together with his executive committee comprising elected councillors. It also has a council which is some kind of parliament at that level, complete with a speaker and deputy speaker. The council consists of elected councillors representing parishes, other government officers involved in the social sector namely health, education and development, and NGO officers in a given sub-county. In towns, a sub-county is known as a division. Unlike LCI, II and IV, LCIII is not an administrative unit. It is classified as lower local government. It is at this level where real LG work starts. The county is the fourth level and is made up of several sub-counties. Important to note is that a county is not local government, but an administrative unit. A county is represented by an elected member of parliament. In major towns the equivalent of a county is a municipality (composite of several divisions). LCIII executive committee members of all the sub-counties constitute the LCIV. They then elect an LCIV executive committee from among themselves. These committees have limited powers, except in municipalities, which they run. A Member of Parliament may participate in district council sessions, but he/ she does not have voting power. The district or LCV is the highest level of LG and is made up of several counties/ municipalities in that area.

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[12] Unless otherwise, all the following information is taken from the LGA (CAP 243)

Currently Uganda has 112 districts. Like LCIII individual actors are categorised into two groups namely politicians and technocrats[13]. From the technical wing, the district is headed by a CAO and his technical staff including the DCAO, SAS of different sub counties and the different departmental staff such as clerks, procurement officers, office administrators et cetera. As already noted in chapter one, the CAO and DCAO are appointed by the Public Service Commission while other technical staff are appointed by the District Service Commission headed by the district chairperson. The CAO and his/ her technical team are responsible for policy implementation while the politicians are responsible for policy making. The political wing is headed by an elected district chairperson with his council. As a political head of the LG the district chairperson must have similar qualifications as Member of Parliament and must be a person ordinarily resident in that district. Key functions of a district chairperson include among others presiding over meetings of the District Executive Committee (DEC), monitor the general administration of the district, the implementation of council decisions, oversee performance of persons employed by government to provide services in the district and to monitor the provision of government services or the implementation of projects in the district and be answerable to the council. The district council is composed of eight persons. These include the district chairperson, a directly elected councillor, two youth councillors, two disabled councillors and two elderly councillors. These are chosen from among councillors elected by adult suffrage. It is paramount to have both male and female representation in each category. Like the sub-county, the district council is the parliament at this level with a speaker and deputy speaker. The speaker of the council is elected from among council members through secret ballot and can be removed from office by the council by a resolution supported by not less than two-thirds of the members of the council. The speaker's duties include presiding over council meetings, preserving order in the council and enforcing rules of procedure. Both the LCV chairperson and the speaker are key members in the DEC. Their removal from office can be based among other reasons on abuse of office, incompetence, misconduct et cetera.

The DEC is composed of the chairperson, vice chairperson and a number of secretaries not exceeding three. Functions of the DEC include the following;

a) to initiate and formulate policy for approval of the council,

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[13]During the field study, it came out that all administrative personnel were referred to as technocrats. Accordingly the two wings of LG are also known as the technical wing and the political wing.

b) oversee the implementation of the government and council's policies and monitor and coordinate activities of nongovernmental organisations in the district,

c) monitor the implementation of council programmes and take remedial action where necessary

d) recommend persons to be appointed members of the district service commission, LG Public Accounts Committee (PAC), District Tender Board (DTB), District Land Board (DLB) or any other boards, commissions or committees that may be created,

e) receive and solve problems or disputes forwarded to it from lower LG councils,

f) at the end of each financial year, consider and evaluate the performance of the council against the approved work plans and programmes; and

g) carry out any other duty as may be authorised by the council or any law (LGA,1997:589).

Institutionally there are rules and regulations governing each structure. Being the highest political authority within its area of jurisdiction, the council has both legislative and executive powers which are to be exercised in accordance with the constitution and the LGA (LGA, 1997:581). This implies that they can make local laws consistent with the constitution or any other law. They have the power to make development plans based on locally determined priorities, raise revenue including determining and implementing the revenue raising mechanisms, make and approve and execute own budgets, alter or create new boundaries within their areas of jurisdiction, appoint statutory commissions, boards and committees. These may include for instance the District Service Commission, District Land Board, District and Urban Tender Board and Local Government Public Accounts Committee.

LG councils can also establish or abolish offices in the public service of a district or urban council as well as hire and manage personnel and administer own payroll and pension. It is worth noting that these powers are assigned to the councils and not to individual offices like that of the chairman or the CAO. This is to ensure democratic participation in decision making and control by the people as represented in council. Line ministries are no longer responsible for the direct delivery of transferred services.

In addition to administrative and elected actors, there is an RDC and deputy RDC for each district. Unlike the district chairperson and other councillors, the RDC is appointed by the president, must be a Ugandan and qualified to be an MP. He is responsible for security and monitoring of government programmes in the district. He/she chairs the district security

committee and carries out such other functions as may be assigned by the president or prescribed by parliament by law (LGA, 1997:626). The same applies to the Gombolola Internal Security Officer only that his area of jurisdiction in sub-county level. Only the president has the power to terminate the RDC.

The description herein provided shows that the LG arena in Uganda is composed of both corporate and individual actors. The council, the District Executive Committee and the different Boards and Committees represent composite actors who according to ACI operate within an institutional setting. As per the objectives of decentralisation, local councillors including the district chairperson being directly elected by the locals are accountable to their electorates. As a corporate body with legislative and executive powers, the council can sue and it can be sued. Constitutionally, all elected political actors are supposed to serve a period of five years unless removed from office due to reasons highlighted above.

As shall be demonstrated in the empirical chapters, there appears to be competition for power between the RDC and the LCV with each claiming to be above the other, for example in a public ceremony each wants to speak last in order to show that he/ she is above the other. This sometimes leads to conflict among the two. Most times, the LCV says—since am elected by the people in the entire district, am the boss. On the other hand the RDC argues that since he/she represents the president, he is bigger or his position is high.

Following devolution, LG was empowered to make local policy and regulate the delivery of local services; formulation of local development plans based on locally determined priorities; receive, raise, manage and allocate revenue[14] through approval and execution of own budgets; alter or create new boundaries; appoint statutory commissions, boards and committees for personnel, land, procurement and accountability; as well as establish or abolish offices in Public Service of a district or urban council (LGA, 1997: 600). The planning process of LGs is undertaken by the District Planning Authority (DPA). As per section 35 (2) of the LGA, the DPA shall in addition to procedures it establishes for itself, work according to the guidelines established by the National Planning Authority (NPA). This implies that the districts are required to prepare comprehensive and integrated development plans incorporating plans of lower LG for submission to the NPA. The same applies for lower LG (sub county/LCIII). In addition, the District Technical Planning Committee (DTPC) which is headed by the CAO is responsible for coordinating and integrating all sectorial plans of lower governments for

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[14] For details on financing of LG see 5.5.2&5.5.3

presentation to the district council (LGA, 36: 2). On the other hand, government is responsible for national affairs and services; formulation of national policies and national standards and monitoring the implementation of national polices and services to ensure compliance with standards and regulations (Constitution, 1995: schedule 6). Line ministries carry out technical supervision, technical advice, mentoring of LG and liaison with international agencies. Districts have the power to create sectorial committees which are responsible for planning, supervising, and monitoring policy implementation. Ministry of LG and the LG Finance Commission act as the linkage between the district and government. As Sabiti Makara (1998) argues, this bottom-up approach promotes development initiatives.

From the above discussion, the following similarities can be traced in LG throughout the different eras namely; (i) central dominance and concentration of power in the executive (ii) indirect rule (iii) politicisation of ethnic groups and (iv) failure to create a culture of national unity. To start with, the 1966 promulgation of the constitution granted the president a lot of power. Despite several constitutional amendments the president still possesses extensive power, which enables him to solely decide on any policy issue at any level of government. This is similar to the colonial administration that did not delegate decision making as well as with previous post-independence governments in which decision making was centralised. In both colonial and post-independence governments, decision making was limited to those within government apparatus. The changes within LG were meant to change this and include more locals in political participation and decision making. The findings of this study however indicate that participation and policy decisions remain a privilege of a few actors within and outside government. The explicit difference here is that unlike the past that limited policy decisions to only actors within government, decentralisation opened space to include actors from outside. On the other hand, the LGA can be compared to the Buganda Agreement which clearly spelt out the roles and duties of Buganda chiefs. The Agreement empowered Buganda chiefs to make decisions within their area of jurisdiction, but the British retained power to control their activities. The Agreement was also controversial such that it created conflict among Buganda chiefs. This provided the British administration the opportunity to intervene thus proving where real power lay. As shall be discussed in chapter five, there is a clear mismatch between the constitution and the LGA and as a result conflicts among the different actors within LG are a common occurrence. In such instances government and sometimes the president himself intervene thus proving his power and perhaps acting as the major decision maker.

As shall be discussed in chapter six, the restructure and empowerment of institutions of governance within LG including the creation of new ones has translated into establishment of power centres. These power centres then serve as institutions of domination. These institutions enhance indirect rule for instance the office of the RDC is meant to propagate government programmes and ensure security, but the findings of this study show that practically he acts as an advocate for ruling party and ensures that people pay allegiance to it. Moreover, the new structure facilitated power capture by elites who then have access to new centres of power and resources. Together this results in the development of a network of government patriots. Like the British administration which encouraged disunity among the country's many ethnic groups, as a strategy aimed to minimise possible rebellion, post-independence governments in Uganda failed to cultivate a spirit of national unity. The NRM has taken a different, but similar approach—creation of new districts resulting in what I call soilisation (see 6.3). Although those who propagate for new districts claim that it is the people's wish, findings contained in chapter six demonstrate that curving districts based on ethnic identity equally divides society and promotes ethnicity. As a result policy decisions tend to reflect ethnic bias. Furthermore, where ethnic conflicts arise, the president presents himself as the sole problem solver. Some scholars have argued that this structure was meant to enable the NRM achieve two main objectives namely; to ensure control of LG members by the public through their participation in public affairs, and to mobilise support for development that would be relevant for local needs (Golooba Mutebi, 2008). Presumably by engaging in policy-making and implementation, members of the public would prevent the capture, domination and exploitation of LG institutions by local elites. In the context of policy decisions, this would imply that decision making involves all players in LG and reflect local needs.

This chapter has provided a historical reflection of LG in Uganda to the conclusion that in trying to understand the dynamics of public policy decisions therein, certain factors as highlighted above should be taken into consideration. Based on such continuities as herein demonstrated, I argue that policy decisions in Uganda's LG setting have tended to follow a similar direction.

CHAPTER FIVE: BEYOND CONSITITUTIONALISM: MICRO-HEGEMONY AND POLITICAL ORDERS IN UGANDA

This chapter provides an elaborate description and analysis of the institutional setup and the functionality of LG in the context of constitutionalism. It starts by examining the establishment of micro-hegemony and goes on to explore the creation of power centres through which micro-hegemony is exercised. In order to understand how micro-hegemony works, the chapter explores the decision making processes in four main areas namely, personnel recruitments, issues to do with finances, public procurement and the making of by-laws. It also examines what I call musevenisim which is a form of power used to influence policy decisions and how it works. Finally it explores recentralisation of LG within a decentralised system. Accordingly, questions about the bounds of constitutionalism, appropriation, production and reproduction of power and its usage are dealt with by bringing in case studies from the field. Based on empirical evidence, I argue that public policy decisions in LG are not only dictated by constitutional provisions, rather, other factors such as power play a decisive role. The interplay between actors' application of their formal positions fused within power centres contained in the structural design play together to produce micro-hegemony which in turn becomes a decisive factor in decision making. It is therefore prudent to say that the process goes beyond constitutional provisions, making it more complex and dynamic than what it appears to be.

5.1.   The Creation of Power Centres/Powerful Actors and the resultant Establishment of Micro-Hegemony in Local Government

The concept of hegemony probably has its roots in the works of Antonio Gramsci (1891-1937) and Raymond Williams (1977). Gramsci differentiates hegemony from rule which according to him is power exerted through direct political and even coercive physical means. It is a process of moral and intellectual leadership through which dominated or subordinate classes of that time *agreed* [*sic*] to their own domination by ruling classes, as opposed to being simply forced or coerced into accepting inferior positions. Accordingly, the principal founding elements of hegemony are consent and persuasion. A social group or class that is able to articulate and bourgeon cultural and ideological beliefs such that they are universally valid and accepted by the general population assumes a hegemonic role. Ideology, culture and philosophy are thus inherent to the concept of hegemony. These are perpetuated by

intellectuals and the civil society. Gramsci stresses the importance of intelligent monopoly within civil society, that is to say, the strategic position given to those intellects who are naturally linked to the ruling class. The positioning of this group of actors in civil society facilitates the advancement of a particular ideology which consolidates the hegemonic claims of its class subject. Apart from legitimating and perpetuating hegemony, the civil society and the intellectuals are the intermediaries through, which the dominant class and the subordinate classes are linked. By so doing they render the existing power structure acceptable to allied and subordinate groups (Fontana, 1993).

Gramsci's conception of hegemony was informed by the state of affairs that surrounded western European states in the late 19th and early 20th century. His usage of the concept theorises not only the necessary condition for a successful overthrow of the bourgeoisie by workers or even the peasantry, but also the structures of bourgeois power. It is important to note that Gramsci associates hegemony to economic power—'if it is ethico-political, it must also be economic, and have its foundation in the decisive function that the leading group exercises in the decisive nucleus of economic activity as demonstrated by the phenomenon of bourgeois supremacy or rule in a stable capitalist society' (Quintin,1977.24). Thus according to Gramsci, hegemony is a form of control exercised by a dominant class (bourgeoisie), in the Marxist sense of a group controlling the means of production and employers of wage-labour. It is the most important face of power whereby the dominant classes treat the dominated as consumers who are addressed by the culture and advertising industries according to their demographic characteristics their social class, their disposable income, their age, sex extra.

On the other hand William (1977:100) defines hegemony as political rule or domination, especially regarding relations between states. William's conception of hegemony is particularly more interesting in that he brings out certain salient aspects to show how hegemony emerges and how it is utilised. Williams (1977: 108-14) presents hegemony as a lived experience. For him, hegemony goes beyond both conceptions of culture and ideology because the former insists on relating the whole social process to specific distributions of power and influence while the latter entails not only the systems of ideas and beliefs, but the whole social lived process as practically organised by specific and dominant meanings and values. Accordingly, lived hegemony is a process, not a system or structure. He adds that hegemony is dynamic because it does not just passively exist as a form of dominance, rather, it has to be continually renewed, recreated, defended, and modified. At the same time it is constantly resisted, limited, altered and challenged by pressures not, all its own. Above all

William observes that hegemony attempts to neutralise opposition, that is, 'the decisive hegemonic function is to control or transform or even incorporate [alternatives and opposition].'Accordingly Williams sees hegemony as offering a much more tangible and founded way of approaching the way that particular groups are dominated and subordinated in any social establishment, and the way this process is infused in the common fibers of everyday life.

Both Gramsci's and Williams view of hegemony have a limited resembles of what I call micro-hegemony in Uganda. For the case of Gramsci, this resembles can be traced from the point of view that, there is not in any sense a single dominant class, but, rather, a shifting and unstable alliance of different social classes. On William's part, the resembles is seen from the point of view that hegemony is dynamic and a social process that concerns itself with distribution of power. Despite these similarities, in the context of Uganda, there are several differences that can be drawn, for example, Gramsci uses hegemony to denote the cultural leadership of the dominant classes in the production of generalised meanings (ideology). The dominated classes are persuaded and consent to being dominated or to the prevailing arrangement of social relations including acceptance of a particular philosophy. Besides, hegemony is almost inseparable from economic power implying that those with economic power also dominate the political scene. Hegemony involves a link between the intellectuals and the ruling class, while society is segmented into markets and consumers.

In the context of Uganda, the conditions for the exercise of power as in the Gramscian point of view are not a pre-requisite. Unlike in the Gramscian case where being an intellectual is a necessity, this is not necessarily the case in Uganda. What matters in the latter case is possession of any of the Lasswellian values (see 2.3.3). Moreover hegemony in the Gramscian point of view is exercised by a social group who also dominate the means of production (economic power). In Uganda it can be exercised by a group of people or by an individual who may or may not be economically powerful. Besides those dominated no not necessarily consent and the civil society do not play any role in the process. The Gramscian and William's view of hegemony limits itself to the state and does not capture the power dynamics and social structures at micro-levels of government. It does not recognise that beyond ruling class exist other forms of power that actors use to control and dominate others. To this effect, I coin the term micro-hegemony in order to capture the dynamics of power exercise at micro level. In the context of this study, micro-hegemony is often used to influence policy decisions. This implies that hegemony can be exercised at different levels of

government. Micro-hegemony suggests that hegemony can also manifest itself in other levels of leadership. In Uganda, the restructure of LG created more institutions, power centres and 'powerful' actors with formal positions thus producing some sort of bureaucracy. In most cases, the bureaucracy, which in this case represents what Scharpf calls composite actors has its own interests (Scharpf, 1997). Coupled with actors' individual interests, such a structure facilitates the use of formal positions to influence public policy decisions. The implication is that decisions are in most cases premeditated to enhance individual interests or those of a few actors within the system. The use of formal positions creates micro-hegemony, which then becomes a major factor in public policy decisions. Micro-hegemony then refers to the manipulation of one's power (political, social or economic) by actors in the different levels of LG. In exercising micro-hegemony, the process of public policy decisions often surpasses constitutional provisions.

As North (1990) argues, institutionally defined situations influence the interests and even identities of actors within the boundaries of an institution, and conversely institutions are rules defined in relation to stable configurations of actors with particular identities and interests. In Uganda, power centres are not only a gateway to political power, but also facilitate the exercise of this power. As actors therein carry out their daily duties they recreate, defend and modify micro-hegemony. Although LG has its foundation in the constitution and the LGA, its operation largely depends on the interaction between actors and how they choose to apply the law. Moreover the two legal documents each institutionalise different organs hence actors report to different authorities who equally possess diverse interests. For instance, although the RDC's work jurisdiction is located in LG, they report to the president, the district chairperson on the other hand is accountable to his electorate while the CAO reports to the public service commission. This is a clear indication of separation of powers, but at the same time because each of these actors although located and presumably work for LG, are accountable to different authorities. It implies that these actors may be forced to serve the interests of their bosses and not those of local communities. Therefore, it suffices to say that policy decisions are shaped and moulded by the challenges and options available to actors at local level. Actors may use their formal positions to influence policy decisions first towards the interests of their bosses, but also for individual benefit. As Anthony Birch (2001) argues, power is sometimes associated with those seen to dominate the policy environment or those well-known to the locals.

To start with, the restructure of LG and the consequent creation of new institutions of governance resulted in the emergence of power centres and the development of 'powerful' actors whose exercise of power led to the emergence of micro-hegemony. Power centres thus serve as entry points to the political scene and once actors are in, they legitimate the exercise of power. As actors therein carry out their daily duties they recreate, defend and modify micro-hegemony.

During the field study, respondents were of the view that the exercise of power was backed by the constitutional design of LG as herein demonstrated.

> There are a lot of power centres at the district, you have the RDC, you have the district chairman, you have the CAO, so all these. Who takes precedence over the other is not clear and on the district the chairman who is overseeing the implementation of projects is not clear, we don't know whether it is the district chairman or it is the RDC. The RDC essentially is for security, isn't it,— representing the president at the district and ensuring security and mobilising people for the ruling party. Now the district chairman is an elected leader, what is his role now,—isn't it also political supervision? So you find that this is also political supervision in addition to political supervision. There is clashing between the RDC and the chairman over who takes precedence in the district (AC2: 02.08.12 Kampala).

This quotation shows that the exercise of power does not occur in a vacuum, it is often situated within an organisational structure. As AC2 states, the restructure of LG yielded voluminous improperly defined power centres such as LCV, LCIII, SAS, GISO, LG heads of departments and councillors. This is in addition to the traditional offices like the District Police Commander, District Medical Superintendent and District Education Officer. The structure is that the government gave away a lot of power to the district which also gave away power to the sub-county. This kind of establishment did not only create power centres, but also increased the number of actors in each category, whereby each actor enjoys a level of micro-hegemony which he or she is bound to exercise where policy decisions are concerned. In the process of performing their duties these actors exercise a significant level of power thereby recreating, defending and modifying micro-hegemony. As AC2 states, there is duplication of roles and duties. Often times, this lack of clarity results in conflict between actors, but at the same time actors have to find means to exercise their power. One participant recalled that;

> 'when I wanted to renew my passport, the RDC sent me to the police commander that to clear my criminal record. When I came back he refused to sign my papers telling me to come back another day, but he did not have any reason for not

> signing the papers there and then. He just wanted to show me that he has power to decide on what to do with my forms' (AC3:27.07.12 Kampala).

In this case, the RDC is well aware that without him signing the papers AC3 cannot move to the next step. In line with this another interviewee claimed that the creation of several power centres was an NRM gimmick devised to reward NRM loyalists, but had nothing to do with the betterment of LG practices as presumed by devolution (DPlt9. 31.07.12 Entebbe). He stated that 'this is a deliberate move to bring in wrong elements simply with a hidden agenda to frustrate and cripple LG' (DPlt9: 31.07.12 Entebbe). In this case, DPlt was referring to RDCs. The RDCs are appointed by the president and are often reshuffled. The rational for such appointments, is, however not known, neither are they subject to any sort of parliamentary or any other legislative approval. It is also not clear if policy considerations are central to such appointments to ensure that the right person occupies that office. Accordingly, respondents said that RDCs were simply the president's watchdogs on the ground (NPlt6 02.08.21 Kampala). They claimed that RDCs fabricated information against those deemed un loyal to the regime. In most cases, RDCs were said to have reported such people directly to the president. Respondents viewed this as a strategy that RDCs used to keep themselves closer to the president and to prove that they were doing their job (DCS1: 25.07.12 Mukono; DCS3: 20.08.12 Wakiso, DPlt4: 25.07.12 Mukono; AC327.07.12 Kampala).

Responding to complaints about the behaviour of RDCs, state house spokesman confidently stated that there were reasons why such people were appointed for instance to please certain people or to give them jobs because of their previous contribution.[15] On top of being a reward position to those loyal to the ruling party, the RDC's position serves to show how the restructure of LG yielded a new form of power appropriation far from the original intention of devolution. Since this power comes from formal positions, the constitution serves as an avenue for power appropriation. At the same time, the RDC's behaviour reflects what Schatzberg refers to as the love of power that makes those who bath in the sunshine of that power to dance around the powerful, 'tell tales and manufacture enemies just as fast as they can manufacture titles only to keep in power' (Schatzberg, 2001:45). In Uganda, this (ab)use of power has become a major determinant of policy decisions at local level. This is even made worse when those closer to avenues of power begin to reproduce it for personal benefit as shall be demonstrated later. Due to lack of institutional means to control such behaviour, it

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[15]Paul Aruho, 'Presidential advisor says Museveni ignores advice' Daily Monitor 03.04.2013

passes without say. Locke (1690) was thus right to argue that, 'it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them (cited in Lasswell and Kapland 1982).

The RDC is not the only person in this exercise. In Mukono, interviewees reflected on a case in which the municipal mayor decided to relocate his offices to another area without the approval of the council (DPlt4: 25.07.12 Mukono), while in Kabarole the chairman directed the town clerk to give the kingdom money as contribution for kingdom activities yet this was not catered for in LG financing (SCS2: 26.08.13 Tel Int)). In both instances, the actors cited are simply trying to show how powerful they are. In Pallisa district, respondents attributed the conflict between the administrative personnel and politicians to assumption of power by the latter. They recalled that historically, the SAS who were then sub county chiefs commanded a lot of power, which they exercised in the implementation of LG policies (GRP3 28.0812 Pallisa). According to this group, not willing to relent their power, a power struggle had erupted between these groups of actors. They added that, the assumption of more power had permitted councillors to ride over technocrats even when they (councillors) were not adequately knowledgeable. This shows that micro-hegemony is practiced by those in control of the political ground who often perceive themselves as being in control of resources hence their ability to influence public policy. Most often these players are located within government structures. So in performing their duties, these actors engage in the exercise of power hence producing micro-hegemony. Micro-hegemony can thus be displayed at different levels of government so long as the structures therein accord actors some sort of power. As Chabal (1994:217) argues, hegemony illuminates the nature of the link between economic and political power, between culture, social formation and political institutions, between individuals and corporate bodies, elites and counter elites, and between the haves and the have not's. In this case micro-hegemony is used to facilitate understanding of the dynamics of political domination in terms of public policy decisions in LG in Uganda.

I argue that the creation of power centres which was meant to enhance subsidiarity has instead resulted in power struggles. It paved way for the rise of 'powerful' actors and their consequent exercise of micro-hegemony to the detriment of LG. It suffices to argue that, to restructure the system into a complex one was purposely designed to create systems of control. In the context of public policy decisions, it implies that decisions are influenced by powerful actors and are designed in a manner that serves their interests and not the interest of local communities as was assumed by decentralising LG. Micro-hegemony is often applied to

influence policy decisions on four areas namely; human resources, finance, public procurement (contracting & tendering) and policy formulation at lower level. These areas provide an avenue for the exercise and application of micro-hegemony.

5.5.1. Application of Micro-Hegemony to Personnel Recruitments and its Impact on LG

As provided in article 198 of the 1995 constitution, LG through the district service commission has the power to 'appoint persons to hold or act in any office in the service of a district including the power to confirm appointments, to exercise disciplinary control and to remove persons from office' (Constitution of Republic of Uganda, 1995:151). But as this study found out, these statutory organs were overridden by powerful actors who have turned into using their positions to influence recruitment processes. This confirms Birch's (2001) argument that power can be exercised for good or bad reasons. At the same time it rhymes with Gustave's reasoning that, institutions cannot remedy the defects of societies, and national progress (Le Bon, 2008:41).

Respondents claimed that the process of personnel recruitment into LG was a privilege of powerful actors who used their formal positions to ensure that those recruited were their favourite candidates and not necessarily the most qualified (GPR3: 28.0812 Pallisa). According to this group, the district service commission was no longer neutral as it ought to be. They argued that in most cases recruitments were politically influenced, with the district chairman having an upper hand—'it is the chairman who nominates the candidates, he has the power to vet who gets the job'. GPR3 said that because members of the district service commission are nominated by the chairman himself, no one could dare question his decision even if he gave the job to his brother. They added that despite the fact that LG recruitments target technically qualified people necessitating technical expertise, this was practically impossible because the system had paved way for actors to utilise their positions to influence decisions on recruitments. Although the practice cannot be generalised, it is commonly used. This group pointed out that, 'even the CAO cannot appoint without the consent and blessing of the chairman, the appointments are based on personal relation: this is a son of Okoboi and Okoboi one time contested with me or he didn't support me so don't give him a job' (GPR3: 28.0812 Pallisa).

The process as it appears undermines merit recruitment. This poses a danger in the quality of technical staff and could have negative implications on performance. Meritocracy as Olowu

(2000:133) argues is central in ensuring success in policy implementation and regulation including provision of services, which is a major role of local governments. Flouting meritocracy in civil services appointments may not be uniquely Ugandan as it can be found elsewhere. However, in Uganda as this study found out it is facilitated by the practice of micro-hegemony which makes it appear normal to both its perpetuators and the ordinary person. It is one way through which statutory bodies are undermined. In the case of the district service commission, its power as a statutory organ is shifted to the person heading it. In the face of actors undermining the system of checks and balances such practices form the order of the day. Therefore not only does the practicality of the district service commission depend on the character of the actor heading it, but policy decisions also depend on how this actor (ab)uses his/ her power.

Respondents further claimed that upon recruitment, the same power was exercised to control them. They made references to statements such as—'hey you are not doing what I recruited you to do'. This they added subtly defined the nature of their relations and how they interacted. It was often along superior versus junior (SCS1: 03.09.12 Kabarole). SCS1 observed that work procedures prescribed in the LGA were a matter of rules on paper as politicians often used their positions to direct things their way. He argued that instead of supervising the work of technical staff as provided in the Act, 'politicians influenced the process to avoid legal provisions thus causing conflict between technocrats and policy makers'. As such technocrats who insisted on professionalism and working within the limits of the law often lost their jobs. This in turn created job insecurity especially among technocrats whose term of office depended on their relation with the political leadership. Far from respect, the fear of being criminalised had forced technocrats to fall back and let politicians do 'their thing' as one of them put it (SCS3: 06.09.12 Kabarole, SCS6: 03.09.2012, GRP2: 03.09.12 Wakiso).

The LGA spells out that in any policy decision, it is necessary to have professional input provided by the administrative personnel. What these findings, however show is that their expertise was limited as politicians often decided what should be done. Administrative personnel were often thrown into a quandary whereby they have to choose between letting their bosses have their way or risk their jobs by insisting on professionalism which in most cases is seen as insubordination. The decision to keep a low profile in order to minimise confrontation with the politicians whose micro-hegemonic practices were much pronounced had implications on the decisions made by both technocrats and politicians. Whereas the

politicians enjoyed making decisions without technical scrutiny, playing a '*Laissez-faire*' game translated into unfulfilled duties on the part of LG. What the 'powerful actors are actually exercising here is what Birch calls 'political influence' which involves both direct and indirect influence over personnel or decisions of governmental institutions and agencies (Birch, 2001:161). It is therefore notable that institutions are produced and reproduced by the strategic behaviour of actors, even while actors are constrained by institutions. In addition, institutions do more than constrain actors' pursuit of material interests. Rather, institutions shape the cognitive capabilities and dispositions of actors. The Ugandan case exhibits the weakness of formal institutions such that they cannot tame office bearers. For technocrats to adhere to politicians and not to the law in order to protect their jobs suggests that job security plays a significant role in determining what decisions these actors make.

It is also interesting to see how some more senior actors like the LCV extend their power to influence even those within the political setting. In Pallisa and Mukono the vice chairpersons acknowledged that although there was need to follow the law, they particularly put their ears to the district chairman because it was him who elevated them to the position of vice chairman (DPlt4: 25.07.12 Mukono, DPlt5: 27.08.12 Pallisa). They argued that their ears were inclined to the chairman from whom they received instructions and did what he commanded them to do because he/her had the power to appoint and dismiss them. It therefore becomes obvious that where formal institutions play a minor role, it is clear that the one who recruits you directs your actions. The amount of power bestowed on the district chairperson makes him/her one of the most influential people in LG. The LGA which puts into effect decentralisation assumes that directly elected political leaders should be accountable to their electorates and to the council as the decision making body, but the statements from the two vice chairpersons suggest that accountability is directed to powerful players and not to the voters. Birch (2001:159) is right to argue that, political power is exercised within a political system. It can be used to change or control the behaviour of other actors and can also be used as an end in itself. Power is thus used to modify the conduct of other actors to fit the desires of their political bosses making political actors the most important and influential actors in the LG setting in Uganda. As far as decision making is concerned, the interests of the powerful actors take precedence. Indeed, power in terms of decision making is the production of intended effects on other persons (Lasswell and Kaplan, 1982:76). It can be used to affect policies of others with the help of actual or threatened deprivations for nonconformity. In this case the threat of losing one's position forces him/her

to behave as their bosses would wish even against their own will. Power is thus control over value practices and patterns and above all a dynamic factor that influences public policy decisions in LG.

This study set out to examine the politics of public policy decisions in LG, but when arguing about the practice of micro-hegemony the role of the government necessitates a review. The exercise of power does not start and end with LG, it is an extended practice in all levels of government. Respondents stated that when it came to recruitment of the CAOs government was quick to amend the constitution to revert the process to the public service commission, an institution over, which it has direct control. They recalled that government backed its action by arguing that LG did not have the capacity to handle the process (AC1: 30.07.12 Kampala). According to AC1, government argued that the takeover would minimise abuse of office, blackmail and subjection to local forces because as recruiting authorities, local politicians had resorted to using their office to intimidate accounting officers. AC1 said that government backed its argument by citing a case in Mukono where, following a disagreement, a politician decided to terminate the CAO's contract without following legal procedures, but using his position. In this case, the CAO sued the district and won the case. In order to raise the five hundred million shillings (about two hundred thousand euro) in damages, the district was forced to sale of all its vehicles. Even then, LG could not raise all the money, hence government was forced to intervene (DCS1: 25.07.12 Mukono). The sacking of the CAO does not only show how individuals abuse their power to the detriment of LG, but also shows a gap in the system of checks and balances. Government intervention could be seen as an attempt to close this gap, but also proves its power. It gave government more reason to take over the recruitment of district CAOs.

In another scenario respondents regretted that government often reacted to their concerns with force. Using the case of CAOs recruitment in which they objected the decision arguing that it made it difficult for them to control persons they did not recruit, respondents claimed that their plea was met with mockery—'we were given lee way, we were told you can recruit your own people for as long as you also pay their salaries and finance all your activities' (NCS3: 25.07.12 Mukono). This expression was also made by another respondent in Wakiso. Some interviewees reasoned that devolution had lost meaning because 'power without resources had no authority' (DPlt2: 05.09.12 Kabarole, DPlt3: 21.08.12 Waksio). Other still condemned the practice arguing that, it was not the solution to personnel challenges. Instead the solution would have been to let the people understand the law regarding appointment and removal of

technical personnel such as the CAO, otherwise the move tantamounts to recentralisation of LG (AC2: 02.08.12 Kampala).

Government's response shows power as a strategy to influence policies without the exercise of violence. As Lasswell and Kaplan argue, it is 'power potential other than power position'. Accordingly, actors' influence, affects the policy decisions of others while policies are determined by expectations of the resulting conduct of those having the influence. In policy decision making, only those whose acts matter do participate (Lasswell and Kaplan, 1982: 71). Undeniably power is an individual or group's capacity to modify the conduct of others in a manner, which he or she desires, thus decision making is an interpersonal process. As is the case in political process, the most relevant actors act 'in the interest and perspective of larger units rather than for themselves' (Scharpf, 1997: 12). Government actions can be taken to represent the interests of those powerful actors therein. In deed only individuals are capable of intentional action (Mayntz and Scharpf, 1995; Scharpf, 1997). As institutions both LG and government thus become frameworks through which actors design policies that serve their interests. It is therefore right to reason with Gustave le Bon that 'people are not governed in accordance with their caprices of the moment, but as their character determines that they shall be governed. After all institutions have no intrinsic virtue: in themselves, they are neither good nor bad' (Le Bon, 2008: 42).

The paradox of recruitment of CAOs and deputy CAOs can be seen from two sides. Whereas the CAOs themselves welcomed the move, LG on the other hand condemned it. On their part, the CAOs and their deputies perceived the move as relief from the tyranny of non-feeling local forces (DCS1: 25.07.12 Mukono; DCS2: 29.08.12 Wakiso). They saw the change in policy as salvation which had granted them freedom and power to exercise their expertise in decision making and implementation of the law to the very last bit. (This expression was shared by all the CAOs interviewed in the four districts). The following extracts are additional confirmation to this feeling.

> In the past if you don't relate very well with your chairman and your council, you are dismissed and you go home. But now I am transferred. This was reverted on 30 of September 2005. So job security assured under this system, secondly, independent mind is enhanced under this system—we were not having an independent mind under decentralisation. Thirdly you work with confidence, nothing is disturbing my mind I work with confidence because I know nobody can threaten me. So to save you, you can either ask for a transfer or they can say that this man needs a transfer (DCS1: 25.07.12 Mukono).

If you are recruited by the district, they will keep on torturing you, intimidating you, you even give in when you should not give in. Because once they say we no longer want this man,—you know for us they can always get a reason, you can't be 100 percent perfect, so they can magnify that point and you find yourself on the streets or else you can stay there, but stressed because the one who has recruited you will say, but you are not doing what I recruited you to do and it may be complicated (DCS3: 20.08.12 Wakiso).

Principally the law devolved six powers—administrative, financial, planning, legislative, judicial and political powers for LG to perform the decentralised duties (see 4.1.1). These were to be executed in a coordinated manner through the system of subsidiarity. On the other hand government retained responsibility for security, national projects, national planning, and foreign affairs. The empowerment of LG to appoint their staff was meant to shorten the duration of the exercise and to undermine the often bureaucratic tendencies that characterised government recruitment through public service commission. Above all, it was meant to build competent staffing. The revision of this provision, however, contravenes the essence of devolution and/ or the LGA, which established the district service commission whose purpose was to enable LG recruit all their personnel. It further undermines the autonomy of LG and devolution of administrative powers and functions. The fact that there was no legal justification for this decision demonstrates use of power (financial) by government.

As earlier on observed, there is always a tendency to adhere more to the appointing authority. The LGA empowers district political leaders to supervise and monitor technocrats who are employees of LG, but being recruited by the public service commission and having to report to government yet be supervised by LG causes some sort of ambiguity and has implications on policy decisions. Deducing from what the CAOs said about their recruitment, it is evident that the change in policy only served to show who the most important and influential actors in LG are. In the first instance, CAOs were subject to local forces hence listened to them and made policy decisions that matched their interests. In the second instance they are now inclined to government, as they themselves acknowledged that, 'the one who recruits you tells you what to do'. What comes out clearly here is that the fight over the control of CAOs was a fight over resource control since the CAOs and deputy CAOs are the accounting offices. It also explains the resistance that decentralisation encountered during its inception as some sections of government officers felt that adopting it meant relenting their power to control resources (Nsibambi, 1998). It can therefore be argued that the change in policy was meant to benefit government and not LG. These findings resonate with those of Schatzberg (2001). While discussing political legitimacy in middle Africa, Schatzberg argues that power and

politics in Africa is about consumption and not transformation, while leadership positions are seen as licences to eating; one is powerful if he/ she can eat. They can also be likened to Bayart's (1993) characterisation of actors in African politics into 'big men' and 'small men'. As herein shown, when the big men decided, the small men had no choice, but to accept the decision. This confirms what I highlighted in the beginning of micro-hegemonic discussion, that, it is a dynamic relationship between the haves and have nots. From the perspective of human resource recruitment, policy decisions are shaped by the needs and interests of powerful actors and their capabilities to achieve them. Given the fact that CAOs' recruitment has been changing since decentralisation took effect, it implies that the nature of recruitment is still ambivalent, but above all, the manner in which powerful actors use their positions remains a defining feature in LG.

5.5.2. Application of Micro-Hegemony on Financial Decisions and its Impact on LG

The devolution of financial management, planning and administration was fundamental in Uganda's LG. Section 77 of the LGA spells out provisions and procedures on matters of finance for example it states that LG 'shall have the right and obligation to formulate, approve and execute their budgets and plans provided that the budgets shall be balanced (LGA,1997:628). The Act grants LG financial autonomy including the power to identify sources of revenue, levy and collect taxes and appropriate funds. In order to put this in place, it establishes the district planning committee whose duty is to generate development plans that reflect the needs of the people in a given locality thus emphasising bottom-up approach.

Nevertheless, it is important to note that ninety percent of LG funding comes from the central government out of which eighty percent comes as conditional grants, ten percent is equalisation grant[16] and only ten percent is unconditional grant. It is the duty of LG to raise the remaining ten percent from local sources. Conditional grants are meant to finance programmes agreed upon between LG and government and are expended for the purpose for which it is made in accordance with the conditions agreed upon (LGA,1997:630). This implies that in deciding how to execute these plans/duties, LG and government are at par and that, policy decisions are guided by legal provisions and reflect the interests of all parties.

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[16] Equalisation grant is the money to be paid to LG for giving subsidies or making special provisions for the least developed districts and shall be based on the degree to which a local government is lagging behind the national average standards for particular service. Respondents said this had been stopped.

However, as this study found out, this is not always the case. The practice of micro-hegemony is what shapes and determines public policy decisions.

To start with government commenced with a takeover of recruitment of CAOs. According to participants, this meant control over resources. Most CAOs interviewed argued that this move was meant to ensure that they (CAOs & deputy CAOs) listened to the central government after it appeared that they were listening more to LG politicians than even the president as one of them put it (DCS1: 25.07.12 Mukono). By having them under its control, government had direct influence on financial decisions made by these accounting officers (AC2: 02.08.12 Kampala). From the politician's side, they described control of resources as power—'what is power, power is resources and do we have resources, no. Money is at the centre you always have to kneel for it. Before they send, you can't do anything' (DPlt3: 21.08.12 Waksio). In Pallisa, the LCV gave an example as follows,

> you will plan to construct a road say from here to Gongonyo, first of all you don't have the money, somebody is giving you the money to do it and you know the people who are using that road, they need it to be motor able and even yourself as a leader you appreciate that it is not in a very good condition. But then having put out your work plan you don't receive the money so in that direction there is no achievement (DPlt1:01.09.12 Pallisa).

In addition to the above observations participants argued that even when the money is sent it does not necessarily facilitate LG projects, but those of government. Conditional grants that constitute the biggest percentage of funds are strictly for national programmes and LG are not allowed to divert or change anything irrespective of pressing local needs (DPlt12: 03.09.12 Kabarole). Several participants in this study did not find this condition favourable to LG because according to them, they were tried of implementing government policies whereas local interests were not catered for. It meant that they could not design any policy without paying attention to government's interests (GRP6: 31.08.12, SCS6: 03.09.2012, SCS9: 04.09.12 Kabarole, DPlt18: 08.07.12 TI, DPlt12: 03.09.12 Kabarole). As such it was an agreed position that 'decentralisation in Uganda was no longer what it was meant to be, rather LG had been turned into default implementers of government programmes against their own' (DCS2: 29.08.12 Pallisa, DPlt9: 31.07.12 Entebbe, DPlt3: 21.08.12 Wakiso). Interviewees also claimed that it was because of this fact that policy actors at local level were reluctant to enforce implementation because it was 'not their project' (DPlt19: 31.07.12 Entebbe). This further confirms that the current structure of LG facilitates the exercise of micro-hegemony

and offers insights on how actors both at national and local level use it in decision making and implementation.

In a country whose economic base is so weak, competition for the very scarce resources is high and indeed only powerful actors have the ability to exert control over these resources and consequently influence decisions pertaining resource allocation. The claim that resources are power can be taken to imply that the one who has access to resources becomes the commander. This creates a situation of commanders and command takes; the commander also doubles as the chief decision maker. In the context of LG, its financial autonomy and the power to make policy decisions is rendered impractical. This exercise of hegemony by government is what Chabal would refer to as a combination of political and economic power, thus hegemony is the control of power by the economically dominant class or more accurately their representatives. Therefore despite the adoption of decentralisation and the subsequent devolution of power, as far as decision making is concerned, the current LG is no different from that of the previous regimes, which as (Okidi & Guloba, 2006) argues, only acted as implementers of policies from the central government.

Concerning local revenue, the Act empowers LG to identify sources from which they can generate local income. It is from this money that they can finance certain activities such as facilitate councillors and pay their allowances. The challenge with this provision is that government reserves that right to decide which sources can be exploited, which taxes can be collected by LG or not and which taxes can be collected and retained or remitted to government. Participants condemned the fact that economically vibrant sectors like fisheries and forestry were under government control even when they are located within the jurisdiction of LG. They argued that this limited their discretion on decisions concerning taxes. Citing an example of the source of the Nile, participants argued that all the revenue collected from tourists went to the national budget from where it is unfairly distributed thus not benefiting the LG where it is located (DCS1: 25.07.12 Mukono). DCS1 named security which according to him was not a direct concern of LG as one area that benefited from most of revenue collected by LG. This could explain why another respondent described LG as 'conduits of central government' because of their lack of independence even to decide on sources of revenue (DPlt10: 01.08.2012).

For one to conceive Uganda's decentralisation as real devolution it must be commensurate with financing of the devolved responsibilities. To an ordinary Ugandan, decentralisation

meant services brought closer to the people. Economically this would mean more funding to LG since this is their responsibility. Without resources LG cannot perform especially given the fact that locally generated revenue is so minimal. Depending on funds from government denotes serving its interests thus undermining LG autonomy as per decentralisation and devolution. It serves to show that the practical political dynamics of the system are not necessarily consonant with the constitutional provisions. Government may be right to decide on distribution of revenues collected by LG for instance by distributing it to LG with minimal economic activity to enable them raise local revenue or LG that do not have tourists attraction. But the lack of transparency in distribution procedures raises questions on where the money goes. Initially LG depended on Graduate Tax, but its abolition and replacement with smaller taxes such hotel tax and service tax left them in despair. The practice as manifested above reveals the exercise of structural power with government being the main actor, determining rules of procedure and influencing the behaviour of actors as well as policy decisions. Here the role of institutions does not feature. In his article *'Pluralist Political Science & "The State": Distinguishing between Autonomy & Coherence'* Richard J. Ellis perceives the state as an actor that, although obviously influenced by the society surrounding it, also shapes social and political processes (Ellis, 1992). The institutional setting helps to define actors' identities and interests, at the same time actors also seek to transform these settings through their actions particularly through politics and contention. I therefore argue that in the face of scarce resources, those in their possession have the means to exercise micro-hegemony over others.

5.5.3. Application of Micro-Hegemony on Public Procurement and its Impact on LG

The establishment of the district contracts committee was to ensure that the process of public procurement in LG is conducted within formal provisions. As this study found out, the use of power dominates this sector too. Respondents were of the view that individual actors often harboured particular interests and given their official status, they tended to use their positions to get the bargain (DPlt10: 01.08.2012 Mukono) DTlt10 argued that this was mainly driven by actors in top positions who he said had special interests in some areas, either, because they were born there, had their projects or stayed there. In such instances, these actors gave special consideration to these areas. DTlt10 gave an example as follows; 'we got a grant of 500 million dollars, but the big shots above decided that, that money should be given to only the old districts. Of course that is where they come from. Now if you do that, what good are you

doing to the newly created LG?'. In Pallisa the district chairman used a disguised company to award himself a contract to collect revenue from a landing site (GPR3: 28.08.12 Pallisa). GPR3 added that when the CAO decided that the contract be terminated because the company had bridged the terms of agreement, his efforts were futile due to heavy political interference (GPR3: 28.08.12 Pallisa). According to this group, the technical department had found it right to revert tax collection to the subcounty, but because the company that had the contract belonged to the chairman, all attempts made to implement this decision were frustrated. GPR3 claimed that despite the CAO having more authority over contract matters, the district chairman had used his position to reject the decision. Such practices often resulted in shoddy work. Talking about shoddy companies, both the former minister of Refugees and Disaster Preparedness and the former prime minister acknowledged that functional constitutionalism in Uganda was far from reality. They both stated that in most cases LG politicians were able to beat the system in one way or another and award themselves contracts which was against the LGA (NPlt1: 10.09.12 Kampala & AC1: 30.07.12 Kampala).

Respondents described this as corruption. Whereas it is not my intention to discuss the subject, it suffices to state that most of the participants of this study linked corruption in LG to procurement processes as demonstrated in the following extracts.

> The laws are clearly defined, but you see given the trend of events in the country now were by the big shots mostly the political wing of government has shown no interest in fighting this corruption, there is a tendency by even the administrators to succumb to their pressure. Because they may have some interest—say for instance there is an activity to be implemented—you go in advertise for tenders, now the politicians say, I have a hand in it I mean he is interested. What do you do as a civil servant it is a big challenge. You cannot say no and he is your boss who is interested. What do you do? Just accept what he says (GRP2: 03.09.12 Wakiso).

> I may say that this party here has satisfied all the requirements or conditions but because somebody heavier than me has interest, he will come up with somebody. These councillors have been mandated to control all these other issues. They control even the subcounty council with all the systems. So they can even decide to do anything with you. They can dissolve when they sit and you have nothing to do. When a council sits and says our chief here is doing this and this, they have a right to stop you (GRP3: 28.0812 Pallisa).

Although this shows the working part of devolution, the manner in which it is being implemented could be detrimental to LG because instead of the two wings complementing each other, one group seems to be supressed. Similar behaviour was observed in Kabarole where, technocrats reported that they preferred to let politicians have their say because

according them, 'it was a waste of time to do things knowing that no good use of it will be made' (SCS2: 07.09.12 Kabarole). SCS2 is just one of the many examples of technical personnel who feel demotivated. His demotivation comes out clearly in the following extract;

> In fact, to tell you the truth there are some things that we find we have no say. When you feel you are tired you sit back and say let people do their own thing that they want, what can I be able to do. Because the moment you begin arguing about something they will say that now you are trying to let us down. So why should I be at loggerheads with people, let them do what they want. But what can I do.

SCS2 gives an example in which when they (LG) wanted to procure desks for a certain primary school. According to him, the council identified a supplier, but the chairman went against council decision to give the contract to another carpenter—'moreover he was just a beginner and did not have the capacity to make the desks we wanted'. From the perspective of institutional functionality one academician described the current system as follows; 'it is not an exaggeration to describe it as dysfunctional, on both counts, because of the way the system was designed' (AC4: 05.12.13 Kampala). For AC4, all the faults that befall LG are a result of its design. Perhaps this could imply the creation of power centers.

The practice and application of micro-hegemony and the subsequent decisions made on this practice have severe implications on LG operations. In the Pallisa case, the subcounty was not able to implement projects funded by locally generated income because the private firm refused to remit any revenue that it collected. But it should be understood that their refusal was backed by the knowledge of some political support that would ensure that the contract would not be withdrawn. So where as government influenced all the decisions using its financial base, this shows how actors at lower level also strive to influence even the ten percent locally raised revenue. It could also exemplify working devolution, but again one that has been abused. It is important to note that the law forbids LG employees both politicians and technocrats to award themselves any contracts within their area of jurisdiction. Nevertheless actors have been able to open up and register companies in other people's names through which they could easily gain access to district tenders. The practice is a clear indication of lack of balance between power and policy enhanced by the absence of control mechanisms and lack of oversight. It may also suggest lack of willingness by responsible authorities to intervene, or some sort of coalition between the elites. The behaviour of the LCV clearly demonstrates what Chabal views as the attempt by the elites and counter elites to link economic and political power. It shows how competing elites define, organise and

implement various strategies of hegemonic drive and shows the overlap between the private and public (Chabal, 1994:217; 258).

This kind of practice is not only experienced at local level. It is the kind of behaviour that seems to run across the whole country. In 2013, a presidential advisor resigned citing negligence of his advice. He argued that he was tired of advising president Museveni while he (president) does not listen to any advice—'the president is not advisable'[17]. This implies that policy decisions are mostly a privilege of powerful actors who not only have the resources, but can also apply micro-hegemony to direct decisions. The Ugandan experience overlooks the argument that policy issues in society are complex thus require professional and specialised experience (Olowu, 2006:125). The manner in which power is exercised in Uganda's LG confirms that 'power is exercised only in situations where there is an overt disagreement or conflict between parties about what should be done and one side comes out on top (Birch, 2001: 164). From the perspective of ACI, the relationship between orientations and capabilities of policy actors and the underlying social interest is a complex one and that is why only in direct democracy may citizens participate in policy processes (Scharpf, 1997:71). I argue that devolution provided actors the opportunity to exercise their power, but in the process of executing their duties they engage in the production and recreation of micro-hegemony.

5.5.4. Application of Micro-Hegemony on local Policy Formulation and Implementation and its Impact on LG

The fact that local councillors are elected by adult suffrage and they are able to formulate policy at local level demonstrates some level of democracy. On the other hand, the essence of Uganda's decentralisation was to empower communities and local leaders to make decisions on affairs that affect the lives of the communities within their jurisdiction. Respondents acknowledged that sometimes villagers were consulted in order to generate development ideas right from the grass root thus bottom-up approach. Although this may sound good and ideal, respondents claimed that whatever suggestions local communities made, their input often ended nowhere as real decision making was done by actors at the district level and even then, only powerful ones. Moreover, sometimes decisions came right from the central government. According to them, as the lowest units of LG, sub-counties often planned to undertake activities that were demanded by the people, but their plans often hit a snag because

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[17]Paul Aruho, 'Presidential advisor says Museveni ignores advice' Daily Monitor 03.04.2013

implementation depended on the orders from above. One councillor attributed LG's several challenges to it not being the final determinant, adding that government often subjected them to stick to the supreme law yet it does not do the same (DPlt4: 25.07.12 Mukono). Another added that because not many councillors adequately understood the law, this often took a lot of time due to endless consultation (DCS4: 05.09.12 Kabarole).

Respondents lamented that councillors' failure to comprehend the law had become a big challenge to LG. In Mukono, the mayor cited a case in which they deliberated and made resolutions, but after some time, some councillors rejected the minutes of their own deliberation (DPlt10: 01.08.2012). According to him, these were mostly councillors with minimal education who could not understand the legal language in which the minutes were documented. On this note, there was a proposal to review the educational requirements for local political aspirants, but the president issued a directive against the proposal (NCS3: 27.07.12 Kampala). According to this senior officer at the ministry of LG, the proposal was just about to be passed into law through constitutional amendment, only to be rejected by the highest powers in the country in the pretext that it was equivalent to disfranchising the citizens. NCS3 regretted that to date, there is a presidential decree on this matter to maintain this electoral policy. According to NCS3 'the system is crafted in a military manner such that certain operational policies were not questionable—'it does not provide space for deliberations and mutual agreement, it operates on orders from above. You in academics you can ask questions, but for us here we don't, we operate on orders'. Several respondents expressed frustration with this provision arguing that non-educated people were filling up positions simply because they are good mobilisers, but when it came to LG such people could not grasp council procedures thus hindering council business. They claimed that this was intended to win popularity for the president among the locals and/ or non-educated people who feel they can be part of government and enjoy political power (AC3: 27.07.12 Kampala). Others suggested that this was a deliberate policy meant to keep the NRM in power since such semi-illiterate persons do not have the ability to understand the law and/ or analyse it, making it difficult for them to challenge policy decisions made by government. In addition, they can easily be manipulated (DPlt3: 21.08.12 Waksio; DPlt10: 01.08.2012).

Apart from the district chairperson, the LGA as well as the constitution do not prescribe any academic qualifications for persons contesting for councillorship at district and sub-county level. As a result any person is free to join politics so long as he/she is a good mobiliser and can convince people to vote for him/her. Depending on his/ her relationship with the district

chairperson, any of such councillors can be appointed to take on the position of the district speaker or vice chairperson. The district vice chairperson is solely appointed by the district chairman while the speaker is elected by the council. Respondents were of the view that these appointments are often based on personal relations. There is no doubt that once such people gain power their ability to make good policies is questionable. Since the appointments are made by an individual and/or the council, these appointees may strive to design policies that please their masters in order to maintain their positions. The fact that these structures and policies cannot be debated or questioned complicates the entire process of policy formulation at local level. Placing a presidential decree further serves to confirm the hegemony of the president. This militaristic approach signifies a tendency towards autocracy and dictatorship, which works against the principle of decentralisation and devolution. Although the details of this will be discussed under the section musevenism (see 5.6), it is important to bring an aspect of it here to show how policy is made and who actually makes policy decisions in Uganda's LG arena. In addition to the misunderstanding flared up by such practices, it undermines the sovereignty of the constitution and other legal instruments. It also undermines theoretical aspects of public policy. Anderson (1975:55) argues that policy formulation necessitates paying attention to acceptable courses of action. This implies that policy makers should be cautious not to design policy that may end up creating more public problems than solving a problem to which it was designed. Whereas this sounds an ideal way, it is not always the case because actors in policy making often design policy in a manner that serves to fulfil their personal interests. It is therefore right to argue that decision makers often make strategic choices reflecting their idiosyncrasies.

On his part, former minister of LG who was also the brain behind decentralisation regretted that 'the principles of LG have been trampled upon'. He argued that what was happening was a matter of individuals deciding and directing policy (RNPlt 12.12.13 Kampala). His observation was that the idea of collective decision making had been over taken by individual actors and the powers that be—'it may be the RDC, the minister and sometimes the president who want something to be done in their interest, then that is what will be implemented. Whether the council likes it or not, it has got to be implemented. You find a minister saying, I will not allow that in my ministry, RDC I will not allow that in my district without necessarily reflecting on the constitution.' RNPlt concluded that LG was no longer a system where local people could take decisions of their own and implement them. It had been transformed into a system that promotes certain individuals. This position confirms what the permanent secretary

of the ministry of LG said; 'the failure of LG in Uganda is the work of political leaders who either influence or sometimes hinder the good performance of the civil servants because they want to be the sole decision makers' (NPlt5: 13.09.12 Kampala). NPlt5 highlighted a popular case in which the CAO had failed to implement anything due to contradicting orders from above—'You take the case of Kamuli[18] the permanent secretary says this, the minister says this, the speaker says this and that. You let the CAO get lost. They are all your bosses. This one is writing a letter, contrary to the other, and yet you know what should be done.'

Another case was when the LG council in Wakiso passed a resolution to have parents contribute a small fee in order to provide food for their children. Their resolution was overturned by the RDC who argued that the president had banned any form of fees in Universal Primary Education (UPE) schools. Even when the council argued that studies had revealed that child performance was poor because children spent the whole day at school without meals, the RDC held his position (DCS3: 20.08.12 Wakiso). For this reason, most technocrats described some RDCs as irrational actors who at times thought they were in charge of the LG—'They tend to overstep their dockets and advice, but directly get involved in issues of LG which is not their business as per the LGA'(AC3:27.07.12 Kampala, DCS3: 20.08.12 Wakiso). This example also shows the contradiction between national policies and LG policies. Because the RDC is the president's representative in the district, he is feared. Any antagonism with him is seen as provoking higher authority (the president). As such he is able to (ab)use his formal position to influence policy decisions. The RDC's behaviour here portrays decentralisation as having reinstated bureaucratic structures in another form. It claims to promote democracy yet in actual sense it is not necessarily bound by democratic processes and accountability to local electorates. It rather forms part and parcel of a bureaucratic system not so dissimilar with previous regimes. I argue that his use of the president's name is part of the endeavour to look for a source of power. This increased micro-hegemonic practice heavily influences public policy decisions in LG.

Another example closely related to this was cited in Mukono district where it was reported that the mayor single handily decided to relocate the mayoral office, only to come back when he run out of money to pay the rent. His coming back ended up causing conflict between him and the town council (DPlt425.07.12 Mukono). As a show of power and association with

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[18]The case of Kamuli refers to the conflict between the current speaker of parliament and one minister both of whom are from Kamuli and often use the district CAO to fight their political conflicts

powers above, the mayor just moved to the minister of LG neglecting the council, which is mandated to solve such conflicts. In Pallisa, the observation was that most of the laws were circumvented by politicians and whoever tried to contest them subjected him/herself to problems with the district political leadership (DCS2: 29.08.12 Pallisa). For this reason DCS2 is convinced that 'if one is to survive the wrath of the political wing in the current setting, one cannot easily follow the law to the dot.' In another scenario, a participant explained such behaviour as zealous desire to control resources (DPlt7: 27.08.12 Pallisa). In this case DPlt7 argues that because of decentralisation politicians had assumed arbitrary power, which they wanted to overtly exercise to take everything and become overall; shelving the formal institutions that submit technocrats as technical operators of the system. Moreover as one participant stated, some political actors did not have the slightest understanding of the LGA which should be their bible' (DPlt10: 01.08.2012). The MRSC[19] (MRSC, 1999: 22) publication on '*LG policy making process*' argues that a council member has little or no power acting alone. It suggests that all issues should be brought to the council and decisions be based on a consensus. The Ugandan case however shows that sometimes actors do decide and act as individuals undermining the very existence of the council.

This section has shown how micro-hegemony is established, where it is applied and how it is practiced. Through an examination of human resources recruitment, tendering processes, financial decisions and policy formulation at local level, it has shown that micro-hegemony can be exercised in any level of government so long as structures confer some sort of power to actors. It has also shown that in the name of doing their duties actors engage in the exercise of power, thus recreating, defending and modifying micro-hegemony. As such the idea of local and/ or equal participation in decision making is far from reality. That lives the entire process to powerful actors.

5.6. The development of Musevenism, how it works and its impact on LG

I use this coinage—'musevenism' to denote the practice of presidential ethos. It is coined after the name of the current Ugandan president Yoweri Kaguta Museveni. During field research for this study, the use of the president's name for personal gain was prominent prompting this coinage. It appeared that both individuals and groups of people like bicycle riders often used the president's name to defend their decisions/ activities. Musevenism is practised by both actors within and outside government apparatus. It is common among policy

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[19] Municipal Research and Services Center of Washington

actors as well as non- policy actors and in most cases it is driven by personal interest. In the context of LG, it is the practice of referring to the president (Museveni) in an attempt to influence policy decisions or in the advancement of directives on policy decisions and/ or policy implementation. Musevenism is thus a metaphoric expression that connotes power hence its practice grants the user some sort of power which he/ she can exert on often unsuspecting people. Sometimes, it is facilitated by the desire to seek association with the highest and most powerful office in the country. Musevenism exhibits characteristics of authoritarian regimes, however, no single type of authoritarian regime has characteristics that can capture what musevenism is all about. For instance, personalised rule concentrates power on one person who resists delegating it. But as the above sections have demonstrated, although the president is a powerful person, power is not concentrated on only him. Another type would be personal despotism. This is often characterised by arbitrary rulers who treat their subjects as little more than slaves (Acemoglu et al, 2004). Acemoglu argues that such leaders find the source of their power within themselves, their family, loyalists, and bodyguards. He adds that the leader retains discretion in his decisions. The despot's rule is exercised through the leader himself, rather than through institutions (Acemoglu et al, 2004). Musevenism although not always, is exercised within the confines of institutions especially where the perpetuators are located within the government apparatus. This is so because in most cases, these actors use their formal positions to direct things according to their interests and not as prescribed in the constitution or LGA. In the context of decision making, the practice allows its perpetuators to enjoy a certain level of decision making leverage. As the previous sections have shown and will further be shown in the next chapters, decision making in LG attracts many actors, but not all of them may use the president's name to influence policy decisions. Therefore unlike in despotism, musevenism does not limit decision making to one person.

Musevenism could be likened to personal or one man rule as was the case with Zaire's Mubuto, but Acemoglu et al again argue that such rulers mainly have a prime aim of accumulating personal wealth for themselves and their families. Again musevenism does not limit wealth accumulation to the president and his family or associates. On the contrary, it enables its perpetuators to manipulate the system in order to enrich themselves or achieve their interests and as indicated these are not only family members. Musevenism is how one can skilfully use the president's name to achieve his interests. Perpetuators may be ordinary people like motorbike cyclists or small entrepreneurs. This is different from the case of

Mubuto's personal rule in which he told ministers to enrich themselves. Moreover musevenism does not necessarily imply use of state resources, but clever use of the president's name to influence policy decisions, defend ones decision or activity and/ or escape from legal provisions.

Museveni is not just about the president exercising his power, it is an open practice that can be manipulated by all who wish to and have the ability to do so. Although the president sometimes wants to act as an arbitrary ruler, as was shown above, musevenism undercuts this by allowing other actors both within and outside government apparatus to exercise some power in decision making. It does not necessarily concern itself with how the president treats his loyalist as would be in personal rule, but how his loyalists use his name. Besides, its dynamics do not automatically imply being loyal to the president and/or the ruling NRM party, but being shrewd in using the name. It is this skilfulness that determines how individuals or groups of people within and outside the government apparatus interact and/or influence policy decisions in a respective LG. For instance during the field study, informants indicated that even *Boda Boda*[20] cyclists had mastered the art of musevenism and used it to propagate for their interests (NCS1: 24.07.12 Kampala). Citing the case of Kampala City Council Authority (KCCA), NCS1 argued that musevenism had made it difficult to tell who is who in LG or even in government. He said; 'when KCCA wanted to chase away *boda boda* cyclists from the city centre, they (*boda bodas*) refused saying that the president said they should be left to *'kulembeka'.*[21] It is no guarantee that the *boda boda's* who used the president's name to defy LG are his supporters or NRM loyalists. What is important to note here is that KCCA was not able to enforce its plan because the *boda bodas* had referred to a 'presidential directive.' That is why I say that the name Museveni in itself connotes power hence musevenism grants the user power to regard or defy policy decisions. On his part, former prime minister argues that musevenism is facilitated by lack of knowledge on policy matters, which made actors want to seek presidential authority disregarding ministries and institutions (AC1: 30.07.12 Kampala). AC1 noted that 'even at the centre you may find some people who are not knowledgeable, who may try to give orders when they do not have the power, but they may try to give orders when the orders are not applicable'. According to him it was a common disease affecting LG—'you know many people suffer from presidentialism, it is the presidential ethos that makes them behave that way'. It was assumed that if they do

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[20] *Boda Boda* is a means of public transport using motorbikes. Those who operate them are called *boda boda's.* The term is said to have originated from the boarder districts were motorbikes were used as quick transport means across the boarder

[21] Kulembeka is to collect rain water. In this case, it is a metaphor that denotes looking for survival

not use the president's name nothing could be achieved. I suffice to say that musevenism is not a regime type, but a practice that facilitates its perpetuators to use the president's name for personal gain. It is mostly facilitated by the presence of weak formal institutions and minimal checks and balances. As such its perpetuators are able to get away with wrong deeds.

Musevenism is a bi-directional practice. It was initiated by the president himself, rolled down by his associates and has been espoused by ordinary persons. During the 2012 state of nation address, Museveni reminded parliament that he was the president of Uganda and that all those criticising him should know that.[22] This is in addition to the presidential directives that have become so common and are often used to prove the president's power. According to my respondents, 'in the recent past, the president has preferred to personally intervene in almost every policy issue no matter how trivial it was and whether or not it required his intervention (AC3:27.07.12 Kampala). The president has also clearly stated that he is the president and that mere ballot papers cannot remove him from power. In 2014 during the NRM caucus, Museveni was reported to have said that he is not a classroom general to be easily forced out.[23] Respondents claimed that this had made the public get accustomed to hearing such statements and associate them with power. In the context of this study, respondents claimed that if no reference was made to his name the public would simply ignore decisions made by other authorities (AC1: 30.07.12 Kampala).

President Museveni's endless public assurances of his position as the president and the chief decision maker can be taken to symbolise display of arbitrary power. It shows his readiness to allow self-interest contravene the formal procedures. This is then imitated by all those who carry on the musevenism discourse. The practice of musevenism likens the current system to its predecessors whose leaders as Huntington (1992) observes were ruthless dictators and life presidents who cultivated nothing, but misery, terror, exploitation, pain and hopelessness. It therefore holds ground when scholars of politics in Africa argue that personalisation of power is characteristic of post-colonial leadership in Africa (Clapham 2003:58). Clapham adopts a more interesting expression, that is, the leader is 'omnipotent', in that there is nothing which he cannot decide to do. Like colonial governments, musevenism has produced 'middle men' politicians whose duty is to carry on the musevenisim crusade by exerting power on their subjects to impress their master, which seems to be a reliable strategy for actors to hold their position.

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[22] See State House Uganda 2012, 'State of Nation address' 2012
[23] Tabu B. 2014: 'I am not a classroom general to be easily forced out – Museveni' Daily Monitor 13. 02.2014

When LG complained about the poor state in which they operated, their ministry told them that 'the president had said that whoever could not manage under the circumstance was free to live the office' (DPlt3 DPlt3: 21.08.12 Waksio). On his part, a Makerere university professor was convinced that musevenism was a product of the structure of politics in the country. He viewed the president as somebody who liked to do things first, yet the system under, which he presided over was not designed that way and as a result he tended to take short cut so as to avoid procedure (AC4: 05.12.13 Kampala). AC4 pointed out that if the president wanted to give someone money, it was easier for him to call up the governor of the central bank and direct him other than going through procedural matters. As to why the president could not direct civil servants to work faster, AC4 said it was political and concludes that 'Museveni is a micro-manager who wants to manage or mismanage everything'.

Interviewees claimed that presidential associates had specifically found pleasure in musevenism and did not hesitate to use it as ley way to practice micro-hegemony. Interviewees noted that despite their offices being ambiguous the president's representatives (RDCs) were renowned practitioners of musevenism (NPlt6 02.08.21 Kampala). NPl6 argues that these top proponents of musevenism were almost everywhere and at times did things which were not very coherent with the system. An example was given above in which the RDC interfered in LG policy on having parents contribute for their children's feeding. This opinion was shared by another MP who was very critical about RDCs and argued that they did not do the right things—'instead of overseeing implementation of government projects RDCs have turned out to be vehicle RDCs who just drive here and there doing nothing' (NPlt711.09.12 Kampala). She added that it was because of this that people looked at them as spies who sometimes simply accused those they saw as opponents to the ruling party of engaging in security issues. Some interviewees accused RDCs of mixing politics with personal difference and relating them of security matters in order to attract the president's attention *(*DPlt527.08.12 Pallisa, NPlt8: 13.10.12 Berlin). Due to fear of the RDC who was said to spend most of his time politicking, actors were forced to make policy decisions that seemed to please the president or implemented policies according to RDC directives to avoid being reported to the president (AC3: 27.07.12 Kampala).

I argue that the use of the president's name is a form of power used to reinforce political importance, identification and significance. It is meant to reassure other actors that policy decisions can as well be determined by one or a few powerful persons. When Museveni's subordinates make statements such as 'it is a presidential directive', it is meant to underline

the amount of power and locus of authority held by the person in question. In terms of policy decision, it implies that his decision is final. This, however, tantamounts to violation of formal institutions. By succumbing to RDCs dominion actors in LG are acting out of fear—the fear to be reported to the president. It can be argued that musevenism has produced a new form of supremacy that advances patronage, networks of patronage and identity politics. Such patronage does not readily lend itself to the distinction of public office and private gain. Upon ascending to power Museveni emphasised democracy and rule of law, including constant elections, yet this practice does not signify his promise. The president's decision on UPE is more of a command and as Olowu argues is a characteristic of autocrats. Musevenism is thus a form of autocracy creating a condition where its perpetuators view the country as their personal estate and the state apparatus is ultimately theirs to use at their own discretion. Party and government officials are essentially their servants and agents (Hyden and Olowu 2006:99). On the UPE case, this certainly won the president support from the local ignorant population who fail to recognise the impact of their decision on their children's education.

On the other hand musevenism can be held for the breakdown of constitutional provisions such as hierarchical procedures. LG actors had come to accept that hierarchy did not really matter so long as the president solved the problem. One participant put it this way; 'I don't really care so much about hierarchy as long as one can achieve the purpose for his distress call, the end justifies the means especially in a situation where you are dealing with the population who may not know what hierarchy is' (DPlt1: 01.09.12 Pallisa). Due to growing musevenism the citizenry had equally taken on the practice to justify their decisions on LG policies. The case of boda boda cyclists was already stated. In most LG including the capital city, the council had resolved to have *boda bodas* pay service tax since they operated a commercial business. However the latter refused to comply with this decision arguing that 'the president said no more taxes' (GRP103.09.12 Kampala; DPlt20: 31.07.12 Entebbe). In another scenario the president directed a halt on the proposal to have foreign students in Ugandan universities pay more tuition fees compared to nationals as is the case around the region (URN, 08.17 2009). On this note, the president just gave a presidential directive without any explanation. Still on education related development, councillors in Kabarole and Wakiso regretted that parents had refused to provide food or pay for their children's meals arguing that the president had said UPE was free *(DPlt12: 03.09.12 Kabarole)*. The decision to stop tax collection from *boda bodas* is an exhibition of the exercise of hegemony accompanied by micro-management over statutory organs such as the Council of High

Education and the LG council. It is an indication of one command conducted through public speeches treated as presidential directives that cannot be revised and reversed. However such decisions have economic implications on public institutions such as universities whose funding is very meagre. Besides the decision undermines the role of a statutory body such as the Council of High Education which is responsible for taking decisions on such matters. By undermining all decisions made by corporate bodies, the president is indirectly showing that legislature has no authority over LG in Uganda. By not contesting presidential decisions, actors within these statutory organs are either acting out of fear or know that whatever action they may take will not yield any positive results, hence they choose not to act. The president's behaviour undermines the autonomy of LG contained in the LGA and above all the essence of devolution. Musevenism has thus created a situation in which people are forced to adhere to powerful actors out of fear. That is why I say musevenism is a bi-directional practice whose practice if not checked may turn decentralisation into a symbolic policy.

Critics of musevenism describe it as 'cowardly fear' authorised by the president or some other powerful politician closest to state power. Sometimes perpetuators of musevenism are relatives or associates of the president.[24] Musevenisim has been held responsible for the increased demolition of public entities such as schools, forest reserves, et cetera in the name of paving way for investors. By 2006, several schools within the city had been demolished in order to find land for investors. Among the demolished schools were Shimoni primary and Demonstration school which was sold to an investor to build a hotel and Kyaggwe road primary school.[25] Those engaged in these activities often use the president's name to justify their work. In the context of LG, as has been demonstrated, some actors engage in the use of the presidents name in an attempt to challenge or influence decisions made by LG and/ or the LG council. The president has been accused of undermining legal institutions by directly intervening in halting land evictions or giving away public land unconstitutionally. Legal experts in the country have expressed fear that 'the directives will undermine judicial powers and could cause civil unrest' thus calling on the president to 'strengthen legal institutions'.[26] In their communication to the president, they reckoned that 'an example of one such scenario

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[24] This information was contained in a letter written by form high court judge Justice Kanyeihamba for details see Aruho P, 2013 'Presidential advisor says Museveni ignores advice' Daily Monitor 21.04.2013

[25] See URN 15.07.2006. See also Daily Monitor 05.01.2007 'Uganda: Demolition of Shimoni Demonstration School Starts

[26] For details on the president's role in land wrangles see Daily Monitor, 13.02.2006; Daily Monitor 05.04, 26.04.2013; Africa Review 15. 08. 2011; Africa Review 15 01 2013

is when a citizen has battled a land dispute in the courts of law and finally won with an eviction order being granted, only to have this discharged and declared illegal by a presidential directive'.[27]

This extracts, demonstrate what Okoth-Ogendo (2002) calls the fusion of power in a single individual. It further confirms Rousseau's argument that, 'the strongest is never strong enough to be always master unless he transforms his power into right and obedience into duty' (cited in Laswell and Kaplan 1982:121). Musevenisim thus contributes to the breakdown of formal institutions, which makes separation of powers very minimal. Moreover it is difficult to distinguish the private from the public as public offices are run as personal business. Musevenism is thus no different from what Goran Hyden calls the 'big man rule'. It is not only problematic, but also makes politicians believe that they are above the law and indeed promotes patrimonialism (Hyden, 2006: 94-115). Hyden argues that governments with such practices are more interested in accumulating resources other than designing good policies. And as Mosca argues, 'ruling classes do not justify their power exclusively by de facto possession of it, but they try to find a moral and legal basis for it, representing it as the logical and necessary consequence of doctrines and beliefs that are generally recognised and accepted' (Mosca, 1939:70;77). This is what makes actors to pass policy decisions that conform to the needs of powerful actors including those of the president.

Musevensim threatens constitutional stability, does not have the ability to sustain democratic practices and its continued practice may slip the country into some sort of dictatorship coming from the president and perpetuators of musevenism. It has served to strengthen a president who seeks to govern outside the rule of law and maintain power through the political doctrine under which it is exercised. Because of increased musevenism, public policy decisions in LG lack the logic and/ or constitutional basis. Instead actors interpret the law in a manner that suits their interests or mostly seems to win them favour among the citizenry whose legal understanding is equally limited. Not only has this practice facilitated the president and his associates to hold on power, but has also enabled them to validate their hold on power by means of patrimonial legitimacy through redistribution of resources to their clients. Accordingly, the workings of the formal political institutions are undermined by the informal logic of clientelism and public policy decisions are determined by such factors. Musevenism has resulted in the transformation of power into right as dictated by the institutional setting. Through musevenism, power is redistributed and exercised through the agency of actors

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[27]Kiggundu E, 2012, 'Museveni new land directives unconstitutional – law experts' The Observer 01.03.2013

whose formal positions deems their actions correct, making submission to it a duty.

5.7.   Recentralising Local Government within a Decentralised System

With the enactment of the LGA in 1997 it was assumed that decentralisation was bound by law while devolution granted LG the power to make all policy decisions without interference. The constitutional and LGA amendments have tended towards recentralisation. In fact the LGA has been amended nine times in less than ten years. As this study found out, in the context of public policy decisions, there appears to be a tendency towards recentralisation of LG within a decentralised system. Respondents claimed that most policy decisions were made by government and passed on to LG for implementation. Because decisions were made at a higher level, actors at local level had resorted to lobbying. One councillor stated that, 'in Uganda, things are not just distributed because you are there, but you have to lobby for them so you must be ready to lobby to get what you want' (DPlt5: 27.08.12 Pallisa). He added that lobbying and advocacy had become very important determinants of resource allocation and that is why LG leaders were demanding for skills training in lobbying and advocacy. This opinion was shared by other councillors in Mukono and Wakiso. Councillors found reasons to lobby arguing that the hierarchical process was lengthy and undermined urgency (NCS3: 27.07.12 Kampala). According to NCS3 such bureaucratic practices forced people to jump hierarchy, engage in lobbing or resort to 'technical know who'[28] to get things done.

Whereas lobbying is a fact of life and common in any political system world over, the danger is that it threatens democratic processes if it becomes too influential and corrupt. In Uganda, lobbying mainly involves connections with actors in higher authority. This implies that constituents with weak leaders who cannot lobby or who do not have connections may be left out if resource allocation and appointments are based on this. Moreover actors may lobby for what is in their interests and not for the good of LG. Where it appears to be directed for group or communal good, one should not undermine the possibility of hidden interest of individuals. For instance a councillor who advocates for a project to be located in his home area could be doing so in order to be re-voted in the next election. The turn to technical know who encourages the use of power whose dangers in decision making were already discussed. Beset with the need to show their power, knowledgeable actors are often happy to act as problem solvers, which certainly earns them more power. It is my conviction that when prolonged such practices become normal and to the common person seeking high authority becomes the more

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[28] Technical know who is often a term used to imply making use of powerful persons known to someone

ultimate way to seek redress. This undermines the idea of transparency. NCS3's expressions on jumping hierarchy demonstrate that relenting constitutional provisions is spearheaded by the very actors supposed to execute them. It is therefore inevitable that even ordinary citizens do alike.

Respondents also suggested that people lobbied because they were ignorant—it is wrong to blame the man on the ground for failing to observe hierarchy when the responsible authorities have failed to perform their duties (NPlt5: 13.09.12 Kampala). NPlt5 blamed people's failure to follow hierarchy on lack of sensitisation, which she said had been limited to top officers. This according to her pushed both councillors and ordinary people to MPs or ministers who they saw as everything. But some respondents interpreted this as a deliberate strategy intended to keep people out of policy issues (DPlt3: 21.08.12 Waksio). DPlt3 argued that government had intentionally refused to sensitise people on decentralisation in order to keep them ignorant such that it can manipulate them. An example of lobbying infused with ignorance was cited in Hoima district where part of the council wanted to remove the speaker, and resorted to lobbying powerful actors in government instead of applying what the LGA stated about removal of such actors. (NCS1: 24.07.12 Kampala). NCS1 suggested that councillors lobbied because they did not know what to do. Indeed the issue was solved with the intervention of government (NCS1: 24.07.12 Kampala). This again could demonstrate government hegemony, but it can also be explained in terms of education, that is, because of the low level of education held by some councillors, they are not able to comprehend the LGA which spells out all procedures of removing a politician from office. In the perspective of ACI, individuals cannot determine policy outcomes, but have the capacity to act at high levels because of their intensions, which lead them to internal interactions (Scharpf 1997:52). Put together, lobbying, advocacy, and power are dangerous facets in LG because when actors engage in these practices, they make policy decisions that serve their interests and not those of LG as a whole.

At district level, both political leaders and technocrats complained about lack of legal counsel (district lawyer) for the entire LG. Inspite of it being provided for in the LGA, respondents claimed that government had deliberately refused to provide funds for this position and LG itself cannot effect this provision without government consent (DCS5: 21.08.12 Wakiso). This was equally interpreted as an intentional move to ensure that government would always have an opportunity to intervene and make decisions on behalf of LG—'every time we have a problem we have go to Kampala to seek clarification and given the quality of local

councillors, interpretation of the law becomes a problem' (DCS5: 21.08.12 Wakiso). Refusal to implement the constitutional provision for a district legal counsel can be taken to imply the urge to maintain control of information, which also enhances government's control and exercise of power. At the same time it demonstrates micro-hegemony on the part of government regarding decisions on what sections of the LGA can be implemented and what not.

Recentralisation of LG becomes even more palpable when one looks at the strict guidelines handed over to LG to implement national programmes. In all the four districts, actors both political and technocrats cited the case of the National Agricultural Advisory Services (NAADS)[29] programme whose design they argued did not match local needs. However, LG could not change anything save for implementing it as it was (DPlt13: 03.09.12 Kabarole, DPlt9: 31.07.12 Entebbe, SCS1: 03.09.12 Kabarole). As such the projects often failed. Section 35 of the LGA establishes the District Planning Authority (DPA) and mandates it to design development plans reflecting the needs of local communities, but in line with the National Development Plan (NDP). The Act further states that in instances where plans do not match, those of the National Planning Authority take precedence. The NAADS example cited here shows how the District Planning Authority has been limited to planning and making decisions, which are rarely implemented. Government is able to do this because it has funds for its programmes, which LG have to implement while local projects are put on hold due to budget cuts. Government is thus a powerful actor in LG and a factor to reckon with in public policy decisions.

Recentralisation was further cited in the concentration of financial power in the central government. In Pallisa district, it was observed that each time LG planned to implement an activity, their plans would be frustrated by the government, which would only send part of the money (SCS8: 30.08.12 Pallisa). During the filed study, the issue of budgets cuts was raised by nearly all respondents. In most cases, this was costly for LG that would have already allocated contracts to private companies, meaning that cancelling them would be bridge of a contract subjecting them to heavy costs (DPlt205.09.12 Kabarole). In 2011/ 2012, LG suffered a budget cut of fifty per cent. In a group discussion with some of the civil servants in Agule Sub County in Pallisa district, as well as with other sections of actors within LG, they revealed that, in addition to budget cuts, government releases often came in late rendering LG

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[29] NAADS is a programme run by Uganda's ministry of Agriculture and aims to provide advice on agriculture including providing agricultural incentives. It is 'popular' for its failure.

idle most of the time. One participant aptly put it this way, 'when there is no money we all sit, when money comes we all work' (GRP4: 30.08.12 Pallisa, DPlt15: 04.09.12 Kabarole). In Entebbe, the mayor reported that LG premises were only active venues when government releases came and when everything was used up the chairpersons were left with empty places (DPlt9: 31.07.12 Entebbe). This explains why some LG actors have argued that save for people being able to vote, in terms of decision making, decentralisation had lost meaning (DPlt3: 21.08.12 Waksio). In Kabarole the LCV chairman described the system as follows,

> We have always considered our interactions with central government to that one of a pendulum sink. At some point we were absolute centralised. But with the 1995 constitution coming into effect talking about devolution of power we moved almost absolute decentralisation. But of late we seem to be hanging in the middle, not 100 percent decentralised, not 100 percent centralised, but somehow in the middle (DPlt2: 05.09.12 Kabarole).

This was shared by his colleague from Wakiso district who described the system as a superb policy on paper, but one that did not practically reflect decentralisation (DPlt3: 21.08.12 Waksio). On the other hand, another lamented that the system had degenerated and tremendously derailed to the point that, no government or council could take a decision which it could implement without interference (RNPlt 12.12.13 Kampala).

The situation as herein presented makes it difficult to define roles and who the final decision makers are. Explaining the issue of limited funds, one MP argued that this was done to save money for government's more 'pressing needs', yet in actual sense it was LG that did government's work. He noted that most of the revenue which should be in the districts was centralised at the top and that there was reluctance on the part of the government to release funding for LG (NPlt3: 13.08.12 Kampala). He too observed that it was hard for LG to operate when government retained all the money and still expected them (LG) to do the work of all other ministries and government departments as per decentralisation.

Both the LGA and the constitution grant autonomy to LG to execute their duties. This includes the power to make and implement policy decisions in their areas of jurisdiction without any influence from government. However government's domination of policy decisions concerning LG demonstrates loss of this autonomy and independence leading to some sort of reversion to a centralised system. This is specifically conducted through domination of information and 'technical expertise' that allows government to intervene as the sole problem solver. Monopolising and control of information can be translated to arbitrary power and bureaucracy and as Guy argues bureaucracy can be used to implicitly

trade information for influence of policy. Information can be produced selectively to make one type of decision inevitable (Guy, 1984: 188). Concentration of power in the executive as discussed in the previous section (Musevenism) while marginalising other arms of government is a characteristic of autocratic governments (Shivji 1991:30). Decision making in such systems are a sole prerogative of one person or groups of powerful persons.

The exercise of economic power to influence policy decisions is very pronounced in the above situations. In 1994, president Museveni claimed that Uganda's decentralisation is aimed at undoing the harm that had been done to LG by centralisation. He postulated that the new form of government would unleash local initiative and revitalise local democratic processes which together would sustain development and enhance local capacities for self-governance and service delivery (Museveni, 1994:4). What the president proclaimed here was a move against centralised power. But barely twenty years down the road with the same president in power, are the practices far from his proclamation. Instead there has evolved a sharp twist in which LG policies have been dictated not by the locals, but by the interests of the centralised political power devoted to maintaining a stable, but centralised state, thus subtle recentralisation of LG within a decentralised structure. Okidi and Guloba (2006) observe that in a centralised system, officers are driven by self-interests and behave in a manner that is detrimental to social development. On one hand it has been observed that the system subjects local officers to unwarranted paper work of planning and budgeting, yet in reality government makes all the policy decisions (Olowu and Wunsch, 2004 198-9).

The diminishing power base of LG with spending powers and priorities increasingly determined by government is no different from a centralised system. Government's reluctance to grant full autonomy for local policy-making to LG indicates that decentralisation is a highly political process and as Crook and Manor (1995) note, the hidden politics of decentralisation become visible by an examination of which rights and responsibilities are not devolved. Other than being in tandem, LG is overridden due to lack of local revenue. Indeed as Mwaikusa observed in the case of Tanzania; 'the interests of central government have dominated LG policies and practices from the colonial era to date. The demands and interests of the local people have counted very little if at all in the development of LG and as a result the role and function of LG has been greatly distorted' (Mwaikusa,1994:67). Mwaikusa adds that in such instances, people look at local authorities not as their institutions, but as organs of government. On the other hand government treats local authorities as its tools created for its use and disposal. Added to such cases as reverting recruitment of CAOs, deciding on the

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educational levels of LG councillors, conditioning LG funds and musevenism, recentralisation of LG becomes more evident. I argue that although decentralisation granted LG power to make policy decisions, in the face of limited resources and dependence on central government, decisions tend to be made by the government thus pointing towards recentralisation.

5.8. Summary

This chapter has discussed the idea of constitutionalism amid micro-hegemonic practices to the conclusion that the existence of a constitution and other legal instruments does not necessarily guarantee constitutional leadership. It has shown that away from formal institutions, policy decisions in LG in Uganda are a privilege of powerful actors who are engaged in dynamic exercise of micro-hegemony. It has shown that micro-hegemony, is central in public policy decisions in LG and illuminates the relationship between political and economic power as well as the nexus between LG and government. Reflecting on the main research question of this study, it appears that the exercise of power by certain actors is one of the major factors that influence public policy decisions in Uganda's LG arena. The chapter has demonstrated that resourceful actors—individuals or corporate strategically influence the direction of policy decisions avoiding well laid legal frameworks. Similarly it showed that sometimes actors strive to be seen as doing something for their constituents, but only to be able to win votes. It develops the contention that it is impossible to conceive of a generic form of LG where principles of decentralisation are highly upheld. I point out three main factors that are responsible for this. First of all there is monopolisation of power by local councillors thus limiting participation to the contrary of what decentralisation aimed to promote. Secondly lack of local revenue subjects LG to depend on government, which in turn undermines their decision making powers. Thirdly, the increased practice of musevenisim undermines constitutional provisions. But on the other hand I also argue that all this is made possible by the practice of neo-patrimonialism and the weak state of formal institutions that enable actors to behave as they please. This, however does not imply that the system is completely undemocratic and unsuccessful. Elements of democracy and success can be traced as demonstrated by election of political leaders, the empowerment of councillors and the ability of the council to make certain decisions though they may not be able to implement them.

This thesis therefore situates the policies and practices of LG in Uganda within a historical perspective where policy decisions were limited to one powerful actor or a group of powerful actors. The findings presented in this chapter can best be captured using Hodder-Williams observation of governance in Africa—'Whether a state apparatus is controlled by a dominant party or a military junta, a central feature of post-independence Africa has been the centralisation and personalisation of power' (Hodder-Williams, 1984:140). Therefore to understand how policy decisions are concluded policy scholars should pay attention to the issue of power, who has it, how he/ she exercises it, for what purpose and in whose interest. By so doing one is be able to comprehend the complex relationship between actors and institutions and how they strategically configure policy decisions and policy outcomes.

CHAPTER SIX:

LOCAL GOVERNMENT IN THE CONTEXT OF DECENTRALISATION

This chapter explores the degree to which decentralisation has enhanced political participation and what this means in terms of public policy decisions. To find this out, I examine how different actors (politicians and technocrats) participate in the affairs of LG considering that decentralisation aimed at increasing participation and involving communities in decision making. I argue that decentralisation has indeed increased political participation among different groups in LG. However, it has also emerged that in as far as community participation is concerned, it has not translated into real community involvement in decision making on matters that affect their daily lives. Instead there has been a power capture by the elite who also dominate the decision making domain. The chapter is structured as follows; the first part examines decentralisation as a pathway for political participation. Specifically I examine the effect of decentralisation on participation by different actors—politicians, administrative staff and community members to the conclusion that several factors impinge on how actors participate and how they make policy decisions. These include conflict, interference, disagreement and levels of education. The second section explores how decentralisation has increased political representation. This is achieved through an investigation of political pluralism and how its presence influences public policy decisions. In the third section, the impact of the infinite creation of new districts on LG is explored. Considering arguments for creating new districts—increase participation and representation as well as bringing services nearer to the people, this section examines their state in terms of physical infrastructure, finances as well as human resources in order to find out its implications on public policy decisions. The findings indicate that in addition to other implications such as politicisation of new districts, their creation has resulted in what I call soilisation. Soilisation is a growing sensation in both local and central government and has become the norm that informs policy decisions in different aspects of LG. The mushrooming of new districts has led to a power capture by the elites, exclusion of local people from engaging in decision making on matters of policy and decline in social services.

6.1.87   Decentralisation as a medium for Participation

Different authors have offered different definitions to participation (cf. Cronwall and Brock, 2005; Gaynor, 2010; Gaventa, 2008), but what these authors have in common is their perception of participation as a means through which governments maintain social control and

neutralise political opposition since everybody can participate in politics. Generally, participation denotes a set of activities by citizens that aim at influencing political authority. These may include voting and joint decision making among others. On the other hand, political participation is the engagement or public involvement in decision making (Lamprianou, 2013: 21). If citizens participate in policy decisions, they can hold their leaders and/ or public office bearers responsible for their performance. As Gaynor (2010:12) argues, participation enables people to gain political agency and wield influence over the context and direction of their lives. It is thus a political method of empowerment. Scholars like Gaventa (2004: 27) argue that effective participation takes into account issues of institutional change. This can be achieved by a political party that represents both a substantial section of the disadvantaged and excluded citizenry (Hickey and Mohan, 2005:19). Similarly, Mukandala (1987:15) argues that, fostering popular participation requires re-curing patterns of behaviour, be they administrative or political to be participatory because a system of participatory development without participatory administration and/ or policies is impossible. Accordingly political participation calls for democratic participation and tolerance of diversity.

As evidenced by the Africa Charter on Popular Participation, the importance of participation in LG is something that most African governments underscore. In 1990 during a conference held in Arusha, African governments backed by African people's organisations, NGOs and the United Nations agencies, stressed the promotion of popular participation in policy formulation, planning, implementation, monitoring and evaluation of development programmes (Arusha, 1990). They argued that people's participation was important in Africa's recovery and development efforts as well as for promotion of democracy. Popular participation is, in essence, the empowerment of the people to effectively involve themselves in creating the structures and in designing policies and programmes that serve the interests of all, as well as to effectively contribute to the development process and share equitably in its benefits. In its memorandum, the Charter noted that there must be an opening up of political process to accommodate freedom of opinions, tolerate differences, accept consensus on issues as well as ensure the effective participation of the people and their organisations and associations. It is often assumed that participating in LG enhances people's political awareness resulting in proper understanding of formal institutions (Smith, 1985: 184). Smith adds that improved understanding of formal institutions minimises the possibility of local leaders acting irresponsibly, but encourages people to play a key role in local public decision making and implementation. This could be an additional explanation for the massive move

towards decentralisation in most parts of Africa. However, as Ribot (2001) argues, the impact of these reforms on popular participation depends on the local institutional arrangements they create. For instance, 'which actors receive powers, what powers they receive, and the relations of accountability these actors are located in. In terms of increased participation and decision making, Ribot is sceptical about the promise of decentralisation. He is just one of the many scholars on decentralisation who have expressed discontent with the recent reforms taking place in the name of democratic decentralisation. The observation is that these reforms neither create accountable representative local institutions nor devolve the powers that would constitute democratic decentralisation. On the contrary decentralisation has come to signify programs and reforms that are ultimately designed to retain government control (see Crook and Manor, 1998; Crook and Sverrisson, 2001; Ribot 1999).

Regarding community participation, decentralisation scholars like Riutta (2009:135) argue that in most cases, the rural poor are disempowered impeding their level of participation save for participation in electoral processes. This according to him is caused by lack of awareness and self-esteem which leads to political empowerment necessary for them to actively engage in political processes. In examining democratic participation in rural Tanzania and Zambia, Riutta observed that in Tanzania, it is largely the same group of actors who participate in various ways and most of them were leaders who are normally in charge of community meetings (Riutta, 2009: 102;7). Still in Tanzania, Varsha Venugopal and Serdar Yilmaz (2010) observe that the country seems to have a de-concentrated LG because of central appointees having large powers at the local level. They add that central control over administrative functions has ensured that administrative decentralisation is yet to occur. On a more positive note, Tanzania has registered progress in the fiscal sphere in terms of transparency and harmonization of transfers. These findings correspond with Machiko and Aryeetey's (2003:54) argument that the dominance of a small elite in political processes often makes the majority especially in rural areas defacto and disenfranchised. In her study of decentralisation in Uganda, Steiner (2007: 179) observes that the anticipated increase in local political participation is limited in practice due to insufficient opportunities being provided to citizens by local officials, or a lack of information about opportunities being made available. Similarly, Saitō (2003) observes that increased participation can facilitate collaboration among actors, but that at the same time it can frustrate them if people's increasing demands are not met. In the case of Uganda, Saitō (2003: 22) observes that 'it can lead to harmony as well as conflict within Uganda's multi ethnic society, which implies that partnerships are still

fragile and can only be solidified by concomitant improvements in incentives, information, and conflict-resolution mechanisms.' Indeed in its report on 'The Dynamics of District Creation in Uganda', DEVIVA and Actionaid (2011:14) highlighted that 'issues of participation in decision making and accountability were moving towards a downward trend inspite of LG administration being brought closer to the people.' On the other hand, Frederick Golooba (2004) in his paper 'Reassessing popular Participation in Uganda' observed that communities did not find it necessary to participate in policy making, instead they preferred that their leaders decide for them since that is why they were elected. These observations correspond with the more general literature on participation for instance, Gaventa argues that the 'key challenge for the 21st century is the construction of new relationships between the ordinary people and the institutions—especially those of government—which affect their lives' (Gaventa, 2004:27). From the perspective of ACI, it is the choices of those involved in the policy process that will ultimately determine policy outcomes (Scharpf, 1997: 43-46). In the context of this study, these assumptions demonstrate a bearing on public policy decisions given the many actors and institutions therein involved.

In Uganda, the 1993 decentralisation statute resulted in major changes in the institutional set up, which defined allocation of power and the conduct of LG. Both the LGA and the constitution create avenues to increase political participation through inclusion of special interest groups such as women representatives both at local and national level, the elderly, youth and disabled persons. In as far as decision making is concerned, a significant change occurred as government officially relented some of its power and authority to LG to make and implement policies within their area of jurisdiction. This transformation reflected a fresh reorientation on policy decisions as opposed to the traditional top-down approach. As Kisakye observes, it implied that the once oppressed, powerless and apathetic population was now being transformed into a formidable political force by popular participation (Kisakye, 1996). Given the fact that LG consists of administrative staff and policy makers, and considering its five tier structure, one would assume that policy decisions involve both politicians and administrative staff as per the principle of decentralisation and above all devolution of powers. However, as this study found out, there has been conflict of interest in decision making whereby powerful actors within the system dominate the decision making process and consequently influence policy decisions. In addition, the level of education was a major factor that determined how politicians behaved and interacted. It came out that those with relatively high education level were more articulate, confident and actively participated in council

meetings, hence they also steered the decision making process. On the other hand, technical input was often ignored as politicians took charge of the entire process. It severs to show that decentralisation conferred power to some actors who in turn map policy decisions according to their interests. Participation is hence not inclusive as intended by decentralisation and contained in the LGA. The process is characterised by conflict, interference, fear and disagreement with each party accusing the other of meddling in the others job. As a result the level of participation depends on the relationship between actors therein and what they feel about the above issues. This section examines how different actors—politicians, technocrats and ordinary people participate and the implication of their participation on policy decisions.

The establishment of two wings of LG—technical and political was to create an effective LG system. Although each wing has its clearly defined functions they are meant to complement each other. To facilitate this complimentary role, programs were put in place to ensure each group understood their duties especially in regard to the empowerment of politicians as herein stated.

> '---councillors are trained on how to make ordinances and how to pass by laws at sub-county level. In the past people could not make their laws, but now they can make what they call ordinances. At lower and sub-county, they make by laws so they can decide on issues that affect them.

Section 38 and 39 of the LGA empowers local authorities to make ordinances and bylaws. In Uganda, the law does not prescribe a minimum educational standard for any one contesting for councillorship in LG, save for the district chairperson, but at the same time it legitimises English as the official language and all government communiqué should be documented in English. The LGA that guides LG in its daily activities is written in English necessitating a relatively high level of education in order to be able to understand its contents. Although some councils permit the use of local language during council meetings, it came out that the less educated councillors hardly contributed to the debate due to lack of confidence and fear of being labelled illiterate. As a result, deliberations were often dominated by the elite who could freely and confidently express themselves in English. Consequently, it was them who steered the decision making process and whose ideas were represented. In this case, the elite domination can be equalled to micro-hegemony discussed in the previous chapter. In the perspective of ACI, their use of education reflects actors' turn to values in their possession. During a budget reading in Pallisa, it was evident that only educated councillors took part in the discussions. An attempt to get comments from other councillors was futile. Not only were they timid, but could not speak English. When it came to reflecting on the previous

discussion, some councillors were not able to comprehend minutes of their own resolution. In such instances councillors later denied some of the information that they themselves had discussed and agreed upon (DPlt10: 01.08.2012). In terms of interaction, councillors with the same level of education preferred to stick together. This resulted in actor constellation and as Scharpf argues, it is the choices of those involved in the policy process that will ultimately determine policy outcomes (Scharpf, 1997: 43-46). In the face of limited understanding, the less educated councillors are outweighed. Sometimes, interaction among councillors with different educational level was initiated by the elite who simply sought for numbers to enable them pass a given policy. Therefore, whereas decentralisation aims to increase peoples' participation in local politics and decision making on affairs that affect their lives, the issue of education should be taken into consideration. Bearing in mind that actors are often looking for payoffs, this could be reflected in the making of laws and bylaws that is to say, actors involved may seek to design and pass such by-laws that grant them leverage in public policy.

Politicians were of the view that decentralisation had brought government nearer to the people, making it easy for them to approach it (NPlt6: 02.08.21 Kampala). For NPlt6, this increases participation and makes it a better way of providing services to the people. NPlt6's opinion was shared by several political respondents from different levels of government. Other responses that attest to this included the following.

> '--we are saying that service delivery is brought closer to the people, then the other is that job opportunities are created. Secondly, it ignites development in that local community (NPlt4: 11.09.12 Kampala).

> '--- the center has given away most of the powers to the districts the districts to local council III. We have the district councillors and the chairman who actually acts as a president almost in his own right. He has all these technical people around him, called the CAO who is like the Permanent Secretary, you get the head of the health service, you get the head of education, you get the head of agriculture and all these services. Now things flow from the center to the district then they go down to the sub counties (NPlt2 : 23.07.12 Kampala).

From the above extracts, it is possible that the position of political actors is informed by their need to paint a good picture of the system as one that promotes participation. NPlt2's comments suggest functional devolution whereby each actor knows his/ her roles and performs them accordingly. It suggests that there exists mutual understanding between the two wings of LG that accord actors equal levels of participation. It denotes participatory decision making with decisions reflecting the opinion of all parties involved. This positive perception of decentralisation as having improved participation contradicts that of the technocrats who typically described the system as filled with conflict, interference and

disagreement. These are not mutually exclusive elements, but interrelated as demonstrated in the following extracts.

> You know these councillors have been overtly empowered, but they don't understand the meaning of their power. I had a nasty experience here in my district. We had urgent issues to discuss, but I was too busy to attend council so I sent my deputy, but they refused to conduct council until their sitting allowances were increased. You tell them we cannot increase your allowances because the district cannot afford, but they won't listen. Instead they will come up with a fake reason to impeach you. You know with us civil servants you cannot be perfect so they can come up with anything (DCS3: 20.08.12 Wakiso).

> You know we civil servants are not supposed to show our political leaning. So if you try to correct some of these councillors, you find that the other parties look at you as a wrong person. It is a very, very thorny issue in the administration of districts under decentralisation because they may not trust you. Everything you do they will think you have done it because you don't subscribe to their beliefs. So decision making can be very difficult under such circumstances (DCS5: 21.08.12 Wakiso).

In Pallisa a respondent claimed that through their caucus meetings, councillors were able to resolve on how to deal with 'stubborn' technocrats. In terms of decision making, civil servants shared the perception that public policy decisions were a reproduction of respective actors' interest. Such interests were often discussed externally and concluded before coming to council. As such, the council only served as a platform where an agreed position would be communicated (DCS2: 29.08.12 Pallisa). Because of the power contained in their formal positions, which they (councillors) often abused, technocrats could not alter any decision (DPlt16: 09.09.12, DCS3: 20.08.12 Wakiso). This shows that in terms of policy decisions, the powers accorded to political actors had created a gap in the levels of participation between the political and technical wings of LG. In all the sampled districts civil servants lamented that councillors had been mandated to control all LG issues at all levels such that they did not value any technical input. Several respondents alluded to councillors as having resorted to using their positions to intimidate technocrats who insisted on technical procedures (GRP2: 03.09.12 Wakiso, GRP52: 9.08.12 Pallisa; SCS6: 03.09.2012; SCS20:7.09.12). The politicians however see this differently as herein stated.

> We can say that in this district we want to support about ten groups, they will go and support about six of them and give them money, but when they are reporting they will say that all the ten got money and yet you find some of the groups did not get. They bring the report in written form and yet in reality there is nothing. For them because they are more technical and they even have other technicalities they don't want you to know. When you are so inquisitive they say you are interfering with our work (DPlt12: 03.09.12 Kabarole).

On the contrary technocrats refuted these allegations instead saying that politicians often looked for ways to impeach them. To avoid conflict and antagonism with their political bosses they often withdrew from giving technical advice (SCS20: 7.09.12 Kabarole). Accordingly, any responses from technocrats lined with the expectations of the politicians.

Whereas the two wings are meant to complement each other, these extracts show a blame game being played and suggest a conflictual relationship between the administrative staff and politicians with some sort of power struggle. It appears that each group applies any of the Lasswellian values in its possession to achieve their goal. Whereas the politicians have the political power, the administrators have the technical skills. These values are often applied where necessary to enable actors achieve their interests. This conflictual relationship shapes the way the two groups interact. The comment by DCS3 suggests that one party overrides the other. On the other hand, DPlt12's comments capture the aspect of education earlier on discussed. Due to low levels of education by some political actors, they were not able to comprehend technical language often used by the administrative staff. This also contributed to their misunderstanding. In addition, there appears to be lack of trust as suggested by the claim that technocrats do not provide the right information to politicians. Politicians claim that this affects their planning and decision making. This unbalanced relationship may work to the detriment of LG.

Within the political wing, relationships often depended on which party one belonged to and which party governed a given LG. Generally it was observed that members of the national ruling NRM party were always given preferential treatment by government. This enabled NRM councillors at lower level to wield power over other LG actors even when a given LG was ruled by the opposition (DPlt7: 27.08.12 Pallisa). DPlt7 argued that where NRM councillors went against the law, government often shielded them. This perception was shared by technocrats in Wakiso and Mukono districts. Comments from a politician in Pallisa confirmed this observation. Describing the preferential treatment accorded to NRM members, he lamented as follows;

> At the moment in Uganda there is no democracy, you can see, the way they beat people, the way they harass them—for us here you find an NRM councilor doing things that are not right, harassing people, intimidating them and so on. When you try to complain, nothing is done. I tell you, my sister, that we have not reached a stage of being people who know and have understood democracy (DPlt7: 27.08.12 Pallisa).

This suggests that the ruling NRM party extended its hand to shape the behaviour of actors in LG, which again demonstrates the exercise of micro-hegemony. From what he says, there is no democracy, but significant levels of interference and harassment which brings fear and makes people withdraw from active participation. The practice falls short of Gaventa's view of effective participation namely taking into account issues of institutional change such as involvement of more actors from within and outside government (Gaventa, 2004: 27). As Ayeko-Kümmeth (2014), argues, the essence of decentralisation and its implementation being a technical exercise is undermined by political influence from both local and national level. As a result, decentralisation itself has become more political. Ayeko adds that in Uganda's LG setting, power is not only used to determine who can actively participate, but also to shape the nature of participation and to filter whose views constitute policy decisions.

Regarding participation by ordinary people herein referred to as community participation[30], it is important to note that the constitution recognises communities as–stakeholders in LG. Indeed in its 2010/2011 ministerial policy statement, the ministry of LG stated that one of the objectives of its financial committee was to promote stakeholders participation in the planning, budgeting and implementation of LG programs for improved service delivery. The policy statement recognised communities as stakeholders. This recognition aims among other things to increase their participation in local politics and involve them in defining their destiny. Because local communities participate in project identification, planning and implementation, it is implied that services can be matched to local needs. This would be a result of incorporating local knowledge and aspiration into project design, implementation and management. This would then translate into effective participation and contribute to the vast improvement of the quality of democracy. The findings of this study indicate that, whereas community participation in politics has increased, it is passive and has not translated into real decision making in matters that affect their lives. Moreover both communities and actors within LG have a narrow understanding of what participation is and what it entails. Nevertheless, respondents were of the view that decentralisation had empowered people to decide for themselves.

> 'Gone are the days when you could think from Kampala that the people of Pallisa need a community centre and you construct it. Their need could be a borehole. So they have projects which they feel serve them well (DCS1: 25.07.12 Mukono).

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[30] Note that this is a perspective of community participation as conceived by technocrats and politicians, but not from communities themselves as no interviews were conducted with them.

'In some areas, people are involved in identifying the projects, in monitoring and then at the end they even form committees to safe guard say for example a borehole, health centres and so on' (DCS320.08.12 Wakiso).

It is also interesting to note how some villagers perceive participation. Asked about how she participated in LG and decision making, one lady in a village in Gogonyo sub-county in Pallisa said that she, like others, demanded for a borehole because the one they had was not enough to serve the entire community.[31]

Here decentralisation is portrayed as having empowered people to plan and make decisions that concern them. The statements from the two district technocrats suggest a bottom up approach in which LG engages local communities in planning for themselves. They claim that by engaging local communities in decision making, project development and implementation is likely to occur because communities own the projects. However, these claims do not recognise the power dynamics of actors positioned at a higher level, which, given the structural design of LG enables them to influence public policies even at community level. Inspite of their superficially formal inclusion in the decision-making process, the final plan and approval is conducted at higher levels where communities have no influence rendering their participation less effective. Moreover as evidenced by the lady's comment, most people do not necessarily understand what exactly planning means. It is possible that villagers perceive planning as listing their needs without setting any priorities that correspond with national priorities. As one politicians argued, communities were not aware of national priorities because such information remained a prerogative of LG leaders (NPlt5: 13.09.12 Kampala). Due to lack of necessary knowledge to enable them manipulate the system and the expertise to produce plans that are coherent with those of the national planning authority their plans if any are often rejected. This confirms Riutta's comment stated above. It shows how decentralisation in deed brings power closer to local communities, but due to the heterogeneous nature of communities, power differences arise. Therefore although decentralisation enables local communities to make their claims more directly than on national level, power imbalance remains a major deterrent. It implies that community participation remains passive and limited to attending village meeting. Such meetings are often initiated by politicians to communicate what is going to be done or what has already been done. Even where the meeting is a village initiative politicians use it as an avenue to deliver their political messages.

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[31] This was in a casual conversation not intended for this study that is why she is not coded, but I found the statement captivating just to show how participation is perceived.

Contrary to the above perception, other interviewees opposed the assumption that communities had a say in policy decisions. One stated that, 'last year we sent our people to find out what communities wanted. They wanted to be given money to construct a market. So we took that into consideration and reported to the district. But later we were told that the district had decided to give money to individual groups. They also sent us the list of which groups they wanted us to pay' (SCS1: 03.09.12 Kabarole).

In Pallisa, one respondent gave the following experience;

> The district resolved to distribute community development funds to groups that were organised and had ready business plans. But the chairman halted the process. When I later, inquired, I discovered that he and his brother who is the SAS here had formed groups with only his family members and distributed the money. No other groups benefited (DPlt6 30.08.12 Pallisa).

Community participation should be viewed as an active process through which intended beneficiaries are able to influence the direction and execution of development projects with a view to enhance their wellbeing in terms of personal growth, income, self-reliance or other valued ideals. As the above excerpts demonstrate, it is clear that communities are consulted. However, their views were rarely taken into consideration when it came to real decision making and implementation. In most cases the decisions agreed on are diverted to accommodate the interests of the powerful actors, after all villagers are often not able to follow up on their decisions given the poor socio-economic conditions. For instance, decision making starts at subcounty level, yet at this point, very few if any ordinary people participate especially considering the costs involved in terms of transport, feeding and time. Although local communities would have wanted to plan and decide their destinies, without financial power, their decisions are meaningless. The findings here show that, some actors manipulate the idea of community participation using their power. Moreover the concept of community remains blurred; it can include the business community, the elite, the poor, disabled et cetera. Moreover civic education, which is an important element in enhancing community participation, is minimal in Uganda. Inadequate community sensitisation and information provision could also be an intended strategy to keep local populations ignorant which makes it easy for certain actors including government to easily manipulate and control them.

In another scenario, an academician noted that, the current concept of community participation was different from what it used to be during the colonial era where community participation was characterised by strong community development institutions, which mobilised people to actively participate in self-help projects, government projects and civic

education (AC2: 02.08.12 Kampala). This he argued was facilitated by *'bulungi bwa'nsi'*[32] and enforced by sub county chiefs (SAS). According to him, such programmes have since become obsolete because politicians fear antagonism with the people. This is further diluted by privatisation which has turned people's minds to think in terms of money (see chapter seven). Perhaps what one can acknowledge about the current system is empowerment of special groups such as the elderly, women, youth and disabled persons in terms of political representation, but not necessarily decision making. I therefore argue that although there has been an increase in community participation, it has not resulted in citizen ability to decide their destiny or influence policy directly or indirectly. Community participation is passive while decision making is concentrated in the hands of a few powerful actors. In terms of empowerment and decision making, there is a need to redefine the concept of community. My observation resonates with ACI, that is, policy outcomes are often a result of strategic interactions involving a limited number of individuals and corporate actors who are engaged in purposeful action under conditions in which the outcomes are a joint product of their interdependence (Scharpf, 1997: 5; 7).

6.2. Decentralisation as a medium for Representation

The Stanford encyclopaedia of philosophy defines political representation as the activity of making citizens' voices, opinions, and perspectives 'present' in the public policy making processes. Political representation occurs when political actors speak, advocate, symbolise, and act on behalf of others in the political arena, thus it is a kind of political assistance.[33] Accordingly representation is an institutionalised democratic form of participation whereby authorities act in the best interest of the public. It is part and parcel of democracy because leaders are locally elected by their communities making them accountable to their societies. It implies that elected leaders speak, advocate and mediate on behalf of their electorate. A process in which large numbers of people are represented by relatively small group of participants is considered participatory (Hickey and Mohan 2004:19). This explains the necessity for political parties, because it is through them that political representation is enhanced, thus ensuring that every citizen's interests and preferences count in the realm of politics. As Musambachime (1998: 3-4) argues, the existence of political parties is a basic requirement for democratic processes. But some scholars argue that 'there is a pathological

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[32]*Bulungi bwa'nsi* was a nation-wide community programme in which all members of a community took part in activities that benefited the community. Such activities included road maintenance, construction and maintenance of water sources etc.
[33]For more on this definition, see Stanford Encycolopedia of Philosophy http://plato.stanford.edu/entries/political-representation

fixation on power, everything they do and say has to do with power' (Nzongola, 1995:2 cited in Mbaku & Ihonvbere 1998:18). This explains why politicians often move from party to another. Mbaka and Ihonvbere (1998) view this movement as an attempt to antagonise the opponent and it is often filled with corruption, intolerance and strange alliances. The rise of party systems can thus be said to have turned politics into a scramble for power without any reflection of people's interest. Accordingly political pluralism may constitute politics of bitterness which has implications on policy decisions.

In Uganda, the restructure of LG aimed at creating more avenues for political participation hence increasing representation. The practicality of this representation in terms of policy decisions is the subject of this section. To find out this, I examine the presence of political pluralism and the eruption of new districts, because in creating new districts, government intends to increase political participation/representation. I argue that the establishment of new structures and/ or institutions of LG created more avenues for political representation. This representation of varying ideologies can be seen as indirect participation. However, as the following sections will demonstrate, the level of participation varies and/ or is also determined by ones ideology. In addition, the existence of political parties directly impacts on public policy decisions in that different actors strive to make decisions that line with their party interests.

Since the opening up of political space in Uganda, one can talk of political pluralism, but in terms of policy decisions, its presence has had its toll on LG. According to my participants, there is a feeling of 'superiority and inferiority' among parties whereby the members of the 'superior party[34]' confidently and authoritatively assumed ownership of government demanding the right to make all policy decisions (DPlt17: 03.08.12 Wakiso). A similar feeling was reported by a group of sub-county workers in Pallisa and Wakiso. Their observation was that, in case of any disagreement among actors, it was common that members from the ruling party directly reported to the authorities above (GRP2: 03.09.12 Wakiso). For instance, when relating to the issue of RDCs one academician described members of the superior party as follows; 'some of these people are not knowledgeable, they claim to have gone to school, but they don't know anything. For them if you belong to the opposition, they think you are an enemy of the government or you are not loyal enough' (AC3:27.07.12 Kampala). Another local councillor reasoned that; 'they basically think that one being in a different party is basically to oppose the other and it has gone down even to individualism,

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[34]This is how most respondents referred to the ruling NRM party

when you hate somebody who is in your party you go to another party where you think you can antagonise them' (DPlt11: 02.08.12 Pallisa). In their opinion, this left councillors from the opposition feeling inferior and powerless.

As was noted in section 6.1, the claims herein presented again indicate a system filled with conflict, fear, disagreement and above all one party dominating the others. The idea of party ranking within LG influences how actors from different parties relate and participate in the day to day activities in LG. It appears that those who are not from the ruling party, which considers itself superior, are irrelevant in LG. The translation of the ruling party's power into actors' authority significantly impacts on the daily operations of LGs and has implications on policy decisions. Furthermore, it undermines the essence of multipartism.

It is also interesting to see how conflict exists within members from the same political party. Highlighting the case of Sembabule and Masaka districts (not sampled in this study), a respondent decried what he called imposition of personal interests in LG (NCS1: 24.07.12). NCS1 claimed that the council there had failed to operate due to divisions among the powerful Movement people. In Masaka despite the council majorly being NRM, the district had failed to form government because each time the chairperson created a council, councillors would not approve due to differences in political ideology. Such differences were further reflected in implementation of LG projects. As an academician observed, 'even if leaders were good, it is very difficult to drive a council in which actors harbour personal interests because such a council would always oppose any proposal the chairman brings'(AC2: 02.08.12 Kampala). This has already been seen in the case of Kampala Capital City Authority where councillors often opposed any proposal by the mayor and petitioned him before the constitutional court leading to his consequent impeachment.[35] In such instances, loyalty to one's party or differences based on party affiliation become deterrent instruments to decentralisation. Coupled with resource scarcity, conflict among political leaders had become enormous, because instead of agreement, they spent most of the time fighting for the very little money. Each of them wanting to take whatever little thing to their areas so that they get re-elected (AC2: 02.08.12 Kampala). As another respondent argued, 'although multiparty politics was a good practice, it had not contributed to the betterment of LG in Uganda (NCS1:

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[35] For more on differences between the mayor and KCCA councillors, see Daily Monitor 20.05.2013; 31.05.2013; 02.06. 2013). The mayor was however reinstated after several court proceedings.

24.07.12). Rather than effectively representing their constituents as intended by the policy, politicians were instead busy with power struggles. Such behaviour has less potential in cultivating democracy as claimed in the participation literature. Because of the rampant internal conflicts that characterise most political parties in Uganda, most people perceive them (political parties) as a means of acquiring political power and wealth, often for private interest, but not as a mechanism to transform society (Kakuba, 2010). Ihonvbere is thus right to caution against mixing political liberalisation and democratisation because the former is possible without the latter (Ihonvbere, 1998:223). It can be argued that political pluralism had simply succeeded in creating division among actors to the detriment of LG in general.

In addition to the above implications, political pluralism also influenced personnel recruitments and tendering processes. Policy decisions on these aspects were discussed in chapter five, but in relation to this subject, it is interesting to note how this happened. Respondents claimed that district leaders in charge of recruitments sometimes used party identity in consideration of who to recruit. One MP claimed that, 'sometimes you go to an LCV chairperson, if you went to him as a person from the same area he or she will be having in mind your party affiliation and takes it into account' (NPlt2 : 23.07.12 Kampala). Similarly a group of civil servants in Pallisa argued that political actors often knew those who supported their candidature and who did not and this informed their decision on who to recruit (GRP5: 29.08.12 Pallisa). Both the LGA and the constitution prohibit technocrats in LG as well as in central government to join partisan politics. They are also forbidden from exposing their political ideology or which party they support. However recruitment of administrative staff based on party affiliation as suggested above implies that they (administrative) too are involved in partisan politics. This does not only contravene the LGA and the constitution, but could also imply that their decisions will be biased. In recruiting those with whom they share political ideology, politicians are not only seeking to recruit people with whom they can easily work with, but also those whom they can easily influence. This may result in unbalanced representation, which also means that policy decisions are not representative of all actors including communities who may be represented by other parties.

In other instances differences based on party politics negated service delivery as some councillors from different parties shied away from lobbying the district for services. An example was cited by one Member of Parliament as follows;

> In my district, I have been trying to reconcile these people, saying come, let us
> work together, the time of politicking is now over. But they have refused, they

cannot agree to face each other. In fact the other day I was told that the LCIII of Agule did go to the district because he does not want to face the chairman. So what does this mean, his constituency is left out on project allocation (NPlt4: 11.09.12 Kampala).

Respondents attributed this to fear of facing the district political head whose candidature they did not support (NPlt4: 11.09.12 Kampala). According to NPlt4 this paved way for other actors within LG to allocate funds to themselves and forge accountability since a given sub-county seemingly lacked representation at the district. Another MP reasoned that it was 'failure to realise their roles and instead, focusing on political differences and putting their political interests first' that had greatly affected LG (NPlt5: 13.09.12 Kampala). According to NPlt5 such differences were responsible for the failure of government programmes because, where the district political head was from the opposition party, they had been accused of sabotaging government programmes because to them promoting government programmes was giving credit to the ruling party. As explained in the previous chapters, matters of policy may hit a snag at any stage including implementation. It appears that there is a deliberate move to politicise, negate or disapprove any government programme and this is used as a political gimmick. By viewing implementation of community projects as crediting the ruling party, LG politicians had taken decisions that did not benefit LG/local communities to whom they are actually supposed to be accountable. Considering such behaviour, it becomes hard to detach today's politicians from self-centered seekers of political power and material benefits. Woldemariam (2009:192) observes that such careered politicians are only interested in politics in order to satisfy their ambitions for wealth, power and fame. In the perspective of LG, this might work negatively in that once such politicians gain power, they are bound to reject alternative visions and strategies that aim to address social and economic problems. In the context of policy decisions it implies that decision making is left to the benefit of a few privileged actors.

Some respondents however reasoned that in most cases party related conflicts were 'mainly fuelled by the centre' (DCS3: 20.08.12 Wakiso). According to DCS3, 'if government was not happy with the chairman, if is not from the NRM, one would expect a lot of interference.' He added that in such instances government advised its members to reject any members proposed for the executive as well as intimidate the NRM councillors who wished to serve in that council. The same was confirmed by another NRM councillor who acknowledged that 'sometimes councillors from the national ruling party want to own everything at LG forgetting that even when somebody is from a different party, he was the choice of the people.

Instead such actors often ganged up against opposition leaders, mistreated them and would not listen to them' (DPlt5: 27.08.12 Pallisa).

Indeed in Kabarole which is mostly an NRM strong hold, participants reported no interference and no conflicts based on party differences. Decisions in such councils reflected those of the ruling party (SCS3. 06.09.12 Kabarole). LG actors here acknowledged having heard about friction in other areas, but observed that such frictions were minimal in the western region because councillors mainly came from the same party with only a small minority if any from other parties (SCS1: 03.09.12 Kabarole). SCS1 added that, 'when it comes to deliberations and decision making, normally those in the opposition make their own independent report, but we go with the majority'. The observation in Entebbe corroborated the idea of minimal opposition in any LG, making policy decision a smooth process. Here the municipality council mainly consisted of Democratic Party (DP) members and as a result their operations were smooth save for personal differences (DPlt9: 31.07.12 Entebbe).

However, getting back to the idea of actors being driven by individual interest, it was apparent that despite political differences, politicians were often united when discussing issues to do with their allowances (DCS3: 20.08.12 Wakiso). As the former prime minister put it, 'when sharing of the benefits cut across party interests then they are united' (AC1: 30.07.12 Kampala). Recollecting his experience, one CAO had this to say 'when they were looking at enhancing their allowances, nobody looked at yellow or blue[36], but all of them actually were talking the same language' (DCS2: 29.08.12 Pallisa).

It can be argued that the opening up of political space has increased political representation in terms of political ideology symbolising democratic practices. However, caution should be taken not to quickly think that this has translated into equal involvement in decision making on matters of policy directly or indirectly. This is because power is held by the ruling party that often skilfully manoeuvres itself into the helm of organisational hierarchy. I argue that unless there is a new commitment to strengthen formal institutions of the state and separate them from those of the ruling party, it is impossible to think of political parties as instruments for democracy or even as actors who can actively participate in decision making in Uganda. Evidently, the most significant impact of multiparty politics on Uganda's LG has been creating a divide among actors. Actors therefore engage in endless battles at the expense of LG work.

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[36]Political parties are often known by colour identity. Yellow is the colour of the ruling party (NRM) while blue is for the main opposition party (FDC).

6.3. The creation of New Districts and the resulting impact on LG

At the time of independence, Uganda had 18 regionally located districts. In 1986 when the NRM took over power, there were 33 districts. With the adoption of decentralisation, districts were reconfigured into District LG. Within ten years of being in power (2006) the NRM had expanded the number of districts to 78 and by 2012 the country had 112 districts. Since each district requires representation at national level, Uganda's parliament whose members earn exorbitant salaries is one of the largest in the continent with 386 members. Creating new districts is not bad, but as Green (2008) argues, the manner in which it is done does not follow any established parameters, neither is the process informed by administrative necessity or economic rationale. In most cases, the president announces their creation via presidential decrees, often to reward politicians threatening to withdraw support for the NRM, or to punish those who had. Scholars like Oloka-Onyango (2007:12) remark that the proliferation of new districts is a political strategy adopted by President Museveni as a means of dispensing patronage, and ultimately of splintering challenges to the central government hegemony and control. Thus the new districts are directed to benefit a few local politicians who serve to reinforce government's political influence, but not to ensure the realisation of socio-economic rights as is claimed. In 2002, the United Nations Capital Development Fund noted that 'by the end of the 1990s, it was clear that the state of institutional apparatus for decentralised development had neither promoted participation, nor promoted any meaningful economic and social advancement' (UNCDF 2000:2). This section adds to these findings by demonstrating how new districts have not yielded the benefits that they were supposed to bring. They have instead turned out to be a liability to LG. The electioneering and politicisation of districts coupled with their infrastructural state all add to the already bad situation. The following discussion provides insights into the creation of new districts and their impact in LG. It explores the conditions under which new districts operate and what this means for LG. These include Human resources, physical infrastructure and finances. It also examines the aspect of politicisation of new districts exploring how actors use it as a strategy to gain political mileage. The consequence of this practice forms the subject of the last part of the section namely, the development of soilisation, how it works and its impact on LG.

The drive for new districts in Uganda is based on the premise that new districts bring services and government nearer to the people, increase political representation and community participation in local politics and above all ignite development. The findings of this study however, confirm Onyango's observation above that the creation of new districts is not

necessarily people's demand, but driven by politicians who see it as a means to advance their political interests. In addition it has come to be seen as a deliberate political move aimed at winning more support for the ruling party and above all gaining more numbers in parliament in order to enable the NRM to easily pass policies that favour them as well as influence policy decisions. In the context of LG, it has no direct connection with improving service delivery, rather it has led to what I call soilisation and serve as avenues for power and control. Creation of new districts being politically driven is confirmed in this excerpt.

> There has been a lot of pressure from the politicians to form more districts and sometimes on ethnic grounds and my view is that we should have resisted this pressure because it also raises the cost of public administration. But whenever I would say, please we are over doing it, they would laugh at me. They would say we want it, because if you are in the constituency and people feel for example they are marginalising your area, you tend to demand for things. But when you have so many of these and they are not viable, then it undermines the efficacy of local administration (AC1: 30.07.12 Kampala).

Another participant described the creation of new districts as follows;

> That one is absolute madness. I can give you two scenarios, one is that we have failed to realise the last financial year budget. Reason, being that, they are cutting everything. Whenever we go in a quarter they say we are experiencing budget cuts simply because they wanted to facilitate Gomba and Butambala[37] those which came up during electioneering. Two, like Wakiso it is has peculiar challenges of being around the city. So I was of the view that we need to have as many town councils as possible because we are not supposed to construct tarmac roads in sub counties, but we can do that in town councils. Now they say, to do that, they wanted some statistics to justify how many schools and so on. We were requested to wait for the population census. We failed to observe population census because government didn't have money. Now if you cannot conduct a population census which is very critical in planning. On what criteria are you creating more districts. Three, if you could not sponsor the population sensors, under the fact that you don't have resources, do you want to say that when you create more districts now the teachers who are demonstrating will get more salary?[38] If you look at the structure of LG before you go to other issues, the operational costs of the structure of the new district can facilitate service delivery and can address teachers problems. So creating more districts is total madness and it is selfishness of politicians (DPlt3: 21.08.12 Waksio).

Another respondent stated that 'there are forces from above who are behind this practice and it is mainly pursuing their personal interests (DPlt3: 21.08.12 Wakiso).

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[37] Gomba and Butanbala are new districts curved out of Wakiso
[38] This was said in context that there had been countrywide teacher demonstrations demanding for salary increment

As already stated the drive for new districts was based on the premise that they will increase political participation and ignite development as they get transformed into economic habours. However, from these comments, it is evident that the negative consequences of creating new districts are known, but those responsible are not willing to stop the practice. AC1's comments signify conflicting interests among policy actors, which subsequently impact on the decisions they make. It also suggests that the demand for new districts is partially driven by the need for representation. However, LG is not only concerned with increased representation. On the other hand, DPlt3 comments suggest that government plays double standards. Government itself does not observe legal provisions when creating new districts, but demands that LG do so by providing statistics to justify their need to create town councils or municipalities. By referring to the teachers' demonstration DPlt3 suggests that creating new districts is not necessarily beneficial to LG, neither does it solve the country's social and economic problems. The non-viability of new districts translates into passivity, which is further explained by their state of infrastructure. Much as the arrangement aims to transform districts into economic centres and promote realisation of socio-economic rights other than just structures of government, the physical, and human resources infrastructure makes it difficult for them to realise this dream. (NCS3: 27.07.12 Kampala). Interviewees acknowledged that the existing state of infrastructure such as housing for the new districts, social service facilities, as well as communication network was lacking, making it difficult for them to fully operate. The desperate condition under which most newly created LG operated and its implications was captured in the following quotations.

> There are some of these areas, if we post you there, you will think twice whether or not to take the job. Some of these areas do not even have where one can buy the basic amenities. It is not only that someone has no money to rent the house, but the house is not there. For example, teachers, we have schools scattered all over the rural areas but the teachers don't have accommodation. They are forced to travel long distances and as such they are always late at school (DCS5: 21.08.12 Wakiso).

Another stated that

> Sometimes, you advertise, you recruit, a few months later they leave because you are working with people who have a rational mind. These are people who have gone through universities; you bring them in areas where accommodation facilities are poor, even the social amenities are not there, they are cut off, they want to watch premier league, is it there—so those are some of the challenges that have crippled us (DCS4: 05.09.12 Kabarole).

The two statements denote a low level of development in most newly created districts. Because of this they are not able to attract qualified personnel necessary for the running of LG. Above all the new structure calls for highly qualified personnel who are not readily available and/ or ready to work in districts which did not have any social facilities like nearby hospitals, schools for their children and also piped water. The fact that LG recruits staff who only serve for a short while has turned it into a training center for the private sector which often has attractive offers. In its 2012/2013 ministerial policy statement to parliament, the ministry of LG reported that LG would continue experiencing low staffing levels for an unprecedented period. As of 2012, the ministry was still struggling to meet its set target of acquiring at least 65 percent of the needed technical personnel. New districts especially were said to possess only 10 percent of technical staff (MoLG, 2012/2013: 22).

In addition to the districts lacking social infrastructure, LG themselves did not have office accommodation. A respondent noted that, 'if you look at most of the districts, it is just now that they are beginning to have even headquarters. Some of them were operating in small hired houses, others actually virtually under trees (DCS5: 21.08.12 Wakiso).' In Kabarole a civil servant claimed that some of the newly created sub-counties' staff operated in rented rooms along the trading centre (SCS4: 07.09.12). Their claims are supplemented by the observation of a Makerere University lecturer—'yesterday I was in a small district, one of the newly created ones, I found six people sharing one small room, this one is the accountant, the chairman is here, the CAO and so on. How can you work like that,—the environment is not conducive' *(AC327.07.12 Kampala).* Indeed a visit to some of these areas confirmed this as depicted in the pictures below.

Figure 4: A sub-county building in Celekur-Pallisa district

Photos by Jane Ayeko-Kümmeth, 2012

Accordingly, AC3 blames the situation on what he called impressive reports that undermined the reality on the ground by suggesting that decentralisation was performing miracles. According to one MP, the poor conditions had demoralised the staff such that they spent most of their time in Kampala (NPlt2: 23.07.12 Kampala). In this case, the assumption that decentralisation would bring services closer to the people was far from reality as herein indicated.

> A person goes to the sub county, but the sub county chief will appear once or twice in a week, most of the time he is just doing his work. So they say they have taken services nearer to the people, but the last time I saw an agricultural officer in the village moving around advising peasants was, I think in the 80s. After decentralisation and the creation of so many districts, I have never seen anything. They get a graduate from here and say now you become an agricultural officer of this small district may be Agago[39] or where ever, he is going to spend most of his time in Kampala. But anyway the work he is doing can be done by a person with a certificate who can endure those conditions (AC327.07.12 Kampala).

My quest for respondents in their place of work served as confirmation to the above observation as it proved daunting. As shown in the photo below no one could be found in office despite several attempts. In most cases actors including those from rural districts were reached in Kampala.

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[39] Agago is one of the newly created districts in northern Uganda.

Figure 5: Agule sub-county-Pallisa district

Figure 6: Inside the office shared by the LCIII chairperson & sub county chief (SAS)

Photos by Jane Ayeko-Kümmeth, 2012

The office table was covered with dusty solar panels which were never fixed and no personnel was on sight. After three attempts I got frustrated. It was not possible to establish when the officer last came to work. I approached a nearby family who told me that the chief had left the office key with them so they open the office every day and close it in the evening. This experience was not only limited to Pallisa district, but also experienced in other districts mostly in rural areas.

The findings of this study show that, naturally, the state of infrastructural development impedes LG performance. As seen in the above picture of a rural sub-county office containing only basic furniture without any source of electricity or air conditioning yet the area is characterised by high temperatures. Because of lack of electricity, actors especially technocrats cannot use computers, hence they are subjected to manual work which is tiring and time consuming. Communication is limited to personal mobile phones while even the road network which brings them to such places is poor. Such conditions are not attractive to highly qualified personnel thus LG may be subjected to recruit low skilled personnel who can bear such conditions. Because LG is not able to maintain highly qualified personnel, they are

restricted to those with low qualifications who can tolerate this level of under development and standard of living. This also gives such actors an avenue to exercise their micro-hegemony since they are the ones on the ground. Coupled with the quality of councillors whose education I noted was also low, the state of LG can only be said to be wanting. In terms of policy decisions, it is likely that due to the low level of education and exposure, these actors will not make appropriate decisions.

Because personnel can only be reached on their mobile phones, it is easy for them not to take any calls if they choose to and justify their action by saying the phone was charging somewhere in the trading center or at a friend's place where there is solar or some other source of energy like generators. In the context of bringing services nearer to the people, new districts have not made any difference in terms of service delivery as actors devote most of official time doing private work. The lack of resources like energy feeds into the dire conditions in which LG operates making it difficult for it to deliver to people's expectations. In deed as the World Bank observes, LG is not automatically well-performing and effective if it does not apply its capacity in the interest of the common good (World Bank, 1997). It further observes that in order to make LG capable, adequate human capital and sufficient financial resources play an important role adding that untrained and unprofessional officials are less likely to understand and correctly assess the requirements and consequences of decentralisation in their entirety. This puts proper implementation of the reform at risk. It is therefore evident that, social and human resource infrastructure play a very pertinent role in shaping not only the behaviour of actors within LG, but also the decisions they take including shunning their work place.

Regarding health which is one of the basic necessities, respondents claimed that in some instances, LG was forced to relocate the minimal available social facilities such as health centres to create accommodation for the district headquarters (AC3:27.07.12 Kampala). Because of this, health centres were unable to provide health services bearing in mind the special features that ought to accompany those facilities (NPlt3: 13.08.12 Kampala). Some respondents argued that 'decentralisation should not have taken place or should have been very carefully selected, reflecting on the availability of resources and capable people at the different levels of LG' (NPlt1: 10.09.12 Kampala). In his lamentation, NPlt1 particularly regretted that 'health should not have been decentralised because the country does not have the capacity to provide for all'. He claimed that because of the rush to create more and more districts, many of them do not have the necessary social facilities and where they exist, it is

only structures without equipment or personnel. Sometimes even the very basic is lacking. To cater for the district arrangement, the new system provides for several heads of departments many of whom are actually doing the work done by other personnel. Duplication of duties was discussed in the previous chapter thus shall not be repeated here. But as respondents noted, more money is now spent on salaries and administration at the expense of social services due to increase in the number of LG/ administrative units. They added that, there was no provision for new districts implying that funds originally planned for a given LG would be divided to cater for the newly created one. Coupled with limited financial resources this constrains the capacity of LG to deliver decentralised services especially in the face of poor local revenue mobilisation. More districts have only translated to more representation, but without tangible benefits. Given the above scenario, the creation of new districts has imposed a stretch on the human and financial resources capacity of LG because numerically the existing personnel and finances are divided to cater for new districts, amid scarcity. In the face of all these challenges, the number of districts continues to increase erroneously. This can be explained in terms of actors being driven by self-interest, calculating, balancing and rebalancing costs and benefits for themselves leaving the social service aside.

People's assessment of provision of social services as presented by Afro Barometer (2012) indicates that Uganda's performance on sectors like health, education, as well as other infrastructures like water, roads and electricity is low. Therefore to assume that creating more districts will facilitate realisation of socio-economic development is some sort of juxtaposition that is certainly an oversimplification of the complexity and dynamics that characterise the current LG given the many challenges therein. With a GDP of US $16.81 billion per annum such arrangements may be far from reality if not stretching too much (WB, 2011). Moreover majority of the population still live on less than a dollar per day, making it difficult for LG to raise local revenue. The World Bank report suggests that with a per capita income of US$506 annually the country remains very poor and far from the middle income status it aspires to achieve in one generation. It further observes that, there is uneven development, increasing inequality and distinct geographical patterns of unequal distribution of social services in the country. Therefore creating new districts only encroaches on its already meagre resources. Moreover any economic investments are concentrated in the city and little if any in a few urban centres. This restricts economic developments to Kampala and a few nearby urban districts living the rest of the country in a dire state. Perhaps this explains why Uganda was (UNDP, 2012).

Whereas it is the responsibility of government to put in place adequate social infrastructure in order to attract investment and/ or development opportunities in rural areas, the Ugandan experience shows this as far from being attained. Reconfiguration of new districts into economic habours, necessitates spreading economic activities nation-wide, without which, they will only serve to propel the gap between the rich and the poor as the elite take up positions in the new districts and sniff the very limited resources for self-enrichment. Development scholars have already observed a growing gap between the rich and poor without any clear prospects of resolution (Niamh, 2010:23-5). This can be explained by unequal distribution of resources. In Uganda new districts are seen as a pathway to access the limited state resources hence politicians use this as campaign gimmicks.

In the context of electioneering and politicisation of new districts, this study found that the demand was not people driven as claimed, but that politicians often initiated it for political reasons. Since it was the very politicians who also made decisions at national level, it was easy for parliament to endorse any proposal for a new district. Respondents attributed it to what they called 'the ever growing level of competition for resources and power, which makes politicians strategise on how to win the next election even when one has just joined politics. Sometimes politicians even mobilise people for negative reasons, but only to remain relevant in people's eyes—that is politics at work' (NCS1: 24.07.12 Kampala). In line with NCS1, an MP confirmed this claim when he stated that 'in most cases, it is not even the people's demand. It is usually initiated by the MPs who see it as a way of making themselves popular (NPlt3: 13.08.12 Kampala). In Kabarole and Mukono, respondents reported that it was an important element for politicians to strategise on their next come back thus they start campaigns for the next election on the very first day they are elected, even when the next election would be in five years (DPlt2: 05.09.12 Kabarole; DPlt10: 01.08.2012 Mukono). They acknowledged that the need for power retention did not only shape actors' behaviour and practices, but also influenced how they made decisions, the level of service delivery and at times brought about inequalities in service delivery.

The first chapter of the Constitution of the Republic of Uganda (1995:30) articulates that 'all power belongs to the people who shall exercise their sovereignty in accordance with the constitution'. It further states that, '---all authority in the state emanates from the people; and the people shall be governed through their will and consent'. This implies that people can demand and their demands shall be granted. Refusing to grant it can be interpreted as denying people their constitutional right which is violation of the sovereign constitution. Although this

is a constitutional provision, it should be done within the confines of the law taking into account technical advice. The above evidence however shows that such provisions have been undermined. Being knowledgeable, some politicians take this advantage and claim that it is government policy to bring services nearer by creating new districts. Given the shortfalls that new districts present to LG such reasoning is not plausible. The evidence provided above shows how politicians device mechanisms to access and retain power. Although creation of new districts is not part of the decentralisation policy, actors often use some of its assumptions such as bringing services nearer to people, increase representation/ participation et cetera to advocate for them. Politicians often claim that the demand is from their constituents denoting that communities have actually decided. A study by DENIVA (2011:14) on district creation however reveals that, 'there is often minimal consultation in the process that led to the creation of some of the new districts. People reported that they heard the issue of demanding for district status at a political rally attended by the president'. DENIVA findings indicate that economic and socio-cultural factors accounted for only 20 percent of the entire reasons behind the trend while political and convenience accounted for 80 percent (Pg: 22). In this way, the practice lends itself to being seen as an NRM strategy to create more power centres through, which it can exert control over the local population.

Other interviewees interpreted the creation of new districts as a divide and rule strategy designed by the NRM to keep itself in power and to ensure government presence at local level through the many RDCs (DPlt3: 21.08.12 Waksio). In a group discussion with some civil servants, a young driver employed by the district who just popped in while the discussion was going on, strongly advocated for more districts. His argument was that, it was the only way for other people to access the 'national cake' (GRP529.08.12 Pallisa). Despite the reasoning from his colleagues that this was only a short term benefit the driver was not convinced. Whereas such arguments may sound acceptable they should be weighed against long terms benefits of creating new districts. Apparently, the urge for 'sharing the national cake' facilitates to demand for new districts. They have resulted in over-expansion of the public sector not for the purpose of service delivery, but for extending the patronage system. But perhaps one could borrow Schlichte's argument that Uganda's president is caught in a dilemma of inclusion and communication in, which he either chooses to include radical politicians in his government or not. Either way the choice he makes may be dangerous for state building (Schlichte 2005:169-70). Reflecting on Schlichte's argument, it appears that the NRM is indeed in a dilemma and the only way to hold on to power is to try and please his

associates and/ or silence those who threaten his stay in power by giving them positions at the newly created districts. For as long as there are more of these actors, more districts will be created to craft more positions. The feeling of marginalisation that drives the demand for 'things' could be interpreted as the struggle for access to political power often seen as access to the national cake. Since most districts in Uganda consist of one ethnic group, this could signify ethnic tensions. Indeed the president has sometimes argued that new districts alleviate ethnic conflicts. But like it is many countries that have implemented decentralisation, Green (2008) observed that, far from alleviating ethnic tension and spurring development, it is clear that the creation of new districts has led in many cases to increased levels of ethnic conflict. In deed Schatzberg (1988:21) is right to argue that states shape ethnicity for political and economic resources purposes. Mamdani's (1996) conception of ethnicity in politics is that it is an attempt to break the larger and more assertive groups into multiple units, thus reduce the possibility and their capacity for ethnic collective advocacy. It suffices here to say that it is likely that new districts could be turned into political institutions providing trade opportunities for political leaders to exploit national resources. The above extracts clearly show how actors are obsessed with power thus they constantly engage in devising strategies that can earn them mileage to achieve their interests. It is important to note that the demand for new districts is often popularised during political campaigns. Election period thus provides the opportunity for politicians to cautiously articulate and rationalise their position on local and national issues reflecting their political ideology. Policy actors being the ones, who actively and creatively initiate public policy, the demand for new districts is used to fulfil this purpose and with continuing scarcity of resources, new districts become avenues for rival tribes, classes and elites to compete for control over these scarce resources. This shows how politicians first think about their jobs before making any decision. They take advantage of public unawareness to demand for new districts arguing that it is the people's wish, when in reality it is a strategy for politicians to propagate personal interests. This findings complement Woldemariam's (2009:193) observation that both in developed and developing countries, actors 'exploit aspects of voters irrationality when campaign strategy calls for stirring up emotions to win elections, pass referenda or whatever the issue may be'. Similarly Bayart (2009: 74) argues that positions of power give priority, even monopolistic access to resources. He adds that the link between holding positions of power within the state apparatus and the acquisition of wealth is also clearly related to the political hierarchy (2009:87). With such high levels of obsession with power, it is unlikely that actors could spend time making appropriate policy decisions. They would rather strategise on their next come back by

concentrating on specific issues that boost their own chances of being re-elected. I argue that whereas the glamour for districts would be good, there has been another development shaping the way LG operates especially in terms of resource allocation and recruitment of technical staff. This practice is what I call *soilisation* and is the focus of the next section.

Towards the Development of Soilisation and how it works

I use this coinage, Soilisation to denote a mode of thinking and/ or behaviour; among groups of people born within a given locality who refer to themselves as sons or daughters of the soil. During the field study, the son of the soil talk was prominent prompting this coinage. The practice is deeply rooted in the areas where research was conducted and elsewhere in the country. It is wide spread in all spheres of life and more pronounced in the public service. It is a political culture that shares a lot with ethnicity, but is rather narrower and more restricted. It is further enhanced by the fact that most districts in Uganda are composed of one ethnic group and where there are more, 'son/daughter of the soil narrows itself to those closer to each other. The sons or daughter of the soil does not necessitate a blood relation, nor belonging to a similar ethnic/ sub group. Unlike ethnicity which mostly takes in aspects of language, religion, region, ideology or even shared cultural heritage, the dynamics of soilisation do not necessarily recognise these links. Even if people speak the same language, subscribe to the same religion or any ideology (political or cultural), soilisation mainly concerns itself with one's birth origin and boils down to belonging to a given 'soil'. In this case, soil is rather a metaphoric expression that connotes ones place of birth and current milieu of living; while belonging is not built on the basis of religious, cultural, linguistic or ideological similarities, it mainly works on conditions of being born in the same soil. It is this belonging that determines how others see and interact with each other and with the political apparatus in a respective LG. Soilisation thus reduces human identity to smaller environs in which people know and trust each other. The same identity or reference determines how resources are allocated. For instance during the field study, informants indicated that when it came to recruitments and awarding of contracts in LG, special consideration was often given to companies owned by sons and daughters of the soil. A case at hand was mentioned in Pallisa LG, where the district chairperson made sure that all the positions of the sub country chief were filled by candidates born in Pallisa. In fact as this study found out, not a single position is occupied by a non-son/daughter of the soil. This stretched even further to ensure that sons and daughters of a specific county or subcounty were employed within. Similar instances were also found in Mukono, Wakiso and Kabarole. In instances where leaders awarded contracts and/or favoured

their relatives, this attracted less objection. It was not seen as nepotism, but retaining the resources within the soil. In Wakiso for example, soilisation was an appreciated practice based on the argument that unlike nepotism which mostly restricts appointments to family relations, soilisation was seen as a much more encompassing and embracing ideology because it embraces all sons and daughters of the soil (DCS3: 20.08.12 Wakiso). Thus it is seen as a means to limit nepotism, but used to build trust as people seem to trust those within their vicinity and known to them. Soilisation is manifested in Uganda's LG not merely due to grass root discontent as would be the case with ethnicity, but is also a creation of vested political interest.

During the field study, the extent to which people believed in soilisation was obvious. People used it to find solutions to personal problems for instance a councillor stated that because of soilisation, people no longer trusted anyone beyond their vicinity—'for them, their representative is the son of the soil who can and/ or is supposed to solve each individual's problem' (DPlt527.08.12 Pallisa). He added that, 'you find somebody coming to you at night and saying my wife is having a miscarriage. I am not a health worker, but he reports to me that his wife is having a problem. So that is how local we have actually become'. Participants, argued that soilisation was not only a result of ethnic fractionalisation (see chapter 7: 7.3) resulting from creating new districts, but also what they called 'localisation of the mind.' According to them, localisation of the mind had transcended from 'the brain to action' and as a result, people did not think beyond their environment (DCS1; GRP3). In this case it can be argued that because of the soilisation conviction, locals have built a certain level of trust on those they see as natives or sons and daughters of the soil and believe that it is only them who can solve their problems and/ or aid members of the same soil. Accordingly any aspects within LG are perceived as the responsibility of sons/daughters of the soil.

Soilisation also informs the process of awarding contracts and is openly practiced amid legally established institutions. For example, in Pallisa there was a case in which a sub county chief awarded all the contracts to construct roads in that subcounty to his wife. Other than condemning the practice, it was rather upheld by other workers within the subcounty who argued that, there was nothing wrong after all it was the daughter of the soil who got the contract. It was argued that the proceeds from the contract would still remain within the soil and benefit members of the soil (DPlt16: 09.09.12 Pallisa). Similarly when the district chairman made sure his brother got a job in one of the sub counties where he comes from, it was justified as giving the opportunity to the son of the soil other than someone from

elsewhere (GRP3: 28.0812 Pallisa). That is why in Mukono, the CAO was pessimistic about the development of soilisation arguing that unlike in the past where LG could recruit people from different regions, it was not possible with the current setting. He argued that 'each time a post is advertised it is taken for granted that the son or daughter of the soil must get the job.' His comment was shared by GRP3 in Pallisa and the CAO of Wakiso. However, a Makerere University Lecturer sees this phenomenon differently. To him soilisation was a struggle for scarce resources whereby people are forced to allocate resources on the basis of their place of birth (AC3: 27.07.12 Kampala). According to him, soilisation 'is mostly advanced by political patronage enhanced by powerful actors in government apparatus who want to place especially children from their localities in particular places.' As stated above, such practices are justified as promoting natives of the soil. In fact some actors were happy with it, arguing that it was better compared to what used to be before decentralisation, because then, personnel recruitment did not go beyond family ties (DCS5: 21.08.12 Wakiso). In his words, DCS5 stated that; 'you would come to the council you find that, that is a daughter of the other officer, a nephew of the other, a brother of the other and so on'. DCS5's comments can be interpreted to imply that soilisation minimises nepotism since it is more inclusive to sons/daughters of the soil and not to family tiers.

On the other hand, unlike ethnicity that brings communities bound by similar characteristics such as race, language, extra, some participants regretted that soilisation had detached these communities and brought about division in society (AC3: 27.07.12 Kampala). AC3 insists that soilisation is a result of creating new districts which then enhanced tribalism, and bred conflict. Proof to this was witnessed in Pallisa district during the course of this research as two ethnic groups distinguished by language (Iteso & Bagwere) were conflicting with each demanding for a separate district. As AC3 argued, prior to the new district phenomenon, the two happily lived together. The practice of dividing districts into smaller unities has separated one ethnic group from another and created new identities, which are now used to discriminate each other. Such identities promote fear of other groups resulting in representation and identification of communities in terms of 'those' and 'we'. According to AC3, 'prior to creating new districts, in so many instances one could not tell who is a 'Mugwere' and who is an 'Etesot'. After dividing Pallisa into three—Budaka, and Kibuku to minimise the conflict between the Iteso and Bagwere, another conflict erupted between the Iteso and Bagwere in Butebu county and demands for another district had reached their peak. At the same time, another conflict was brewing between Kyenjojo and Kabarole which were once one district

(SCS9: 04.09.12 Kabarole). Such experiences can be held for the rapid growth of soilisation as people withdraw trust based on ethnic relations, and build a new form based on son/daughter of the soil.

From the above empirical evidence, I argue that soilisation has not only made it difficult for technocrats to get jobs outside their districts of birth, but also obstructed chances of recruiting the much needed competent brains in the name of giving opportunities to people of a particular origin. This has been a result of localising peoples' mind to the point of not thinking beyond their vicinity. In such instances merit recruitment is almost out of question, since it is taken for granted that opportunities must go to sons and daughters of the soil irrespective of their qualification. Such practices encourage recruitment of under qualified personnel. As participants noted, because of soilisation, decentralisation has been reduced to imply that it is the son or daughter of the soil who should do the work in that soil making it difficult for those who are not sons/ daughters of the soil to cope if at all recruited in 'foreign land'. It is palpable that this may breed inefficiency in terms of the quality of service delivery. Although some scholars argue that it is important to have administrators whose social and economic characteristics are similar to the people they will be working with, (Peters 1984:74-5), in terms of decision making, it may breed biases. It may also bring about division in social strata over time as these 'soilised' and 'localised' actors continue to recruit within their localities. In a decentralised environment other areas may be left behind in the development drive. Above all soilisation undermines constitutional provisions, national objectives and directive principles of state policy, that;

> all organs of the state and the people of Uganda shall work towards the promotion of national unity and, peace and stability; and every effort made to integrate all the people of Uganda, while at the same time recognising the existence of their ethnic, religious, ideological, political and cultural diversity (1995 Constitution: 23).

It also implies that LG institutions such as the district service commission that is supposed to be autonomous, independent and neutral is not visible any more as people have to go through patronage lines of being sons and daughters of the soil. By so doing, participation is limited to a specific group of people. This may threaten unity among community members and reduces peoples' trust in government institutions.

The development of soilisation and its rapid expansion thus exemplifies the loss of capacity by the state to make and implement people centered policies hence an attempt to gain political patronage through creating new districts. The creation of new districts has equally resulted in

segmentation of society, while soilisation has obstructed public restructure intended to yield institutional reform. With soilisation on the increase, participation and policy decision making in LG is limited to only those considered 'natives' of the district. Soilisation then becomes the axle upon which all rights and privileges are determined while fragmentation defines and permanently creates conflict prone tendencies. Empirical evidence shows that much as the dangers of soilisation are well known, it plays within the interests of some actors in the government apparatus who find no need to address it. These findings illustrate that much as the idea of creating new districts had good intensions, the process has fallen short of the rational-logic. Politicians at both levels have turned their interests into local claims and used it to advance the demand for sub dividing districts. Therefore, the process reflects the interaction between 'local claims' and government decisions. As Green (2011) argues, inasmuch as rulers are the ones who decide when, where and to whom they will allocate patronage, their institutional choices are governed by the desire 'to maximise their individual political power by designing institutions that will allow them to exercise their power to the greatest extent possible. They will prefer institutions that make them more powerful rather than less. Accordingly we should expect rulers to choose patronage strategies that will maximise their power and maintain them in office, which suggests that rulers will have different strategies depending on what threatens their power and how to curb the threat. It is therefore right to say that decentralisation has given more power to politicians at local level, but also minimised community influence. On the other hand it should be noted that, given the balance of power still tilting towards the ruling party, the mushrooming of LG through the creation of new districts as a state project is far from being halted because those who wish to stop it are 'powerless' while the powerful are the ones with hidden motives. At local level, new districts are avenues for installing more cadres. I argue that the creation of new districts is a deliberate political move aimed at winning more support for the ruling party and above all gaining more numbers in parliament in order to enable the NRM to easily pass policies that favour them as well as influence policy decisions. New districts have resulted in soilisation, moreover, there is no direct connection between creating new districts and improved service delivery as they operate in dire conditions. They therefore serve as avenues for power and control.

6.4. Summary

This chapter has discussed Uganda's LG in the context of decentralisation. Using participation as the point of departure it explored how different actors participate and the

different strategies devised to increase participation and representation. It argued that, although decentralisation increased participation among different actors and paved way for political representation, in the context of decision making, it has not translated into real involvement of all actors therein. The chapter started by examining decentralisation as a medium of participation with the aim of finding out whether or not participation had changed. In this section, participation by politicians and technocrats was examined. The findings showed that conflict, disagreement and interference were part of the daily practice. These determined which actors participated in making policy decisions and how they participated. In addition, due to lack of a requirement for a minimum level of education, LG councils composed of a mixture of highly educated councillors as well those with very minimal levels. The findings show that during council meetings, the highly educated councillors dominated the meeting since they could easily express themselves and above all comprehend legal provisions. Consequently, it was them who mostly determined policy decisions. The implication is that policy decisions in LG were not reached truly as an agreement by all actors therein involved. Concerning community participation the findings indicate that, decentralisation had not transformed communities into real decision makers on matters that affect their daily lives. Although they were consulted, their views were rarely taken into consideration when final decisions were made. Coupled with the education element, it appears that there is a power capture by the elite who also dominated the decision making processes.

The second section discussed decentralisation as a medium for representation considering that the restructure of LG that created more centers of power was meant to increase representation. The findings here demonstrate that this has mostly resulted in representation of political ideologies. Differences in political ideology determined how actors interacted and/ or formed groups which they used to influence policy decisions in line with their interests. In the third section, the chapter dwelt into an examination of the new district phenomena and its impact on LG. It argued that the creation of new districts was a political strategy mostly promoted by the ruling party in order to gain political mileage and above all increase their presence both at local and national level since the current structure provides for the president's representative in each district. It examined conditions under which new district LG operated arguing that the dire state does not attract highly qualified personnel which in turn affects the performance of LG. Also highlighted in this section was the emergence of soilisation and its impact on LG. Soilisation had become the cornerstone for all policy decisions in that actors often thought in terms of sons and daughters of the soil and this informed their decision for example whom to

recruit or whom to award a contract. It represents the struggle for resources leading to emergence of political patronage.

Therefore, in the context of decentralised democracy, real democracy in Uganda is still fragile. Despite the crafting of democratic principles such as multi-party politics it is clear that the consolidation of democracy is not yet at hand due to lack of profound changes in the political structure and institutional values. The current LG system has a semblance of the previous systems where a few actors dominated the scene and can best be described using Ihonvbere and Mukum Mbaku's observation that is;

> The situation in Africa is un usual because, change is taking place, but the status quo appears constant. The landscape is being opened up, but the people remain in poverty and deprivation and their communities marginalised. Civil society is expanding yet it is home to all sorts of violent and primordial contradictions and pressures. Political opening is taking place yet the room for participation remains rather constrained. The political environment is being liberalised yet the economy continues to deteriorate. New political parties are emerging, but they remain weak and elitist (Ihonvbere and Mukum Mbaku, 1998: 3-4).

I argue that although decentralisation increased people's participation in local politics, the present political and economic environment do not facilitate meaningful participation and/ or involvement of communities in decision making. These findings are supplementary to those in the previous and following chapters.

CHAPTER SEVENE: MONETARISED LOCAL GOVERNMENT

This chapter explores the operation of LG in a monetarised environment. It examines what actors perceive of money, how they use it and its implications on policy decisions in LG. It argues that monetisation of politics in the country, has translated into money being the pillar of all policy decisions. This, however is not because money is necessary for LG to operate, but because actors therein look at it as a source of power, which they need to influence policy decisions towards their personal interests. In the pursuit of private interests, politicians have had to patronise their decisions thus breeding and sustaining neo-patrimonialism. It further argues that in a commercialised political environment, policy decisions are informed albeit formal procedures by private discretion of the main actors therein involved. The chapter is structured as follows; it starts with a brief conceptualisation of what I call monetarised political systems and goes on to examine how neo-patrimonialism plays into policy decisions. It further explores issues of taxation and revenue generation, public procurement and elements of corruption in LG. The observation here is that the process falls short of legal provisions. This is enhanced by frequent connivance between politicians and administrative staff who see it as an easy and quick means to earn money. The implication on LG is that due to connivance, monitoring and evaluation of projects is minimal resulting in substandard work. Sub section 7.3 discusses what I call the 'something for something syndrome'. Here I explore the place of money in determining how actors behave, facilitation of councillors and attracting human resources. The findings show that the something for something, ideology is what determines how actors behave, how they do things and what decisions they make. The discussion here illustrates the extent to which politics in the country has been commercialised. In the sub section 7.4, the idea of economic liberalisation is explored. In particular, privatisation as part of the money game is explored. Here it is argued that privatisation has enriched a few people while depriving others. It has led to the emergence of a middle class that is not only economically powerful, but has political connections hence their ability to influence policy decisions. The relationship between the private sector and politicians further sustains a neo-patrimonial mode of decision making. Section 7.5 examines the place of land in LG after the adoption of decentralisation. The observation is that decentralisation has turned land into a political factor. Politicians use their positions to acquire it fraudulently while on the other hand it has caused conflict among different communities. The final section discusses the role of multilateral organisations like the World Bank and the IMF. All the sections demonstrate how LG operates in a monetarised, yet hard up economic environment.

7.1. Conceptualising Monetarised Political Systems

There is scant literature on the concept of monetisation of political systems. However, its literal understanding often means to give an economic value to an item or activity. According to Amuwo (1991), monetisation is the conversion of benefits previously available in kind to public officers into cash payment. Such benefits may include houses, cars and houses. In 2003, Nigeria adopted a monetisation policy perhaps becoming the first country in Africa to initiate such a policy. Amuwo argues that the decision was backed by the need to cut down on the huge cost of running the government bureaucracy, thus it was a public policy reform aimed at improving government planning, budgeting and discipline within the bureaucracy. On his part, McConnel (1992) defines monetisation as monetary rewards given to workers by their employers. These rewards do not constitute wages, but may include medical insurance, pension extra. However, in the context of this study, the word monetised is used to envisage a non-written, but known doctrine whereby actors expect financial benefits in order to perform their duties. These benefits do not include their legally entitled wage. I coin the term monetarised political systems to explain how (local) government operates in Uganda. I use the term to illustrate how actors in LG perform their duties based on financial benefits. In terms of decision making, I argue that monetised practices imply that money exchanged between different actors within the decision making process determines the manner in which policy decisions are mapped. Monetised practices are embedded in the larger part of LG and have far reaching implication on LG's day to day practices and policy decisions. In the following section, I shall explore the implications of monetisation of politics on LG. I specifically examine the subject of neo-patrimonialism and how it feeds into aspects of taxation/ revenue collection and its link with corruption.

7.2. Beyond the façades: Neo-patrimonialism and policy decisions in LG

The concept of neo-patrimonialism has attracted several debates due to its multiple connotations and usage. Many scholars use it as a catch-all-concept to describe Africa's political system and/or regime types (see Ottaway, 2003; Theobald 1982; Van de Walle, 2001 & DeGrassi, 2008). In most cases, it is used to portray the political ills that affect the continent. Prior to this, scholars like Eisenstadt (1973) used it to distinguish between patrimonialism in traditional and modern contexts. It was not used to denote corruption or weakness of the state, but signified one form of exercising power which combined Weberian forms of patrimonialism and rational-legal authority. Such standpoints suggested that this co-existence is an inevitable phase in the process of development. In his article

'Governmentality and Economic Policy in Sub-Saharan Africa', Christopher, Clapham (1996) describes neo-patrimonialism as 'a form of organisation in, which relationships of a broadly patrimonial type pervade a political and administrative system which is formally constructed on rational-legal lines. Officials hold positions in bureaucratic organisations with powers, which are formally defined, but exercise those powers . . . as a form . . . of private property.' The discourse on neo-patrimonialism has had a huge impact on how Africa and policies therein are perceived. As Mkandawire, (2013), argues, 'it constitutes an important element of the attitudes and knowledge of many who have to deal with African governments and societies. To avoid these controversial perceptions, this study adopts Erdmann and Engel perception of neo-patrimonialism as a system that combines traditional and formal aspects of governance. This view is useful in understanding how bureaucracies operate. Accordingly, neo-patrimonialism is defined as 'a mixture of two, partly interwoven, types of domination that co-exist: namely, patrimonial and legal-rational bureaucratic domination' (Erdmann and Engel, 2006). It is different from patriotism in that neo-patrimonial regimes do not allow all political and administrative decisions to be taken according to informal rules determined by private or personal gusto. Although private discretion may influence certain decisions, it does not imply that formal rules and laws do not exist, they do and may be referred to. According to the two authors, neo-patrimonialism takes place within the framework of, and with the claim to, legal-rational bureaucracy or "modern" stateness, whereby formal structures and rules exist, but in practice, the separation of the private and public sphere is not always observed. The co-existence of the two systems enables the patrimonial to penetrate the legal-rational system to the point of twisting its logic, functions, and effects. However actors therein can decide which logic to apply to achieve their goals. In the context of this study, the concept is adopted to facilitate an examination of administrative processes and how public policy decisions therein are made considering that LG operates under a monetarised environment.

At a glance Uganda's decentralisation policy seems to be working within the bounds of formal rules. More importantly, devolution strengthened the rational-legal functioning of LG and this seems, at times to be successful, partially at least. Nevertheless, this necessitates a closer look at the key actors in the decision making process, their incentives and relations. The findings of this study suggest a dynamic neo-patrimonial system of operation. An understanding of how neo-patrimonialism works in Uganda's LG necessitates an exploration of the relationship between politicians, administrators and businessman. Politicians are

publically elected leaders who may or may not have professional expertise on the running of LG. By virtue of being elected by locals, they are answerable to their electorates whose expectations they have to fulfil in order to stay in power. As politicians their work jurisdiction is often restricted to their area of residence and/ or place of birth. Their term in office is specified in the constitution, while their comeback depends on how they satisfy the needs of their voters. Technocrats on the other hand have professional competence hence do not depend on the mercy of voters. Being elected by civil service, they are not subject to local forces such as having to appease voters and do not have to publically pledge allegiance to any political party. As per the LGA, their relationship with politicians is to complement each other—politicians make policies which technocrats implement. The business community on the other hand is basically profit oriented. Each of these actors has significant expertise and/ or power within their area of expertise. However, in executing their duties, they are all bound by law, yet at the same time they each have individual interests. Moreover these actors often interact with each other as they either execute their daily duties or pursue their interests. The balance between working around the bounds of constitutional provisions and the drive to achieve personal goals leads to the establishment of different relations. This may be in the interest of LG or private discretion. The outcome of these relations may work for or against LG as well as influence how policy decisions are modified for instance a politician who has some interests with a business person may decide not to enforce minimum legal requirements to such a company because of the benefits he stands to gain. This results in the emergence of neo-patrimonialism in which political and administrative decisions are informed by both formal and informal rules.

From the perspective of technocrats, the politicians often have private dealings with business men or companies which involve money. One respondent lamented that such relationships strained on their work because politicians were not ready to fault their 'partners' (SCS6: 03.09.2012 Kampala). This opinion was expressed by most technocrats in all the sampled districts especially those in urban areas. They claimed to have difficulty in dealing with companies that had close relations with politicians—'in instances where such companies fail to fulfil their obligations like paying tax or committed other defilements it is a challenge to deal with them'. Citing an example of public health, an environment officer in one of the urban town councils decried what he called political intrigue which he said had complicated their work and left them as civil servants in a dilemma because politicians often protected the interests of the business persons (SCS6; 03.09.12 Kampala). Accordingly, their work as he

described was 'locked between a rock and a hard place simply because politicians fought against any measures proposed by the technocrats.' In reference to his experience, SCS6 had this to say,

> 'you find a factory polluting the environment and putting people's lives at risk, you take a measure to annul the situation as per policy specifications, but the politician finds it drastic; reason being that the owner or director of the company subscribes to his party or sponsored his campaign and in most cases these are powerful people with money'.

More of such cases were evidenced in other contexts for instance, during a council meeting in Kabarole a disagreement erupted between technocrats and politicians. The latter rejected expert advice suggested by the technocrats not to lift the ban on pork due to swine flu epidemic that had hit the area at that time. The technocrats reasoned that lifting the quarantine could be dangerous, but politicians insisted that communities needed to make money. Although both actors are supposed to make decisions within legal bounds, it can be explained that private interests could have informed the decision by the political wing. As some administrative staff reasoned, politicians were themselves farmers hence felt that maintaining the ban hindered them from making money. Administrators also claimed that the politicians simply wanted to be seen by the voters as caring for their needs.

The factory example above demonstrates business-political relations in which each party depends on the other to achieve their interests. Businessmen will always know that in order to keep running without necessarily paying attention to legal procedures, they need to bribe policy makers for instance in order to get a low tax evaluation. At the same time, politicians need money to finance their hold on to power hence rely on businessmen or companies for sponsorship or tips. Subsequently, decisions are made in view of the interests of these different actors. This however impinges on the proper functionality of formal institutions thus their inability to fulfil their universalistic purpose of public welfare. In the face of this, formal public institutions and the politics ascribed to them cannot gain sufficient legitimacy. Instead, politics and policies are determined by particularistic interests and orientations. Bribing policy makers to build institutions according to the needs of their sponsors exceed their payoff to design them according to community needs. In most cases self-interest makes politicians to deliberately choose inefficient institutions and policies even if they present short term benefits. This denotes that successful business people in Uganda must have significant political connectivity and the ability to influence the behaviour of politicians, regulators, and law enforcement officers while the opposite is also true. As Mbaku (1998:35) argues, such

practices encourage inefficient enterprises to remain operational not because of their profitability and managerial expertise, but by how well the owners can bribe bureaucrats and politicians, and gain influence over the political system. The reference to powerful actors with money and money exchanging hands shows the extent to which practices have been monetarised and how money plays an upward spiral in LG.

The above examples have shown how political-business relations inflict pressure on the bureaucracy leading to side-lining of formal rules. But it is also interesting to see how neo-patrimonialism is build and sustained within LG between technocrats and politicians. In the above scenario, civil servants blamed politicians for interference, but as this study found out, within LG civil servants had turned into bribing politicians who in turn left them to undermine the formal procedures as depicted in the extract below.

> In the previous political and civil service administration here, I was meant to understand that it was my sub-county chief who took most of these tenders through his wife and that was for sure true. Actually the chief of Ajepet put so many people on CDD.[40] You know this CDD is meant to be money to help the communities. They get into groups and they are given 2.5 million shillings to start a community money generating project for a village. But I got to understand the other day that his wife was in one of those in the group he had created, his wife's sister and about three members of his own immediate family. The chair then could not do anything because he had been tipped off (DPlt11: 02.08.12 Pallisa).

The LGA forbids LG employees from using their public position to influence or gain unlawful benefits for themselves or for those known to them. In this case, the practice can be interpreted as abuse of office. Other than being protectors of the law, technocrats had become law violators. By accepting the bribe the politician trades off his/her power to critic the work of the technocrats. DPlt11 attributed this to lack of proper understanding of the LGA which mandates politicians to head the respective LG units;

> The LGA talks of us being the supervisors of all government workers. That is one thing that the politicians at the lower level have never known. Just because they don't read this thing (LGA). Eventually you find that the whole thing gets turned upside down. The civil servants take the upper part and the politicians are being pushed down, whereas it should have been the other way round in a statutory manner. How the civil servants do it is by enticing these politicians with little money and they just live them to run the show. This also goes on in the LCV. The civil servants even at that level have learnt to put the politicians at the district in their pockets in terms of money. Once they give them money, they take all the tenders.

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[40] Community Driven Development

These extracts suggest an evolution of strategic alliances between actors within LG as well as with those outside. It shows how individual interests influence decision making. Coupled with the political-business relations, it suffice to say that in the long run such practices constitute survival strategies thus sustain neo-patrimonialism. Politics then becomes a game for the haves engaged in the process of negotiating power relations. I argue that public policy decisions in Uganda are informed by neo-patrimonial practices. It implies that politicians are not the only policy and decision makers. The process of decision making is influenced by the interaction between actors within and outside government as well as how money exchanges hands. As a result policy decisions often tend to reflect the interests of these actors. Contrary to the aim of decentralisation—empowering local communities, in Uganda, neo-patrimonial practices as evidenced above tend to weaken this broad objective. This also applies to revenue generation. An example could be cited in the case of Graduate Tax, its abolition, the substitutes and the politics that surrounded it.

Graduated Tax was one form of direct tax charged to all male adults (18+ years). Civil servants paid a flat rate, while in the villages one's property was valued and a tax levied against it. The tax was introduced by the colonial government as a replacement to the hut tax. Along way it became a major source of income to LG because it was collected locally. Collection of the tax was carried out by chiefs who moved from one house hold to another to collect payment and arrest defaulters. In 2005 government decided to abolish the tax following pressure from some politicians who argued that the method of collection was brutal to citizens (AC1: 30.07.12 Kampala). In 2007, parliament passed the 'Local Government Amendment Bill 2007. The Bill prescribed new taxes such as LG hotel tax charged on room occupants and Local Service Tax paid annually depending on one's income. The Bill also provided for taxation of self-employed persons such as local farmers, dentists, lawyers, valuers et cetera. This served as replacement for the Graduated Tax and alternative source of revenue for LG in order to reduce its dependence on government. Having provided a brief explanation on G-Tax, I shall now show how taxation issues fit into neo-patrimonial political environment in LG in Uganda.

Respondents were of the view that LG was able to raise funds from Graduate because then there was no politicking (GRP3: 28.0812 Pallisa). They claimed that because LG had substantial resources at its disposal, it was able to carry out functions that should constitutionally be financed by locally generated revenue such as councillor allowances. They further claimed that abolishing G-Tax was a setback to LG since the new taxes are not

reliable. In their opinion, the low level of development coupled with high poverty scales makes it difficult to raise any substantial income through these avenues. But on the other hand, some respondents blamed all these on politicisation of tax issues (AC2: 02.08.12 Kampala). By politicisation, I mean politicians turning tax decisions into political discourse purposely to win support from the public. AC2 for instance claimed that politicians would encourage people not to pay any tax claiming that government had abolished it. In such instance, locals could not listen to LG. In his opinion, the new taxes may be limited, but LG could still raise revenue out of them if there was no political intrigue. AC2 claims that this is because some politicians own hotels or run some of the businesses and therefore use their positions to avoid being taxed. This opinion is echoed in the following extract.

> There is a letter from the CAO instructing the Sub County to stop contracting local revenue to private companies. They want the SC to take over the collection of LG, but there was political interference. They have interest because they are the people who take the tenders under those shoddy companies of theirs. So there is a lot of game being played around under decentralisation. If it was possible to reverse issues like in the past (GRP3: 28.0812 Pallisa).

Respondents stated that some companies were untouchables

> 'if you are a new person here, you will be told…, your friends will tell you, don't go to that company. If you ask why, they tell you, well we have told you, just keep off that one. When you try to find out you release it is someone in LG, so how do you go about that----.'

In this way, respondents perceived policy and practice in LG as two different things. The policy says something else while the practice is different (DCS1 25.07.12 Mukono). Respondents were of the view that this irregularity minimised LG's ability to raise the much needed revenue and as a result council was in most cases not able to conduct business because there was no money to pay for allowances. This illustrates the complex situation that administrators sometimes find themselves in. They are under pressure to perform their duties, but at the same time have to bend formal rules in favour of their political bosses. From the rational-legal perspective all businesses irrespective of ownership should be taxed to facilitate the running of LG. The politician who doubles as an entrepreneur knows the legal requirements and benefits of paying tax to LG, but his personal interest influences his/her behaviour thus countering the rational-legal logic.

A controversial observation regarding the abolition of G-Tax was that participants interpreted it as a deliberate move intended to disempower LG in order to enable government gain more

control over policy decisions using its financial power. Respondents backed their argument by referring to government's takeover of taxation of some sectors seen as economically vibrant.

> '---now fisheries and forestry were also under LG, but as we talk now, the revenue from those two sectors is now collected by central government. We were happy to have landing sites like Kasenyi and Katosi,[41] but what are we getting from those landing sites; like Kasenyi, what are we getting from it, nothing! Concerning local revenue, we passed our charging policy to ensure that at least all businesses in Mukono pay something to ensure that the district can collect money from almost all businesses like stone quarries, like stalls in markets, but this was halted by the authorities above (DPlt4:25.07.12 Mukono).

This quotation shows government's power and ability to decide which sources of revenue LG can exploit. Considering that government is an actor in LG, it further shows how actors are driven by interests. In this case one can argue that government's interest is money gained from taxing fisheries. As interviewees claimed, it was powerful actors within top government apparatus who worked hard to ensure taxes under these economically vibrant sectors were under government control. According to interviewees, this enabled them (top politicians) to manipulate the system for example by awarding themselves contracts through their 'shoddy 'companies. The decision taken by Mukono LG to tax such businesses as stone quarries signifies functional devolution with decisions made within formal provisions. However, their failure to implement it illustrates limited functionality in terms of devolution. Respondents indicated that some of the businesses including stone quarries were owned by top politicians.

Apart from neo-patrimonial practices indicated above some respondents blamed the problem on the design of the LGA and the constitution which they claimed was specifically designed to achieve interests of powerful actors, which in this case are represented by government;

> 'Some times the legal framework in place may not permit us as LG to raise the revenue that we need, first of all there is revenue you collect and you send to the centre, you don't know how it is utilised. Ideally if a percentage would remain here it could help you address those challenges' (DPlt1 01.09.12 Pallisa).

> They would have allowed some of these LG to benefit from some of the easy taxes like VAT and from the programmes and projects that are within their areas of jurisdiction, but you find it is not the case. Now you go to an area like Jinja where they have the source of the Nile, what do they benefit from all that money that is collected, what do you benefit from Umeme.[42] That would have been a reasonable amount of money. But when money is taken to the state, there security matters come up—so there is already unfairness in resource distribution in the system (DPlt10: 01.08.2012 Mukono).

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[41]Kasenyi and Katosi are two major landing sites in Mukono district
[42] Umeme is an electricity distribution company in Uganda

This comment insinuates unrealistic fiscal devolution. According to him, despite devolution, LG are not benefiting from resources within their jurisdiction. Using the case of tourism and power generation in Jinja he claims that government remains the major beneficiary because it collects all the money from these sectors living LG with nothing. On the issue of unequal distribution of resources, another respondent stated that the problem lay in a system where tax policies were determined from the centre despite principles of tax being crucial to LG (DPlt8: 09.07.12-Tele Int). This, according to him was the reason why LG was not moving forward.

As seen from the perspective of LG there is a mismatch in the design of the policy as well as in the legal instruments. The LGA empowers LG to find other sources of funding for example through levying taxes. At the same time the constitution allows government to decide which taxes LG can collect and which not to and above all what percentage to retain. This undermines the autonomy of LG and the essence of devolution. It further exhibits a lacuna in the system whereby devolution is not monetarily matched making it difficult for LG to perform the devolved functions. The fight for resource control can be seen as a fight for power. Since money can be a source of power it becomes the benchmark for policy decisions. I argue that neo-patrimonialism has hindered LG's ability to generate revenue thus helping in sustaining dependence on government. The implication is that LG is not able to make decisions that it can implement since it is short of income.

Another area that captures the neo-patrimonial paradigm is contracting. Save for salaries and wages, LG like government spend so much money annually procuring goods and services from the private sector. For this reason both the LGA article 91-94 and the Public Procurement and Disposal Authority (PPDA) clearly specify the composition of the district contracts committee and rules of procedure regarding this subject. Most pronounced and well known to all actors are specifications regarding who qualifies for a contract in LG and who does not. This is meant to minimise any dubious dealings including corruption[43]. Despite this provision, public procurement breeds a bigger part of neo-patrimonial practices. In the view of the interviewees, public procurement constitutes an area of critical interest providing an avenue for some people to earn quick money. Respondents claimed that both politicians and administrators within LG opened and registered companies in their children's, wives', brother' or relatives' names just to try to 'beat' [*sic*] the system. When this was done, procurement became the harbour of malpractices (NCS1: 24.07.12 Kampala). As discussed in

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[43]Aware of the many hazy definitions of corruption, I use it to infer abuse of entrusted power or public office for private gain.

the previous chapter, in all the sampled districts, at least 90 percent of the respondents confessed that it was relatives and/ or close associates of LG employees who got the contracts. To add to the previous examples, in Mukono the municipal council rented offices from the mayor yet there were other premises available. Respondents reported that any shortfalls could not be censured because of connivance. Respondents however noted that the tendering process went through formal processes such as being advertised, tenders short listed and interviewed, but that the awards depended on personal interests or bribes. This suggests formation of alliances between technocrats and politicians. As one respondent indicated— 'when you see a technical person going ahead to pay the contractor knowing very well that the work was substandard, then you know he was part of the deal' (NPlt1: 10.09.12 Kampala). This shows patrimonialism within a legal-rational bureaucracy.

The challenge is that contractors may lack competent technical personal as well as adequate equipment necessary to do the work. This is more so because companies are quickly formed in the rush to win the contract. This could also explain the shoddy work. The above examples suggest coalition between technocrats and political actors, resulting in several irregularities. For instance when politicians accept to be lured by technocrats, they trade off their authority to evaluate the quality of work done by the technocrats. On the other hand when politicians directly or indirectly award themselves contracts, they cannot evaluate themselves. As herein demonstrated, the ability of LG to conduct its own tendering process suggests functional devolution, but at the same time, it breeds corruption.

> One thing is that corruption has been decentralised. At all levels there is corruption, partly because the resources now go up to LCI. So money goes to the hands of people, even a person who has never handled a shilling can now see money. Now there is the temptation to spend part of it. Now there is money available for everybody to steal. It is like the Italian proverb that public money is like holy water, everybody helps himself to it (DCS1 25.07.12 Mukono).

However, others blamed the increase of corrupt practices on the system design which they said was intentionally designed to benefit certain actors within the government apparatus. One minister for example said that 'there is lack of oversight right from above because those supposed to enforce the law are the beneficiaries of these malpractices' (NCS1:24.07.12 Kampala). In such instances it is easy for actors to manipulate the system since there is no one to point out the mistakes and/or critic the procedure. NCS1 argued that due to lack of oversight, actors in LG found it easy to undermine both the constitution and the LGA and as a result corruption was on the increase while no body pointed it out.

NCS1's opinion on policy was shared by another MP who said that 'LG policies are good, but they are in form of paper, when you go down to the implementation, not all that is done, is done in the right way' (NPlt3: 13.08.12 Kampala). Commenting on lack of oversight, former permanent secretary of ethics and integrity argued that this was deliberately intended to enable those in power get away with it since it was mainly those with backing from government who won the tender (NCS2: 29.05.13 Erlangen). This opinion is however countered by another respondent who argued that the law alone could no longer solve the problems on the ground or the policy of the systems (NPlt7 11.09.12 Kampala). NPlt7 believes that even if there was supervision, the practice demanded people's willingness to do the right things on their own. This view was shared by a senior civil servant at the ministry of LG who argued that the success of LG depended on actors' prudence to execute programmes even if the resources were meagre (NCS3: 27.07.12 Kampala). According to NCS3, this entailed both policy and technical actors being developmental, transactional and transformational. This statement recognises the importance of combining formal rules and patrimonial domination.

Given the fact that the LGA allows LG to carry out procurement at local level, it implies giving financial access to actors at lower level. From the rational-legal point of view, it is part of the overall objective of decentralisation—to empower local people. Despite the good intensions of decentralisation, it was evident that it had bred more corruption than the previous systems did. The neo-patrimonial paradigm, however views corruption as an integral part of a patrimonial setting. In certain instances, issues to do with contracts had become a source of conflict between technocrats and politicians. According to some interviewees, 'each side thought that the other was eating and one side was not so they began to hate each other' (DPlt2: 05.09.12 Kabarole). By 'eating', DPlt2 implies illegally getting money from the coffers of LG. Interviewees also said that politicians hoped to recover their election costs from government resources hence the tendency to mount pressure on technocrats to release funds for procurement without proper planning (NPlt7 11.09.12 Kampala; SCS1: 03.09.12 Kabarole). NPlt7 argued that politicians often believed that once money was released, they would have a share of it for personal use. Respondents claimed that if technocrats insisted on evaluation of performance before payment, their efforts were futile as the politician would use his position to stop the process.

Although institutions are very essential in advancing proper public procurement that stands to benefit communities, there has been little incentive to ensure that the procurement process

complied with established regulations and procedures. This is further coupled with lack of clear lines of public accountability in the procurement process and little transparency. The evidence provided here suggests that the current practice is characterised by malpractice and unethical conduct, including a high incidence of vested interests, interference and insider dealings and occasional cases of retrospective approval of contract awards. As a result actors have been able to subvert institutions to enrich themselves at the expense of the very communities that they are supposed to serve.

Two key findings surface in this section: the first being that contracting facilitates establishment of coalitions between the two wings of LG, but it may also be a source of conflict among the two wings of LG. Secondly it may contribute to corruption and as respondents noted, there appears to be lack of political backing for anti-corruption efforts. Coupled with understaffed and underfinanced anti-corruption bodies, effective enforcement of the legislative framework against corruption becomes considerably challenging. I argue that the balance between private interests and rational legal logic has sustained neo-patrimonialism, which on the other hand has helped actors to make policy decisions that enable them to advance personal interests at the expense of the communities that decentralisation meant to empower.

7.3.   Monetised Operations: The something for something syndrome

The 'something for something' coinage is taken from the casual proverb often used to imply give me something and I shall do the same. Its usage is to show a more practical part of the monetised system for instance how money is used to win elections, get jobs, et cetera. This term is used in reference to the discussion presented in section 7.1. In this section, it is used to show how patrimonialism feeds into neo-patrimonialism in Uganda's LG. To demonstrate the something for something concept, I examine its value in terms of encouraging councillors to carry out their duties. I show that unless money is available to facilitate councillors, no work is done. Furthermore, I examine the value of money in attracting and retaining human resource in LG.

The notion of something for something is captured in the quotation below:

> Politics in Uganda has been commercialised. In order to be elected you have to buy coffins, for the people, you have to pay school fees, you have to give people money, it is a petty, but that is the reality. It is something which can be corrected by making projects for constituencies, but even when you make projects when people have problems, if you are an elected member of parliament, you have so

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many people at your home wanting assistance, that is a problem in Uganda, and it is negatively affecting the country because some people who get elected don't have the capacity to enhance good governance (AC1: 30.07.12 Kampala).

It is not the duty of MPs or politicians in general to perform any of the duties stated above. The fact that politicians accept to do that shows the link between patrimonial and legal-rational bureaucratic domination and the ability of the former to influence the logic of the latter. For instance it is forbidden for politicians to bribe voters or offer handouts as this may be treated as vote buying. But in a highly commercialised and patrimonial environment, one cannot make it without pleasing voters so politicians need to give in something in order to be elected as AC1 put it. This also explains the high turnover among elected politicians because those who do not meet to the pressures of their voters may not make it in the next election. Some of the things that AC1 mentions are taken care of in formal institutions, but the patrimonial drive intermingles. While buying coffins and paying schools fees does not prevent voters from electing their preferred candidate, it undermines nationally or even internationally accepted electoral standards, and thus the rational-legal logic.

The practice further extends to recruitment into LG. In 2010, an LCV chairman was accused of having got three million shillings (approx. 1.000 euro) in order to influence the District Service Commission of a LG where he was the chairperson to recruit the one who had given him the money (URN: 2010-06-08). Uganda Radio Network reported that the matter only came to light after the victim failed to secure the job as was agreed. The failure of the chairman to secure the job as promised shows the rational-legal domination, but again the willingness of the victim to rely on bribery other than credentials shows how people are accustomed to getting things done through unorthodox means. According to one MP, monetising decisions undermined legal procedures and greatly affected LG in that people were never appointed on merit (NPlt2 23.07.12 Kampala). Because of monetised practices anybody who could afford to offer money would find his way to the civil service thus affecting progress of the district. NPlt2 added that instead of following the policy on recruitment contained in the LGA, actors sometimes manipulated the situation making the best use of their term in office by recruiting technocrats known to them and whom they believed could 'relate well with them'. Contrary to the MP's opinion, an administrative staff blamed the practice on the design of decentralisation which he said overtly empowered certain actors enabling them to undermine the very legal institutions they are supposed to uphold.

'Now they are able to do that because one biggest weakness that we have is that the members for the district service commission who actually interview these

people are appointed by the politician. It is the chairman LCV and his District Executive Committee members who nominate these names and take to the district council for approval. The letter that appoints these people is signed by the chairman LCV in other words the LCV can collect money and the members of the District Service Committee do not complain because after all they are at the mercy of the chairman' (DCS1: 25.07.12 Mukono).

Requirements for LG administrative personnel are spelt out in the LGA. This means that for most positions, there is a minimal threshold linked to merit. But on the other hand the choice of whom to offer the job among the qualified persons and the subsequent placement has to be made. This offers the powerful actors the possibility to influence decisions for personal interest. Respondents indicated that buying jobs was nothing new in LG as herein attested.

> First of all the quality will be wanting because this person has bought his way— and the members of the DSC have been instructed by the chairman to recruit so and so regardless of even the experience and the competence. Secondly, even this person who has paid money and got recruited, knows that it is his money that has brought him to the service not the certificates so he will also look for ways of getting back that money from the service. So he will use non-orthodox means to get money so that he can be able to replace what he gave out to the politician. So in the end you find that civil service has become corrupt from day one up to the end because people know that it is money that brought them there and it is money that they are looking for. They are not there to serve people (DCS1:25.07.12 Mukono).

From the rational-legal perspective, it is government policy to empower the district service commission to carry out recruitments within constitutional bounds. Nevertheless meritocratic, open-access polity which decentralisation aimed to uplift is countered by patrimonial domination. The REEV report on LG equally observes that the district service commission has persistently chosen to recruit people known to them and from local areas in order to ease patronage (REEV 2008:33). The apparent aim is to create a social network within the organisation targeted at protecting their corrupt practices. A combination of these two interwoven dominations implies that actors' interest are dependent on the activities of other actors therein involved as well as ongoing policy processes. It means that actors do not necessarily evaluate their ethical obligation, but make use of the existing socio-politico and economic conditions to maximise their gains against rational-legal logic.

At this point I want to draw insights into money and politics at national level. Although this thesis does not set out to discuss the parliamentary procedures in Uganda, It is important to draw an example from it, since it is the national policy making body. Respondents referred to the national legislative assembly as a money driven parliament whose members are often busy

discussing their salary increase or busy accepting inducements. In 2005, the president is said to have masterminded the payment of five million shillings (approximately € 1800) to NRM members of parliament in order to persuade them to vote for the removal of presidential term limits.[44] Indeed when the issue came up for debate, nearly all NRM members supported the lifting of term limits. It is likely that their decision was influenced by the financial inducement they received, but at the same time contravenes formal institutions. In 2012, the debate on restoration of term limits came up again, but just as it was beginning to gain momentum, MPs were again shocked to find five million shillings on their private cabins. MPs who then questioned the motive were told that, the money was from the president and it was meant for them to go consult their constituencies on the controversial marriage bill.[45] During the field study for this thesis, this issue came up and some interviewees (MPs) claimed that this was intended to divert them from debating term limits. Moreover, there was no constitutional justification for the president to facilitate MPs. Having been part of the system, former vice president who has declared his intention to run against the president in the next presidential elections accused the president of concentrating power around himself and undermining the decision making process at all levels. He claimed that the president's behaviour had killed institutions in the country.[46] It can be argued that although all actors therein involved are well aware of legal provisions on political processes, the personal interests made them to decide on the contrary. It also implies that these institutions can be undone as easily as they were set up. On the other hand distributing money could be seen not only as an attempt to patronise MPs, but also exercise of micro-hegemony. Monetisation has thus overridden people's moral prudence to serve society or to conform to legal procedures. It implies that policy decisions are created by autonomous actors to serve their specific interests or solve particular problems.

As the highest political authority in its area of jurisdiction, the district and/or subcounty council is responsible for the implementation of all the devolved functions (see chapter 1&4). Nevertheless it is important to note that in order for LG to execute its duties it is necessary that all actors therein involved are actively engaged. This entails readily available facilitation for councillors. According to the LGA councillors are facilitated with locally generated revenue. But as already noted, raising local revenue is a big challenge for LG. In the absence

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[44]Mayanja. A, 2005: 'Constitution has become a temporary document' New Vision, 08. 22. 2005; see also The East African, 08.15, 2005, The Observer 13.05.2012)

[45] Bwire S. 2013: 'Marriage bill money is for MPs to 'eat''. The Observer, 31. 03. 2013
[46] Mulondo .M 2013: 'Bukenya outlines his vision for Uganda' The New Vision 06.11.2013

of funds to facilitate councillors, execution of duties is not done. At the same time the council is rendered redundant because councillors cannot meet if they will not be paid.

Participants were of the view that allowances and facilitation was crucial for LG to effectively operate. They argued that in the absence of funds to meet this crucial role, LG was as good as not there (SCS4: 07.09.12 Kabarole). Respondents claimed that government was aware of the dire situation under which LG operate, but it was not it's priority to fund councillors (NPlt7 11.09.12 Kampala). According to NPlt7 parliament recommended that sixty percent of the locally[47] generated money be allocated to LG since they did the work of all ministries. Government however flouted the proposal hence LG has to depend on its meagre resources. In the face of this, it was practically difficult for LG to facilitate councillors because the high levels of poverty meant that they cannot raise the 10 percent expected of them. In most cases, the level of development in a given LG determines the amount they are able to generate. Subsequently, this determined how much councillors earned. Respondents stated that 'depending on the level of development in a district, councillors received a sitting allowance that ranges between fourty and seventy thousand shillings only (≈15-25€) per sitting and at times they can sit once in three months' (NPlt2 : 23.07.12 Kampala). At subcounty level councillors may earn about twenty thousand shillings only (≈€6.5) per sitting which sometimes takes a whole day (NPlt2 : 23.07.12 Kampala). According to NPlts2, 'with such a small figure the district councillor who is supposed to have an oversight role over all government projects in the district cannot even move him/herself around one parish or even a village rendering him redundant' (AC2: 02.08.12 Kampala). In instances where council can afford to pay allowances, councillors only come to council to deliberate, but cannot move down to do the work.

Participants then argued that such circumstances were responsible for LG's failure to attract highly qualified personnel including knowledgeable politicians. They claimed that in most rural districts, those who joined politics were less educated, less competent or people with minimal qualifications that could not enable them to find any salaried jobs (NPlt3: 13.08.12 Kampala; GRP2: 03.09.12 Wakiso). Respondents also claimed that some councillors joined politics thinking that they would get some reasonable pay from the government (SCS2 07.09.12 Kabarole). SCS2 argued that, that not being the case, councillors were demoralised. SCS2 added that councillors often assumed that technocrats did not want to pay them their due entitlements and were not willing to listen thus paralysing LG operations. Another

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[47] In this context locally means national revenue generated from local sources and not donor funds

observation was that sometimes, councillors came to council with their minds fixed on money and all they wanted to hear or talk about was increasing their allowances. As such council would not make any progress (DCS3: 20.08.12 Wakiso; DCS2: 29.08.12 Pallisa). This demand for increased allowances shows manipulation of rational-legal procedures for private gain.

Another point that captures the patrimonial domination can be seen in the following statement.

> '---even when they must go to school they go to the lower grade schools which may not bring or model up that person. Because of poverty, you find somebody may not get adequate medical care. When somebody has a state of mind which is not healthy, really you don't expect him or her to behave like a full person. Definitely you are getting a disoriented person. You are talking to someone who is acting in a dis-appropriate way—somebody lacks food to eat, he slept for four days without nourishments you cannot expect him to behave the same way a person who has had proper four square meals in a day (DPlt1 01.09.12 Pallisa).

This comment suggest that even when actors are supposed to be doing LG work, their minds are fixed on how to get money in order to survive the next day. This implies that in all decisions, private gain surpasses the rational-legal logic.

Apart from facilitation for councillors, the office of RDC also suffered the same demise. In all the four districts sampled, CAO's reported that RDCs often begged for fuel and facilitation from the office of the LCV. Similar observations were highlighted by some MPs. The implication was that the ability of the RDC to critic the work of the district leadership was crippled. If he/she chooses not to beg for facilitation from the district leadership, he/she could not perform any duties (AC1 30.07.12 Kampala). Going back to neo-patrimonialism paradigm what these examples show is that while decentralisation aimed to make things better in LG, the loopholes in the rational-legal arrangement has enabled actors to prioritise on personal benefits. Even those who join politics are driven by the need to achieve personal goals. Government's refusal to implement parliament's recommendation of rising funding may show rational-legal domination, but in the context of this chapter, it signifies the urge to control finances which grant actors power. At the same time it confirms that actors do not necessarily stand for common good, but are driven by individual interests which they often strive to achieve. The danger is that, this has implications for LG in terms of human resources who are a necessity for it to operate. As Jean, et al (2010:17) observe, 'the challenge of retaining qualified civil servants is an ubiquitous problem in many developing countries and Uganda's

experiences are no different'. In their paper entitled '*Local Government Discretion and Accountability: Diagnostic Framework for Local Governance',* Yilmaz et al (2008) argue that LG competency and discretion over civil service and employment policies ideally covers pay. Consequently many LG are spending a large portion of their budgets to pay competitive salaries amid scarce resources while on the other hand the private sector offers better opportunities including carrier development. This puts a strain to decentralisation's major purpose. Empirical evidence provided in this study suggests that issues relating to human resources attraction and retention are closely linked to payment of personnel among other factors. In order to attract and retain highly qualified personnel LG have to compete with the private sector to offer better wages.

Apart from the CAO and deputy CAO, nearly all administrative personnel at LG are not transferable. At the same time promotional and carrier development opportunities are limited, while remuneration is poor. According to respondents this demotivated personnel, reduced their creativity such that they concentrated more on how to make money through unorthodox means (DPlt9: 31.07.12 Entebbe; DCS4: 05.09.12 Kabarole). On the other hand respondents argued that even if technocrats would have wanted to do their best they were constrained by circumstance such as location and resources (NCS3: 27.07.12 Kampala). According to them, this explains the high turnover as technocrats left LG in search for better opportunities in the private sector (DCS4: 05.09.12 Kabarole). In order to attract and retain technocrats LG had resorted to diverting funds meant for community projects in order to motivate staff (SCS4 07.09.12 Kabarole). According to DCS4, this was not a viable strategy because LG did not have the capacity to motivate all technical personnel. Moreover decisions have to be made, who gets what and why. The decision making process here creates opportunities for patrimonial domination. In addition respondents claimed that the new policies being put in place did not necessarily address community needs, but the interests of politicians. These policies, they argued, were not in line with the original intention of decentralisation. Respondents further observed that most technical staff who held on to such conditions were either corrupt such that they could find other means to access money, or did not have the adequate qualifications to seek employment elsewhere (NCS2: 29.05.13 Erlangen).

The description herein provided suggests that the presence of formal institutions and people's willingness to work within the bounds is curtailed by the patrimonial domination. It further shows that undermining constitutional provisions is a common practice in Uganda's LG. The decision taken by LG to divert funds meant for social services in order to increase wages for

technical staff was not in line with the provisions of decentralisation. The act in itself denied local communities their respective projects and in the absence of running projects, technocrats earn salaries for doing nothing. Because LG cannot compete with the private sector, it has turned out to be a training avenue, as the novice get hired by the LG, accumulate experience and leave for the private sector.

Money in LG is not only significant in salaries and wages as far as attraction and retention is concerned. It is also necessary to facilitate physical infrastructure, which also plays a significant role in attracting technical personnel. The preference in working in an environment which is conducive for doing their jobs illustrates personal interests. On the other hand the existing rules that guide the daily functioning of LG represent legal-logic. When workers choose to abandon their jobs because the environment is not conducive it suggests that the patrimonial drive has over ridden the legal-logic. The high turnover of personnel subjects the ministry into constant training and sensitising of new entrants in the system. This does not only encroach on the already limited resources, it also implies that LG is constantly drawn back to square one in terms of skilled and knowledgeable workforce on both sides.

On the side of politicians, as already noted, money defines their term in office and determines whether or not they are re-elected. In Wakiso, the CAO noted that there was always a high demand for money by councillors during the beginning of political terms and towards election period (DCS3: 29.08.12 Wakiso). Participants reasoned that, this was driven by the need to fulfil their election promises—'politicians often make several promises during campaigns which they cannot fulfil, so they often try to do something towards the end of the term in order to be re-elected'. In such instances, they pay minimal attention to legal procedures (NPlt4 11.09.12 Kampala). Politicians who fail to recover their campaign costs and/or to get money for the next campaign may not make it in the next election given the commercial nature of politics in the country. Due to elective politics which was increasingly becoming more competitive, the level of turnover of political actors was high. This equally costs LG a lot of money because funds had to be diverted to sensitise new comers on policy issues. According to interviewees, this did not deter politicians from concentrating on how to recover their campaign costs, make more money and on how to win the next election (DPlt10: 01.08.2012 Mukono). This according to DPlt10 limited their concentration on how to take LG forward. As politicians concentrated on sourcing for money, they mounted pressure on technocrats to release funds without necessarily following formal procedure. This often resulted in disagreement and failure to take a decision. Among politicians, disagreements

were common in terms of project allocation. Respondents lamented that oftentimes politicians fought to have a project allocated in his/ her area in order to win the next election. In lieu of conflict of interest service delivery suffered as actors muscle their way out. Failing to take a decision implies that no project can be implemented. This translates into failure to absorb funds. Consequently LG is forced to take back money to the consolidated fund to the detriment of local communities (NPlt4: 1.09.12).

This section has shown how neo-patrimonialism feeds into LG operation. In almost every area it plays a pivotal role in attracting and retaining administrative personnel, while at the same time being a source of disagreements. It has illustrated how money plays into the decisions made by technocrats and politicians as well as how private discretion intertwines with formal rules, including the importance of rational-legal logic. In terms of decision making, it has shown that patrimonial domination does not often override rational-legal logic, but it does inform decision making processes. A clear observation is that public policy decisions are shaped by both formal and patrimonial domination. What clearly comes out is that, decentralisation has served to enhance channels of neo-patrimonialism and has heavily contributed to commercialisation of politics. The implication is that decision makers envisage what is in for them before making any policy decision. Something for something then becomes the norm and determines whether or not actors will perform their duties.

7.4.   The Liberalised Economy

An evaluation of economic liberalisation over the past years leaves little doubt that macroeconomic goals that policy makers aimed to achieve have indeed been realised for instances the growth of the private sector. In the case of Uganda, any keen observer on her economic performance cannot fail to recognise the wide economic and socio-political changes that have occurred since the implementation of the SAP, more so the move to privatisation[48]. By turning into privatisation, the country was trying to revamp the economy on the assumption that the private sector would create jobs and employ more people consequently improving the standard of living. In addition it would contribute to government revenue through taxes. This section explores privatisation not just as part of the liberal economy, but as part of the money game and how it feeds into the neo-patrimonial discourse presented in this chapter. The main observation here is that through commercialisation of the public sector/

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[48] Am aware of the privatisation discourse and do not dare to indulge in it. The discussion herein presented is in lieu of privatisation as part of the money game which is the subject of this chapter

social services and the establishment of politico-business coalitions, privatisation did not only enrich a few groups of people, but also enhanced neo-patrimonialism.

In Uganda, privatisation took place at a time when there was no private sector. It meant that by privatising public organisations, the private sector was being created. The foreseen benefit was to foster development, advance economic growth, create jobs, improve people's income and consequently improve the standard of living. However respondents were of the view that privatisation was a deliberate move by the NRM government to acquire national property for itself because it did not observe formal procedures (AC3:27.07.12 Kampala).

> 'Whenever an enterprise would be put up for privatisation or what they used to call divesture, people simply came you, you, you and me let's come together and then get this enterprise. That is why you see that most of the enterprises that were privatised at that time were bought by politicians, associates of politicians, their close relatives and friends. So, once these people got the loot, the things they have looted from the state, this is the thing they are pretending that it is the private sector. The problem is that people who control politics are the ones who control economics and they control economics dubiously. If they lose politics that means that they are going to lose economic part of it and that is what is causing problems. So, entering politics becomes a problem' (AC3 27.07.12 Kampala).

Regarding the hidden motive, AC3 further argues that the process of privatisation was a strategic political ploy to capture power. He argues that this led to appointment of political agents disguised as entrepreneurs followed by racial differences as these disguised entrepreneurs became selective in offering jobs within the newly created private sector. According to him, this was later enhanced by the government itself, which tended to pick and choose among the 'patriotic' bourgeoisie. AC3 claims that decentralisation marked the beginning of political patronage because then one needed to have association with someone in government or be an ardent supporter of the movement system in order to get a job within LG.

It is important to note that privatisation was preceded by set guidelines on how the process should be conducted. AC3's comments however, suggest that the manner in which privatisation was carried out has produced rent-seeking business clientele whose stay in the business arena depends on their political patronage. Rent-seeking is also used as a means for survival in the political sphere. It is therefore prudent that privatisation enhanced patrimonial practices within a modern state that claims to operate under rational-legal logic. From the economic perspective, Erdmann and Engel (2006) suggest that rent-seeking is a characteristic of neo-patrimonialism. It concretises the nexus between neo-patrimonialism and uncertainty,

as well as the logic of neo-patrimonialism and the logic of the formal and the informal, which is mutually reinforcing and a constitutive cycle of reproduction. The culture of rent-seeking therefore reinforces and reproduces neo-patrimonialism. In the case of Uganda as respondents argued, this is evidenced in the fact that those who control politics of the country also control the economic sector. Accordingly, those who govern do so because they are rich and those who are rich are so because they govern. It implies that public authority precedes acquisition of property and the rules for its use. Government officials use their formal positions in the state to create both property and the rules for its use.

Participants were also of the view that privatisation had enhanced corruption because of the coalition between private firms and government workers—'when I went to see my mother in Ibanda I saw cement at a school being stolen, the pickup that delivers it is the same pickup that takes it away' (NCS3 27.07.12 Kampala). NCS3 was of the view that parties involved had connived to steal the cement and resell it. Theft of public goods is not new in Uganda. In 2002 health officials connived with private health practitioners and stole HIV/AIDS drugs donated by the US government. The drugs though not meant for sale were put on sale in private clinics (BCC 24.09.2002). According to a Makerere university professor, privatisation had enabled fake private organisations to flourish to the detriment of social services. He blamed this on the system—government has allowed it by creating an environment of no control (AC4: 05.12.13 Kampala). He argued that the situation, which he described as chaotic was a result of a state whose system did not bother 'to supervise, inspect and impose standards to check the operation of the private sector'.

These claims may not offer adequate conviction that privatisation has enhanced corruption, but provide insights on how it facilitates and sustains neo-patrimonialism. It exhibits how public officers instrumentalise rational-legal procedures and regulations for private gain. Privatisation thus succeeded in putting money in the hands of a few people or groups of people who have in turn used it as a source of power to influence public policy decisions. I argue that privatisation enhances the emergence of politico-business alliances which makes actors to twist the rational-legal logic and map policy decisions in line with their interests.

7.5. The Politics of Land Wrangles: Turning the solution into political mileage

When asked about what he considered important in the current LG system, a civil servant in Kabarole emphatically replied 'land' (SCS1: 03.09.12 Kabarole). His explanation was that land had become a factor in the decentralisation system because of population growth and

creation of new districts. SCS1 adds that coupled with the ongoing land reforms it had become a contentious issue inseparable from politics. Participants claimed that the importance of land had made even the president himself to engage in land wrangles. In their opinion, politicians strategically got involvement for political ambitions—

> 'you can see how land is given out to investors without any consideration of the law. The other day the president was *sijuyi* where—this place in Kayunga, I hear solving land wrangles. You see members of parliament all over talking about land. Schools being demolished---all these things. Now they have even started fighting among themselves---. Now you realise how important land is'(AC4: 05.12.13 Kampala)..

> 'You see for us here, when new districts are created or when these politicians create new administrative units like sub counties, parishes things like that, you know they like creating things---,I don't know if that is their way of showing that they working or they just want to be seen as powerful. They just create things anyhow---dividing people and causing un necessary conflict' (SCS1: 03.09.12).

These extracts reflect the daily experiences of administrators in LG. In addition they refer to media reports that depict politicians as parties in land wrangles. The point that 'they have even started fighting themselves' refers to the fight between the inspector general of police and the minister of state for lands. The case was reported in the media and attracted a lot of public debate. In the second extract, the respondent seems to attribute land wrangles to the creation of new districts, which he thinks is one way of exercising power. However this again shows how actors sometimes instrumentalise rational-legal logic for selfish reasons. Although legal instruments empower LG to create new administrative units it appears that this provision has been (ab)used to propagate political ambitions.

Some respondents went as far as suggesting that politicians used ghost investors to allocate themselves public land in the name of promoting investment. They lamented that giving out public land to private investors to construct commercial entities was not necessarily beneficial to LG because often times, such investors enjoyed tax holidays (NCS2: 29.05.13 Erlangen). NCS2 also argued that some of these investors were disguised actors when the real owners of such businesses often turned up to be top politicians, including the president himself, his family or close acquaintances.

Cases of LG leaders accused of fraudulent sale of public as well as private land using their official positions had become common.[49] For example in Nwoya district in northern Uganda,

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[49] see Daily Monitor 23.08 2013; Acholitimes 15.04.2013; URN 09.03.2012.

councillors accused the LCV chairman of using his office to override the CAO, the council and the legal procedures on the sale of Gulu University land. In Entebbe interviewees reported rampant cases in which politicians were involved in fraudulent sale of public land and acquisition of land titles (DPlt9 31.07.12 Entebbe). In the course of field research for this study, at least three council officials had been summoned in relation to such malpractices. DPlt9 also stated that within the municipality, division councillors had abused their powers by illegally selling off public land as well as reclaiming wetlands. Respondents claimed that politicians engaged in fraudulent land acquisition in order to construct commercial entities such as hotels or commercial buildings, which would earn them financial benefits. Interviewees claimed that it was often the politicians or their associates who owned the big hotels in which all government businesses such as workshops, seminars and conferences were held (GRP103.09.12 Kampala). They added that it was always the chairman who decided where the meeting took place and in most cases it was in his hotel or that of his close associate. Several participants reported that even in instances where the district had its own premises, the chairman decided that the meeting be held in hotel 'X' because he had interest there. This explains why local politicians were increasingly getting involved in land deals.

As noted in the earlier extracts in some situations, land wrangles resulted in ethnic and/ or boarder conflicts resulting from creation of new districts followed by border demarcation. Such cases were recorded in Pallisa and Kabarole where respondents pointed to recurrent conflicts between leaders of the newly created parishes. Respondents argued that other than using conventional means to solve ethnic conflicts, politicians had turned into dividing communities based on ethnic identities. The impact was continued conflict. But it should be noted that in creating new districts and/or administrative units, politicians are building power centres in order to create more avenues of power.

At national level, land had become a fiery issue as actors fought to be seen as providing a solution which favours those affected. In the course of this study, a case at hand was a raging conflict between the country's state minister for lands and the chief of police. The two accused each other of conniving with land grabbers or fuelling land related conflicts.[50] But what is important to note is how each of them used the president's name to defend their activities. The position of the lands minister was well captured in the same paper as follows;

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[50] see The Observer 15.08.2013; Daily Monitor 18.08.2013 & 21.08.2013

Idah Nantaba, the state minister for Lands, started her campaign to fight land grabbers with a lot of enthusiasm. A year later, she has discovered that causing the desired changes will take much more than having President Museveni's ear and talking tough. She still needs to learn how to negotiate the intricate web of political intrigue that is prevalent among senior government officials. Nantaba this week accused the Inspector General of Police, Gen Kale Kayihura, of fighting her, by issuing contrary decisions in some of the cases she has handled in Kayunga. Nantaba, who also chairs a committee that is fighting illegal land evictions, accused Kayihura of siding with rich people in evicting people and called for Museveni's intervention.

On the other hand the police chief responded as follows 'I am in Kayunga on the president's orders'.[51] This is once again an exhibition of the musevenism discourse discussed in chapter five. It appears that actors find solace and/or power in using the president's name. It could also imply that the decisions they make reflect the president's interests. By engaging two public officers in a war of words, the president wants to show that no matter how big actors may appear, he is the only one with the final word. This reaffirms the president as the major decision maker in the country. In all incidences, the president has defended his action in the name of promoting development through private investors. It implies that superior authority often take charge of decision making overruling the preferences of lower actors. By giving out public land within the city as was the case with demolition of public schools, the president was suggesting that the physical planning department of Kampala City Council Authority (KCCA) was inept to deal with such matters. By involving himself in such matters, the president was not only undermining the legal institutions, but establishing himself as a man above the law. By sending a police chief to solve land wrangles, the president has put aside institutional structures such as the district land commission and land board meant to address such conflicts.

These cases may beg for further research, but for now, they provide heuristic evidence not just to the importance of land, but also to the nexus of patrimonial and rational-legal logic. They illustrate the relationship between land as an economic good and politics. In order to be seen as providing a solution, politicians spend their time meeting the local community and discussing land wrangles. Such situations provided ground for politicking including influencing voters. On the other hand these cases illuminate the exercise of domination by the highest authority which includes the legally elected president and the executive and how far they are subjected to the rule of law. The idea of an intricate web of politicians referred to in the media report illustrates the extent to which actors are driven by personal interests

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[51] See Daily Monitor 18.08.2013

7.6. The involvement of Multilateral Organisations and its implications on Public Policy Decisions in LG: the case of Foreign Donors

Given the economic power that foreign actors tend to enjoy, it would be self-deception to think about public policy decisions in a developing country like Uganda, without taking into account their influence. In Uganda the national budget is partially financed by donors. Although the percentage of their contribution has been declining over time to (20% in 2012/13 budget reading), it does not mean that they have no say in public policy decisions both at local and national level. Since donor money comes with conditions, these conditions are passed on to LG who then have to align their plans with the interests of these actors. This implies that policy decisions are not independent of foreign interest. In this study, donors are represented by financial institutions such as the World Bank and the IMF because of their contribution in the national budget and because they serve as agents through which foreign aid is channelled. International Non-Governmental Organisations (INGOs) and NGOs are deliberately avoided because of their diversity in nature, which makes it difficult to focus on one. Besides as Neubert (2011) argues NGOs mainly rely on international support and influence.

Interviewees were of the view that donors played a pertinent role in decision making and that decisions often echoed their interests. They particularly referred to the Office of the Prime Minister (OPM) saga[52] to proof their point. Respondents claimed that when donors suspended funding, most of LG operations were suspended. They stated that the period in which donors withdrew funds rendered LG jobless

> 'Government could not release any funds for LG because they didn't have the money. The donors had stopped giving us money so government did not have anything to give, we got stuck, some of us would just come and sit in office, we could not go to the field, all projects got stuck. So that is how important donors are' (DCS1 25.07.12 Mukono).

Concerning direct influence, DCS1 observed that as LG they do not make any decision without reflecting on donor interests as herein stated;

> For them they say we are financing education, primary health care, agriculture or water. So then the government will be forced to go by what these people have

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[52]The OPM saga was again cited in the previous chapters, but as a remainder, it concerned allegations of massive corruption in the office of the Prime Minister in 2012 forcing donors to withdraw funding. For details see, New Vision. 25.11.2012, New Vision. 11.12. 2012; The Observer 21.10.2012; Daily Monitor 09.11.2012.

> dictated on us to do and then they also pass over the same dictatorship to LG and tell them these are the priorities that we want you to implement. Moreover, they also say, we are sending you a technical expert (DCS1 25.07.12 Mukono).

In the context of decision making DCS1 further argues that for as long as African countries depend on donors to fund their national budgets, it is less likely for them to make decisions independently. This was because donor funds were always conditioned meaning that areas of priority were pre-determined. According to DCS1, this is why government also conditioned funds it remitted to LG because donor funds are often attached to specific programmes—'even if we did everything according to the law, the power of the donors is simply too much'. As a technical person DCS1 argues that such funding does not often enable LG to address their priority needs due to differences in interest.[53] But on his part, as a political science scholar one professor argued that donors were only able to influence LG because government had allowed them to do so—'foreign actors can be forceful in the things that they want to happen and pliant governments like Uganda make it easy for them to advance their interests' (AC4: 05.12.13 Kampala). It becomes evident that with such conditions, the empowerment of LG contained in legal instruments is side-lined.

Foreign influence in policy decisions is mainly enhanced by their economic contribution towards the national budget as well as special development programmes. Because of its poor economic state, government is subject to depending on foreign actors who in turn exert influence on national policies, which are then transferred to LG. Indeed respondents may have been right to question the state's claim of 80 percent of the national budget being raised locally. DCS1's comments on the impact of the OPM saga seem to counter this claim. Since suspension of aid, which only lasted three months rendered LG redundant, it shows that the country still depends on foreign aid to a larger extent.

As herein demonstrated this has reduced both government and LG's power on certain public policy decisions. In the context of this study, it is conceivable that donors also play an influential role in public policy decisions in LG in Uganda. Moreover, by conditioning funds, they are removing the financial autonomy that decentralisation gives LG. This has subjected the country to what Schlichte calls 'the state in suspence' (Schlichte 2005:171). Schlichte

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[53] There are a lot of media reports on this subject. For more stories see Uganda's daily papers (Dec 2012- March 2013) nearly every day there was a story published. They indicated that suspension of donor funds rendered LG workers in the districts of northern Uganda where most of the money was meant for redundant. Respondents in this study refuted statistics from the ministry of finance and planning that eighty percent of the national budget was locally funded. They claimed that this was misleading and meant to convince the western world that the economy is indeed doing very well.

observes that external dependence has very significant consequences in that it had forced the president to adopt two different discourses; one meant to appease the international community and another, the local populace. Based on this understanding one can argue that albeit rational-legal logic, policy decisions in LG are informed by the interests of donors and government. I argue that government's reliance on foreign assistance for its public expenditure implies that donors have a strong, but shielded influence over domestic political processes including public policy decisions both at local and national level. The ability of donors to meddle in the decision making processes of a modern state validates neo-patrimonialism.

7.7.   Summary

This chapter has majorly explored how LG operates in a monetarised environment. It examined the role of money not just as a necessity for running the system, but as a protagonist in expediting neo-patrimonialism. The relationship between the practice of neo-patrimonialism and the use of money as a source of power resonates with the exercise of micro-hegemony as discussed in chapter five. The main observation is that commercialisation of politics in the country has translated decision making processes into contemplative avenues for acquisition of money. The implication is that public policy decisions albeit formal procedures, where influenced by the private discretion of actors therein involved. The pursuit for money is not just for the operation of LG, but something that actors seek for personal benefit including advancement of political ambitions—it is a source of power. This conclusion resulted from an examination of different sections all of, which explored diverse values and/ or impact of money. It started by examining how actors make decisions they do within their areas of jurisdiction and went on to explore different values, attachment and implications of money in the daily operation of LG.

The chapter examined taxation and revenue generating processes in LG to the conclusion that the practices therein facilitate establishment of neo-patrimonialism. The finding here was that politicisation of tax issues had frustrated LG's efforts to raise local revenue. As a result it often fell short of funds to pay for councillors' allowances since this is catered for by locally generated revenue. The implication was that the council could not sit meaning no decisions could be taken. When LG was able to facilitate councillors, it could only pay low allowances. As such it was able to attract politicians of low quality who could accept such wages. In terms of human resources, since LG could not provide a conducive working environment it suffered

high turnover of technical personnel. The chapter further investigated how public procurement and tendering process enhanced neo-patrimonialism to the conclusion that this department was the main area of interest as actors saw it as an avenue to get quick money. Moreover, it was the basis for alliances that enhanced patrimonial practices albeit formal procedures. Using the concept of 'something for something', the idea of monetised operations was examined. The findings indicate that despite constitutional guidelines, politicians often prioritised individual monetary benefits when making policy decisions. The fourth section explored economic liberalisation with a special focus on privatisation as part of the money game in order to find out its impact on LG. It argued that privatisation had enriched a few sections of people who had resorted to use their financial base to influence LG operations. It enhanced corruption through connivance between politicians and business persons as well as with administrative personnel. In section 7.5, the significance of land as an economic factor was discussed. This section too showed that the bid to address rampant land wrangles had provided actors the opportunity to advance private interests. The fact that the clearly spelt out constitutional mechanisms are often put aside validates neo-patrimonialism in Uganda's LG. In the final section, the influence of multilateral organisations like the World Bank and the IMF was explored. It argued that the involvement of multilateral actors in funding governance programmes does not only give them ley way to influence public decisions, but also fuels and stabilises neo-patrimonialism.

Going back to the main research question, it is evident that the economic environment under which LG operates is underprivileged subjecting LG as an institution and actors therein to depend on other actors. This in turn undermines their autonomy. As a result patronage intertwines with rational-legal logic in the process of making public policy decisions. I argue that the economic environment promotes neo-patrimonialism and gives the financially strong more voice in decision making.

CHAPTER EIGHT: 'HYBRID GOVERNMENT': THE INTERFACE BETWEEN STATE AND NON-STATE ACTORS

This chapter explores the position of non-state actors in LG and its implications on public policy decisions. In this study non-state actors are represented by religious and traditional institutions. These are restricted to traditional establishments like kingdoms and chiefdoms, while religious institutions are equally limited to Anglican (protestant), catholic and to a small extent the Muslim community. This is deliberately intended to minimise widening the scope of analysis. Besides, primary data covers only these institutions. Although religious institutions may be part of the civil society, in this study they do not in any case represent it. I wish to emphasise that the study is not about civil society, but religious and traditional institutions. This also explains why they are referred to as non-state actors. To analyse these two institutions and claim that they represent civil society would provide a narrow perspective of the concept. The chapter examines the interface between state and non-state actors under different circumstances such as provision of social services, as opinion leaders and their role in political elections in order to find out if their interaction has any influence on public policy decisions considering that the constitution and the LGA forbid non-state actors from partisan politics and/ or carrying out any executive, legislative and judicial activities. The findings suggest that at least in the context of public policy decisions there is some sort of mixed government. It observes that although LG is constitutionally responsible for the decentralised services such as primary health and education, the social, economic and political conditions do not favour them (LG) to effectively implement these services. Following market liberalisation and the seemingly stable economic position of non-state actors, they have become fully integrated in the social service sector thus finding themselves reason to influence policy decisions. I argue that, much as legal instruments forbid non-state actors from engaging in political decisions, their involvement in the public sector has paved way for them to influence policy decisions thus countering government monopoly. Non-state actors are thus part and parcel of the country's politics and public discourse contrary to constitutional provision which prohibit them from partisan politics. It is this mixture that I prefer to call hybridity in governance. This is not to suggest that Uganda is a hybrid state, but that some decision making processes on matters of public policy especially in LG involve both state and non-state actors. Since these decisions may be political in nature, one can argue that in most cases policy decisions in LG are hybrid. Aware of the discourse on the concept of

hybridity (see 8.1) I wish to reaffirm that its use in this chapter is taken from the literal or dictionary meaning—mixed and applies to decision making on matters of public policy.

The chapter starts by providing a brief discussion on how other scholars use the concept of hybridity in order to draw a clear distinction on its use in this study. It goes on to position cultural and religious institutions and examines how they shape the process of making laws with specific reference to the Domestic Relations Bill, the Anti-Homosexual Act 2014 and the Anti-Pornography Act 2014. This is because through respective LG, non-state actors were able to state their position on the respective Bills. It details what role each of these actors played and shows how policy makers reacted to it. The third section explores the involvement of non-state actors in the social service sector and its implication on public policy decisions in LG. The role of non-state actors in influencing electoral outcomes is also covered relating it to historical aspects. It argues that if non-state actors determine who gets to win an election, the winners will sway policy decisions towards their interests. Finally the chapter explores the subject of ethnic fractionalisation (politics of ethnicity) in order to show how ethnicity informs policy decisions that politicians make. The findings show that policy decisions in LG take the form of co-production of power by both state and non-state actors. Therefore, the constitutional provision that prohibits non-state actors from partisan politics does not hold ground.

8.1. The Concept Hybridity in other studies

The concept of hybridity is mostly used by scholars of cultural studies (see Bhabha 1994; Lionnet 1995; Gilroy 1995 and Hall 1999). These scholars argue that culture is hybrid and interstitial. It moves between spaces of meaning. Cultural hybridity is linked to colonialism/ imperialism. It is a result of interactions between colonisers and the colonised and presents itself in aspects of race, language and nationalism. Homi Bhabha is considered the father of this concept. In his work, 'The Location of Culture' (1994), Bhabha suggests that there is a "Third Space of Enunciation" in which cultural systems are constructed (Bhabha, 1994: 178). He uses words like diaspora, displacement and relocation to illustrate the dynamic nature of culture. He conceptualises hybridity in three forms—biology, culture and ethnicity. Using the concept of subaltern, Bhabha argues that hybridity paves way for restructuring and subverting power structures in society and combating domination. It is seen as a positive force against cultural hegemony and can be used to deconstruct boundaries of race, language, and nation. Unlike the above conceptualisation, my usage of the term is taken from its ordinary dictionary

meaning—mixed. By hybrid governance I mean the mixture and interface between state and non-state actors in steering government. In the context of this study it implies that public policy decisions are informed by the interests and/ or opinions of by both state and non-states actors. This argument corresponds with Chabal's reasoning that 'power in Africa may not return to the hands of the elders, but it does mean that for some to come, at least, it is likely to reincorporate a degree of deference to traditional attributes of rulership, which seemed to have disappeared in the 21st decade of independence' (Chabal, 1994:256). When reflected on the Ugandan experience as the following sections will show, this may signify some sort of hybrid government at least in the context of policy decisions.

8.2.   Situating Cultural and Religious Institutions in Uganda

Prior to the 1990s cultural institutions were subjugated by the state. Uganda's founding executive Prime Minister Dr. Milton Apollo Obote abolished kingdoms in 1966 because he allegedly feared that the then President, Sir Edward Mutesa, the Kabaka of Buganda, was scheming to topple the government using foreign mercenaries (Karugire, 1980 & Mutibwa, 1992). When the NRM took over power, they were revived, but soon took on a more vigilant approach to local politics. Constitutionally, a "traditional or cultural leader means a king or similar traditional leader or cultural leader by whatever name called, who derives allegiance from the fact of birth or descent in accordance with the customs, traditions, usage or consent of the people led by that traditional leader" (article 246:6). The inclusion of the Traditional Leaders Act in the national constitution is not only to accommodate cultural diversity and a show of representative democracy, but serves as an acknowledgement of the importance of these institutions. Nevertheless, the same constitution forbids traditional leaders from partisan politics. Article 246: 3f states that 'a traditional leader shall not exercise any administrative, legislative or executive powers of government or local government.' The provision however falls short of recognising the position and traditional roles of these institutions in society.

Religious institutions in Uganda can be traced back to the colonial era. Although Islam entered the country before Christianity, the latter gained more prominence perhaps due to strong colonial administration. In his analysis of 'Religion and Politics in Uganda: The Case of Busoga, 1900-1962, Mudoola (1978) argues that in the early days of colonial rule, religion played a role in chief making and shaped the patterns of recruitment of political figures. He argues that colonial administration promoted the protestant faith declaring it a state religion. Mudoola argues that this utimately led to the assumption of power by the Protestant groups.

To date, there are sections of Ugandans who believe that the country should always be ruled by a protestant president. Elsewhere in the country religion was a critical variable in political conflicts. In the context of LG, Mudoola recounts that during the colonial era, religion informed the recruitment of the county and sub-county chiefs. Since then religious institutions played and continue to play a central role not only in the social arena, but also in politics. They are instrumental in providing social services, humanitarian assistance and facilitating reconciliation in communities devastated by conflict. For example, the Uganda Joint Christian Council played a key role in negotiations between the government and the Lord's Resistance Army, while the Inter-Religious Council of Uganda initiated a task force of prominent leaders to ensure that the upcoming elections for 2016 are free and fair. Their efforts not only illustrate the potential for religion to mitigate conflict, but should also be seen as opening up space for them to take part in policy decisions. Given that religious leaders are authority figures with the opportunity to influence their communities through their teachings, they can use their power and position to perpetuate or mitigate conflict, but also inform people's choices for instance during elections. This shows the breakdown of the monopoly of government as a sole policy and decision maker towards construction of a broader involvement of other non-state actors. The willingness of (LG) government to listen to non-state actors shows their significance in governance procedures and fits within the aims of decentralisation—inclusiveness and collectivity. The vigilant involvement of non-state actors in different spheres of government has led to what I call hybrid government in terms of decision making.

8.3.   The role of Non-State Actors in shaping Public Policy Decisions

The case of traditional and religious institutions influencing public policy and/ or national laws can be seen in their vocal propaganda for the Anti-Pornography Bill, the Anti-Homosexual Bill and against the Domestic Relations Bill. Respondents argued that the parliamentary passing of the Anti-Homosexual Bill, on 20th December 2013 and its subsequent signing into an Act of parliament (Anti-Homosexuality Act, 2014 or AHA 2014) on 24th Feb 2014 resulted from mounting pressure from traditional and religious institutions (NCS2: 14.10.13). The following extracts show how most Ugandans perceive these institutions and what implications this has on public policy.

> Policy decisions are closely related to cultural and religious beliefs, therefore, any policy, which is not mindful of these factors, would likely fail' (NCS2: 14.10.13).

First of all, all our rules are based on our norms and of course reflect our religious doctrines. So any attempt to undermine those believes will not work. Until a time comes when people don't believe so much in these institutions, we as politicians just have to work with them. But it will take some time' (NPlt2: 23.07.12 Kampala).

You know in countries like Uganda were culture and religion are strong and people believe in them, you cannot undermine the role of institutions attached to these people. These people are very influential and once they set their position, sometimes government has no choice, but to agree to their demands (AC1: 30.07.12 Kampala).

It is because people have strong attachment to their culture, so you cannot just detach them from it or do things that are not coherent with it. If you do it or if you are seen to support it, it is a danger to your political career (DCS1: 25.07.12 Mukono).

'I think all Ugandans are happy with parliament's decision. They see it as respecting their cultural values and this is a plus for government (NPlt4: 11.09.12 Kampala).

Although the extracts are from different personalities—civil servants, politicians and academicians, they share a common belief in the significance of religious and traditional institutions in shaping political decisions. In these extracts, it is evident that non-state actors are not only opinion leaders, but also part and parcel of the public discourse whose opinions significantly contribute to policy decisions. In the context of this study, it shows how both state and non-state actors claim legitimacy and authority, but based on exclusively different factors. The state's claim for legitimacy is based on constitutional provisions, while non-state actors derive their legitimacy from history and religion, for instance traditional leaders claim political authority derived from the pre-colonial era. Although public perception on tradition has changed, to some extent traditional institutions are still seen to represent indigenous and truly African values and authority. Since non-state actors claim to represent common people's interests, the incorporation of their opinions in legislative decisions can be seen as recognition of democratic principles, which call for people participation. The above extracts also signify not just power that non-state actors command, but a combination of the interests of state and non-state actors in policy decisions. Considering the position of non-state actors in public, their message can influence society in either direction. Moreover non-state actors claim to represent the position of most Ugandans. In the name of preserving culture and religious doctrines religious and traditional institutions are able to position themselves in the political discourse consequently influencing political decisions. If indeed the parliamentary passing of the bill and the president's subsequent signing was influenced by non-state actors, then one

can argue that, the incorporation of their interests partly confirms hybridity in government at least in the context of policy decisions.

On the other hand participants claimed that the shelving of the Domestic Relations Bill, was because government had failed to reach an agreement with non-state actors. For over two decades since it was drafted, the bill has been deferred. Respondents argued that this was because some of its contents flout religious and traditional norms such as widow inheritance, bride price and refund of dowry in case of divorce. They also claimed that the proposed bill does not recognise the different traditional arrangement concerning land. The bill proposes that married women shall be entitled to property including land. However cultural leaders disapprove of this proposal. This is even more pronounced in Kingdom areas for example;

> In Buganda, land is a special issue. First of all we say that, all land belongs to the Kabaka. Today people marry from all over, you cannot think of giving the Kabaka's land to a foreigner, even if you want because she is your wife' (AC1: 30.07.12 Kampala).

AC1 added that cultural leaders had upheld their position arguing that the bill, if passed as it is, will encourage divorce as women may only target men's property and above all land. AC1 adds that, 'if you are not careful, this land issue can even lead to death, people will kill each other, widows will be killed---'. Accordingly AC1 explains that each time it is brought up for debate, those with strong cultural attachments ardently oppose it and even those who may wish to support it fear to be seen doing so as this will cost them their votes. Participants stated that it was necessary for parliament to consult these actors before passing the bill. As this study found out, MPs were sent on recess with extra funding to consult their constituents on the proposed bill, but upon return, the debate again hit a snag, because religious leaders contested that they were not consulted hence stalwartly opposed it.[54] In particular, Muslim women demonstrated against the DRB, which they said contradicted the Quran and viewed its passing as re-writing of the holy book.[55] What this demonstrates is that although LG through the District Land Board is responsible for matters concerning land use and/ or distribution, it is clear that traditional institutions/ leaders have more command in this area. In most cases LG is subjected to negotiate with these non-state actors.

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[54] URN. 2011 'Church Leaders Oppose New marriage and Divorce Law'
[55] Will Ross, 2005 ' Ugandan Polygamy Bill protest' BBC News 29.03.205

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Knowing how important these actors are in the political field, the president vowed not to support any law that does not recognise cultural and religious values. In his words, president Museveni clearly stated that; 'as long as the National Resistance Movement and myself are still in charge of the affairs of the country, a bad, harsh or even insensitive law that tramples the fundamental human rights of citizens or affects their harmonious co-existence, will never be allowed' (Uganda Woman Network, 05: 2013). Although the president may have the power to pass the bill, his comments demonstrated his acknowledgment of the significance of non-state actors. Historically non-state actors were part and parcel of government. During the colonial era, the British LG administration operated alongside traditional institutions. In the pre-colonial era, traditional institutions/leaders doubled as political institutions/leaders. Therefore prohibiting them from partisan politics may result in power struggles and/ or competition for authority. This is because traditional leaders may feel that their authority is being challenged. It is plausible that the president's decision/ position as indicated above was informed by the interests of non-state actors. By and large, this illustrates that non-state actors and their procedures of governance constitute a form of government seen to be more accessible and better understood by the people. Above all it is seen to be more participatory. This is because subjects have more direct access to their leaders whom they can approach and/ or request to call a meeting. As participants claimed that, this was the case with the debate on the bills herein discussed. Locals were said to have approached their traditional/ religious leaders to whom they clearly stated their position. These leaders then presented this to LG and/ or to members of parliament. In relation to the previous chapters, the manner in which state and non-state actors relate reveals that power centres that resulted from the restructure of LG did not eliminate those established by traditional and religious institutions. On the contrary, they seem to have reinforced them. The ability of non-state actors to influence government's position on national policies does not only illustrate how the exercise of micro-hegemony can be exercised in different environs, but also reveals that government/politicians do not always command the monopoly in policy decisions. These findings confirm Christian Lund's (2006:685) observation that, public authority does not always fall within the exclusive realm of government institutions; in some contexts, institutional competition is intense and a range of ostensibly apolitical situations become actively politicised. In his article, 'Twilight Institutions: Public Authority and Local Politics in Africa', Lund argues that, non-political situations may reveal themselves to be active sites of political negotiation and mediation over the implementation of public goals or the distribution of public authority in which local and regional identities and power relations are reshaped and recast. He adds that in such cases it is

difficult to ascribe exercised authority to the 'state' as a coherent institution; rather, public authority becomes the amalgamated result of the exercise of power by a variety of local institutions and the imposition of external institutions, conjugated with the idea of a state.

This section has shown the extent to which non-state actors influence both policy making and public policy decisions, thus countering the constitutional provision that prohibits them from taking part in partisan politics. Their influence on national policies brings out the relationship between politics and culture. As traditional authorities still enjoy a lot of legitimacy among the Ugandan populace, politicians on all levels are forced not to openly contradict positions held by such authorities. As such, policy decisions are a hybrid of state and non-state actors' opinion and interaction.

8.4. The engagement of Non-State Actors in the Social Service Sector: Implications for Public Policy Decisions

The involvement of religious institutions in social service provision can be traced back to the colonial era. Following market liberalisation and the growth of the private sector, the number of social service providing institutions established and run by non-state actors has tremendously increased. The involvement of non-state actors in the provision of social services may symbolise an arrangement of welfare mix in, which non-profit organisations gain formal recognition as partners in policy making. However, in the Ugandan case as per the 1995 constitution, government maintains the sole responsibility on national education and health policy as well as decisions concerning the same. As already noted, the same constitution forbids religious and traditional institutions/ leaders from policy and/ or decision making on matters of policy. In this section, I examine the involvement of non-state actors in the provision of social services and its implication on public policy decisions. I argue that the involvement of non-state actors in provision of social services like health and education has paved way for them to penetrate the decision making apparatus thus being able to influence public policy decisions. This is further facilitated by the current socio-economic conditions which are increasingly wanting. This fact has provided non-state actors more room to engage in the public sector because they have a significant amount of resources. Both religious and traditional institutions influence and shape society in different ways.

The role of the Church in the social service sector is not new in Uganda as well as elsewhere in the world. Jenkins (1994:84-92) argues that 'Christian churches—catholic and protestant are not only preaching the gospel across Africa today, but also are funding and operating a

myriad of development projects throughout the continent that are intended to improve the quality of life. They are important participants in African affairs contributing to socialisation of African citizens and thus affecting the prospects for democratic participation by those involved in church programmes'. Jenkins adds that aid agencies like USAID have turned to the church to direct assistance to local communities due to the belief that the church provides a safer avenue for money considering the rampant misuse of aid funds. She further argues that the message of the gospel and the spiritual influences enables the church to speak out on social injustices, economic failures and political repression. O'Donnel and Whitehead (1986) also provide remarkable accounts on the role of the church in propelling democratisation. For instance, they cite the church as being among the many actors in the democratisation process in most of eastern and southern Europe and Latin America. In discussing political legitimacy in middle Africa, Schatzberg, (2001) recognises that formal religion is part of the spiritual face of power. In drawing a clear relationship between religion and politics in Africa, Schatzberg refers to Kenya's former Anglican Bishop, Henry Okumu who once stated that 'religion and politics is the same thing' (2001:51). Scholars like Dieter Neubert (1997) argue that unlike other NGOs, the Catholic and the Protestant churches occupy a special position and have their own social base. In his analysis of civil society in sub Saharan Africa particularly Nigeria and in some failing states, Neubert argues that religious institutions play an important role as creators of social order. He adds that churches do not only have varying degrees of relevance and influence, but also rely on a highly committed body of followers and are often able to finance themselves and the services they provide for their members from their own resources. According to him, religious institutions have gained social importance through creation of social infrastructures, which also relieves the government of responsibility. However, this threatens the legitimacy of government. Evidently, these scholars recognise the diffusion of religious institutions in politics and social welfare. Arguments presented by these scholars correspond with the findings of this study, that is, the involvement of religious institutions in the public sector has provided them the opportunity to influence political decisions. Therefore although their influence may not be direct, it is apt to argue that the church has a significant influence on public policy decisions.

In Uganda religious institutions have been engaged in a wide range of social services. Mostly they cover education, health as well as in-kind support to the poor. The church is also involved in poverty alleviation work as well as humanitarian relief in crises and less conventional forms of services such as legal aid. The Anglican Church popularly known as

the Church of Uganda (CoU), the Catholic Church as well as the Pentecostal[56] churches are deeply involved in social service provision. The involvement of the church in social service provision roots back to the colonial era. Notably, majority of the first schools popularly known as the traditional schools and hospitals were founded by religious institutions. To date 70 per cent of schools in Uganda are church founded although they are now government aided (see UJCC[57]). The church has further engaged in provision of higher education for instance, Uganda Christian University (UCU) was founded by the Anglican Church, Islamic University in Uganda (IUIU) is founded by the Organisation of Islamic Cooperation, Uganda Martyrs University is founded by the Catholic Church while Bugeme University is run by the Seventh day Adventist Church. A report by United States Agency for International Development (USAID, 2008) suggests that religious institutions account for 55 per cent of social service provision in Uganda. This percentage is fairly higher than in the neighbouring countries like the Democratic Republic of the Congo where the church accounts for 50 percent and 40 percent in Kenya and Lesotho. Based on this massive involvement, it is inconceivable to envisage LG making decisions in these sectors without including non-state actors.

Accordingly respondents were of the view that the centrality of non-state actors in the social service sector had earned them more credit considering the state of national infrastructure (AC1: 0.07.12; DCS1: 27.08.13 Tel Inter). They added that non-profit based organisations like hospitals owned by the church always offered better services compared to state hospitals—'we have a hospital called Naggalama,[58] the first of part of it is that the drugs are available all the time, the other one is that the workers are more committed to work than those in the government community' (DCS1: 27.08.13 Tel Inter). In Kabarole, a fascinating example depicting how influential non-state actors can be was cited as follows;

> One time we wanted to implement a certain project in one of the schools owned by the church. We also wanted to construct a classroom block, but we could not. The owners refused us. The project stalled because its design was not in line with the preference of the founding body. Besides, the school authorities argued that they were not consulted during planning and decision making process. The project only took off after the design was changed to fit what the founders wanted' (SCS2: 26.08.13 Kabarole).

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[56]For purposes of this study, only traditional churches (CoU & Roman Catholic) are examined. Pentecostal churches are intentionally left out due to their vastness and diversity in nature. Besides they are constitutional registered and regarded as NGOs
[57] Uganda Joint Christian Council
[58] Naggalama is part of Mukono LG, the hospital is owned by the Catholic Church

SCS2 added that because of such experiences, the church should be part and parcel of the public policy decision making process. He emphatically argued that the success of any project depended on the blessing of religious leaders. In another scenario an interviewee stated that; 'the church, you know unlike this LG, the church has always been there with us and for us, so when you as LG are planning you should always have the church in mind. In fact those who try to avoid are risking (AC1: 30.07.12 Kampala). Another clearly stated that 'beyond legal structures exist other forces which determine the functionality of LG' (NPlt3 13.08.12 Kampala).

AC1's observation about the church suggest that religious institutions have been custodians of service delivery even prior to public restructure and are more familiar with the needs of the local communities. His statement implies that even if decisions are made contrary to the church, the loyalty that the church commands makes people support it against the decision of LG. This illustrates that if decisions are concluded without the input of non-state actors, they are likely to fail as demonstrated by the school project in Kabarole. Whereas LG is responsible for these services, it is only reasonable that it works hand in hand with these institutions in order to effectively implement their duties. In the case of the school project in Kabarole, the agreement between the school committee, which in this case was the church and LG represents a partnership which also grants the church some sort of stakeholder status thus its ability to influence public policy decisions. This construction of power dependence leads to what I call hybrid government.

Similarly, world over, traditional institutions often have some sort of infusion in politics and/or social welfare. This is further enhanced by the fact that they often have well-structured development plans and committees that deal with issues that affect their subjects and in the absence of functioning formal institutions, they fill this gap (Quinlan, Sharma & Clarke 2011:285). And as Neubert (2011) argues, at local level, traditionally legitimated authorities like chiefs or councils of elders claim regulatory authority with regard to justice and administration and regard themselves as representing the local population in interactions with the state. These institutions occupy political spaces left open by the state, and may see themselves as institutional alternatives to a system of centralised power. According to Neubert, this makes state-building in Africa a complicated process because the state has to cope with a multitude of decentralised socio-political structures which show great persistence and adaptability in everyday life. In the context of Uganda, this implies the involvement of

non-state actors whose contribution in the social service sector enables them to compete with state actors and counter the state's claim to exclusive power over policy decisions.

Like religious institutions, cultural organisations have intensified their participation in the social service sector. Nearly all kingdoms in the country operate institutions of learning and health facilities among other businesses. Buganda kingdom for instance opened a University (Mutesa I Royal University—MIRU) as part of the Kingdom's strategic contribution to development and social service provision in the country. The kingdom also offers annual scholarships (Kabaka Education Fund) to needy students. This is in addition to well established primary and secondary schools affiliated to the kingdom. In the North Western region of Bunyonyo the kingdom boasts of a kingdom founded institute of higher learning (Kabalega Royal institute) while Toro kingdom boasts of a people founded 'Mountains of the Moon University'. Whereas LG is responsible for the provision of decentralised social services, its financial position limits their effective performance, while on the other hand non-state actors seem to have readily available resources and perhaps less bureaucracy compared to government making it easy for them to provide services faster than government. This also enables them win more public support as people slowly loss trust in government institutions.

Participants were of the view that by involving themselves in the public sector, cultural institutions got the opportunity to advance their political interests and demand to play a role in public policy decisions (DCS1: 25.07.12 Mukono). DCS1's comment is confirmed by Buganda kingdom's use of its involvement in social service provision to rekindle its endless demand for federal status against decentralisation. In his message to the government, the kingdom's *Katikiro* (Prime Minister) accused the government of failing to deliver services to the population and called for a change in the system of LG—'the health sector has been run down, the universal education programme has failed. With a federal system of government, the kingdom will concentrate on social service delivery as the [central] government concentrates on building the army and buying tear gas.'[59]

The *Katikiro's* statement does not only illustrate the kingdom's relationship with the government, but also demonstrates that in positioning themselves in the public sector, kingdoms have categorically demanded to be involved in policy decisions. The Katikiiro's message clearly shows how non-state actors have adopted the language of development and

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[59] Kitaata K.S, 2013 'I've no time for useless talks, new Katikkiro tells off Museveni' The Observer 25.06.2013

asserted their right to speak and decide their destiny thus shifting the debate beyond the initial parameters set by the state. Moreover, the real decision makers in LG are always individuals or collective actors who also subscribe to these institutions. Their influence on policy decisions may be realised during the implementation phase. Because implementation often takes place at local level, it provides non-state actors the opportunity to foster, hinder or at least modify the administrative enactment of a specific decision. Since LG is charged with the responsibility of providing social services, a partnership with traditional leaders may enable the latter influence policy decisions, but also facilitate speedy and efficient delivery of social services. On the other hand, if one looks at LG from the perspective of decentralisation and how it creates an environment where everyone's participation and involvement is welcomed, then it becomes palpable that traditional leaders should work hand in hand with LG.

Participants further cited a case in which the kingdom failed a LG project because it was not involved in planning and deciding on the project.

> One time we were trying to construct an office block in a sub county, but Kabaka's agents came and chased away our constructor saying that, that land belongs to the Kabaka. So after that we agreed that we cannot compete over this land, they relocated the sub county headquarters to another place, but that piece of land also belonged to the Kabaka again we could not go on with the project. We had to go on a round table (DCS1: 25.07.12 Mukono).

In this particular instance, LG, given its power to create new LG or administrative units had decided to construct a sub-county headquarters in a particular area, but it faced resistance from the kingdom. It is conceivable that the District Land Board may have carried out the necessary legal procedures including land identifications and laid out plans for its development. However the power overlap between traditional institutions and LG botched the latter's plans. The issue of land suggests possible conflict between LG and non-state actors resulting from unclear or overlapping responsibilities for land ownership/use. Although the sub-county was a public institution, meant to serve the local population. The people who pulled down the structure were part of the community, but more loyal to the kingdom than with LG as an institution. The elected leaders too could not use their authority to erect the structure because they had to choose between loyalty to the kingdom and political power. Moreover disobeying the *Kabaka's* men would be risking their political carrier. The act by traditional chiefs demonstrates the way in, which the kingdom has positioned itself on the political agenda while the response by LG leadership shows their readiness to work together. The manner in which the situation was settled demonstrates hybridity in policy decisions.

As seen in the above example, decisions concerning land were another area for non-state actors to position themselves. In the early 2000 the country started the process of land reforms. Respondents recalled that the process met strong opposition from traditional institutions Buganda kingdom for instance did not only oppose it vehemently, but also influenced the position of LG within the kingdom (AC1: 30.07.12 Kampala. Buganda is only one example, in northern Uganda AC1 recalls that a proposal to start up a commercial sugar plantation had failed because locals were not willing to give up their land insisting that it belonged to their cultural leader. This view was pointed out by several respondents especially members of parliament. They recalled that once LG decided to allocate land to a developer identified by government, Acholi women undressed and demonstrated in front of LG offices while the men threatened to fight the developer with machetes (DPlt16, GRP4, DCS3).

This shows that in any government structure, actors have different levels of command which necessitates collaboration. At a point where non-state actors command more influence, they can engage LG in a bargain from a position of strength. As herein shown, the traditional roles of traditional leaders have been shifted. Other than being custodians of their heritage, they are becoming part of LG and their role in influencing policy decisions is more palpable. It once again shows how non-state actors organise public discourse and become part of the country's politics. I argue that the outcome of policy decisions resulting from the nexus of these institutions is likely to be diverse, contingent, negotiated and re-negotiated.

8.5.   The Influence of Non-State Actors in Electoral Trends

World over, the interface between religion and politics is nothing new. In the US for example, religion is said to have played a key role in the 2006 presidential elections that brought G.W Bush to power (Guth, et al 2006). Scholars like Stephen Ellis and Gerrie Ter Haar (1998, 2007) have extensively studied the relationship between politics and religion in Africa and argue that politics in Africa cannot be fully understood without reference to religious ideas that are widely shared in societies south of the Sahara. In Uganda political divisions based on religion can be traced back to the independence era and the formation of the first political parties in the country (Young 2000). Since then religion is one of the factors that shape Uganda's political culture. It also plays a significant role in determining people's political carriers. According to Pye and Verba, (1965: 7-8), one of the primary elements of political culture is national identity or how people define themselves as a group. In this section I explore how religion plays into elections and voting patterns in Uganda.

Voting of political representatives is one form of direct involvement in political decisions. Other than instances where voters are influenced, intimidated or bribed, it is the only easy way through which citizens are involved in decision making, that is, by directly choosing their representatives. Nonetheless, bearing in mind the existence of influence from external actors, what should have been individual and free mind decision may be influenced in one way or another. Many respondents were of the view that religion matters in Ugandan politics and that election time was the time for powerful religious institutions to show their muscle. Although there is no official data that shows the correlation between religion and voting patterns from the time the NRM took over power, participants stated that election period was the time when mainly traditional churches (Anglican & Catholic) exhibited their power by rallying behind a candidate from a given faith and also seen as a strong supporter of a given faith. They claimed that during election times, religious leaders designed their sermons in line with the campaign manifestos of these candidates (SCS2:26.08.13 Kabarole; AC1: 0.07.12 Kampala). They argued that in countries like Uganda, one cannot separate cultural and religious institutions from politics because in most cases people tend to listen more to the views of these institutions.

> 'In Buganda you cannot ignore the importance of the Kabaka. Apparently we[60] have lost a number of by-elections so we should be cautious of what happens on the ground because if we continue to lose we shall not be able to influence any decisions on the ground. The problem is that sometimes, people tend to extoll the president more than their king, but you can't blame them, they are lost. You know of a minister who lost his seat for saying that he does not kneel[61] before the king, a candidate said to have been more loyal to the king was endorsed by the kingdom and he won the dejected minister. In Buganda you cannot ignore the importance of the Kabaka (AC1: 30.07.12 Kampala).

In this statement, former prime minister who is himself a Muganda acknowledged that non-state actors such as cultural institutions especially those located in monarchical regions were very significant in mapping political trends in the country. Despite the constitutional provision that prohibits traditional leaders from partisan politics, AC1 beliefs that they remain influential actors, whose power and impact on one's political career cannot be undermined. AC1 attributes NRM's failure to win elections in constituencies within the kingdom to NRM politicians' turn to extoll the president at the expense of the king. This according to him explains why the minister lost his parliamentary seat to a candidate who was more loyal to the kingdom. And when the same minister lost his ministerial post, AC1 argued that 'the

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[60] The professor (AC1) uses 'we' to imply the NRM party to which he is a member
[61] In the Buganda culture all men and women kneel before the king and do not show him their backs. When going away, they walk backwards

president did not want to be seen as a collaborator with people who deviated from their cultural norms. If he did not drop the minister, he would also lose support from Buganda.' In this case, the kingdom acted as a filter to determine and subsequently endorse a candidate who represents their values. It also shows its ability to influence people's choices especially those loyal to it. As LG politicians their success is sometimes dependent on their relationship with traditional institutions of course in addition to how much they fulfil people's expectations.

In Kabarole, the experience was that;

> If a politician is not seen to be doing something for the kingdom or does not relate well with the kingdom, he may not win the next elections (SCS2: 26.08.2013 Kabarole). Right now, we are preparing for *empango*, but I can tell you the chairman has already signed a check for the kingdom.

This case was cited in lieu of the *empango'* (coronation of the King of Toro) celebration that was due in two weeks as I conducted this research. According to SCS2, despite the financial burden this placed on LG whose resources were already meagre, politicians did it because it earned them political mileage and could enable them win the next election.

On the part of religious institutions, SCS2 said;

> There are those instances where by religious leaders financially sponsor a candidate on an agreement that when this person won the election he/ she had to make sure to influence policy decisions in the direction of his sponsors (SCS2: 26.08.2013 Kabarole).

By endorsing or financially supporting a particular candidate these non-state actors are looking for a voice through which they can influence policy decisions at the different levels of government. At the same time politicians frequently discuss their religion when campaigning, and many religious institutions and religious leaders are highly politically active. As important as religion is in politics, politicians use it to advance their interests. In this way non-state actors organise public voice and are part of politics and public discourse, contrary to constitutional provisions. Participants were of the view that this was due to increased feelings of marginalisation by some religious leaders with the feeling that they were not well represented in LG or in parliament (SCS2, 26.08.13 Tel Int; DCS3: 20.08.12 Wakiso). According to interviewees, this explains why political aspirants always campaigned along religious lines. Moreover this was backed by religious leaders whose message at such times was an indirect campaign for their endorsed candidates. According to SCS2, the local population did not make their independent decisions. By independent SCS2 implies that

voters are sometimes bribed, or influenced by the message of the church. Religious influence was further facilitated by certain stereotypes whereby some Ugandans have always had convictions that Catholics cannot make good leaders and this has implications on who they vote in to power (SCS4: 07.09.12 Kabarole). This opinion was shared by the former prime minister who also said that some people just wanted to maintain the tradition that Uganda must always be ruled by a protestant (AC1: 30.07.12 Kampala). Right from independence Uganda has been ruled by protestant presidents and as such Catholics and Muslims have intensified their fight for political power.

These findings demonstrate the extent to which cultural and religious institutions have successfully created a diverging degree of social acceptance, which offers them a basic measure of legitimacy. They create known and accepted behavioural structures, which cannot be changed by specific individuals as evidenced above. It is therefore right to reason with Lund (2006) that 'in Africa there is no shortage of institutions attempting to exercise public authority.'

8.6. Ethnic Fractionalisation and Politics of Ethnicity

In this section, the fusion of ethnic identity into politics and its consequent impact on policy decisions is discussed. I argue that the resulting effect of LG restructure such as creation of new districts and power centres has exposed actors to power. In a bid to hold their positions those within the echelons of power have turned to ethnic identity in order to propel their political interests. In the context of public policy decisions actors often map decisions in favour of their ethnic group. In instances where a LG has more than one ethnic group, conflict dominates the decision making process as actors fight to appease their particular groups. Politics of ethnicity has thus led to the emergence of new collective beliefs also used as a guide in drawing policy decisions.

Ethnicity is often defined in terms of shared genealogy, whether actual or presumed (cf. Weber, 1968, Horowitz, 1985, Young, 2002). Weber (1968: 389) views ethnicity as consisting of 'a subjective belief' in common decent irrespective of whether or not an objective blood relation exists. Donald Horowitz (1985:53) argues that ethnicity is all about real or imagined shared ancestry, the centrality of kinship metaphors, a minimum size, and a sense of distinctiveness whether or not this distinctiveness rests on unique cultural attributes. As Jean F. Bayart, (2009) observes, it is a process of culture and identity rather than a given structure. An ethnic group is a social group, which within a larger

cultural and social system, claims to have or is accorded with a special status based on complex of traits (ethnic) which, it exhibits or is believed to exhibit that make it different from others (Young, 2002:4).

There is quiet substantial literature on ethnic fractionalisation in Africa especially in terms of its impact on economic growth and development (see Posner 2004; Easterly and Levine 1997; Young 2002). Scholars like Okuku (2002) trace the roots of ethnicity to the colonial era, but also link it to political and economic conditions particularly unequal distribution of resources and competition for wealth and power. Young (2002:7) argues that as members of a given ethnic group identify themselves within certain boundaries, competition for resources sets in as communities define themselves in terms of 'us' and 'them'. He adds that ethnicity has come to represent a weapon for competitive pursuit of material advantage, such that in case of tensions between formal constitutional rules and ethnic ties, people prefer to identify with their ethnic group. The contemporary force of ethnic consciousness comes much more from its reappropriation by local people, circumscribing the allocation of state's resources (Bayart 2009:51). As such it is deeply engraved in people's everyday life, in political affiliations and shapes the corridors of power. Its prevalence in any government apparatus besets formal institutions and retards the development of good governance.

In Africa ethnic identities are strengthened by exposure to political competition (Benn Eifert et al, 2010). In such instances, ethnicity serves as a useful tool for mobilising people, policing boundaries, and building coalitions that can be deployed in the struggle for power and scarce resources and due to the seemingly deep rooted ethnic identities, political actors often play the 'ethnic card' during election time. Elections provide the principal occasion for political power to change hands while the local communities have the conviction that jobs, favours, and public goods will be channelled disproportionately to co-ethnics of the person who is in a position to allocate them (see Barkan 1979; Posner 2005; Throup and Hornsby 1998; van de Walle 2007; Wantchekon 2003). Since elections are the moment when the people who will control the allocation of resources are chosen, they are also the occasion when people are most mindful of their ethnic identities and of the match between their own identity and that of the candidates vying for power.

In his study of ethnicity in East Africa, Hyden (2006) coins the term '*Economy of Affection*', and describes it as a network of interactions and communications used as a support group by peasants. These groups, identify themselves in terms of their relationship, are united by

kinship, community, religion or other affinities. The functional purposes of this economy of affection involves; survival, social maintenance and development. In Uganda, right from the colonial era, administrative organisation took on an ethnic dimension whereby ethnicity was placed far more squarely in the centre of the political equation (Young, 2002:44-50). Accordingly, ethnic politics originated in Buganda, which constituted a pole of reference for the crystallisation of ethnic consciousness elsewhere. As Mamdani (1996:288-91) observes the post-independence leadership was equally not able to deconstruct the political base of ethnic consciousness. Their practices instead enhanced ethnicity. Okuku (2002:15) equally adds that regimes rested on distinctly ethnic political foundations and reproduced themselves on the basis of definable and in most cases narrow ethnic alliances.

When President Museveni came to power, he vowed to resist ethnic practices arguing that;

> 'A leader should show the people that those who emphasise ethnicity are messengers of perpetual backwardness. This process of undermining a sectarian mentality of 'my tribe, my religion' is linked with the process of modernisation and overcoming underdevelopment…. Eventually, the society will be transformed and modernised. The moment that process takes place, one's tribe or religion cease to be of much consequence' (Museveni, 1997:189).

Nevertheless as Young observes, 'today, the movement a southern and especially western predominance has become more visible'. He argues that, if the competing parties are identified in the public mind with ethnic groups, then circumstances conspire to elevate ethnicity to a higher level of saliency (2002:10). With its diverse ethnic groups[62] ethnicity becomes a vital tool for political manipulation. I suffice to say that ethnicity is often a reconstructed product of the activities of political actors and/ or those in power drawn from the prevailing social, political and economic conditions and this has implications for policy decisions.

In this regard, respondents regretted that politics of ethnicity was becoming more profound and an unavoidable and that it was being used as a heuristic means to shape government policy and policy decisions in a more predictable manner (NCS2: 29.05.13 Erlangen). NCS2 adds that because of this fact, the entire system was heavily immersed in factional politics that subsequently shaped their practices. The following extracts demonstrate this;

> the practice within this system is heavily influenced by the sectarian and ethnic consideration—so even if we say we are going to appoint people in a cabinet

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[62] Uganda has 57 constitutionally recognised ethnic groups

nominated by the president and confirmed by parliament, you may find the same influence coming. That is why you find the cabinet is biased, you find one ministry with three quarters of the staff coming from one area, because the boss is from that area. But they would have passed through the same process of interview of what not and the like (NCS2 14.10.2013 Tel Int).

When they say, ok we have received some assistance, say from World Bank, they will first consider their places of origin when distributing it and the rest are left to suffer. This is what happened when they got money for LG support, they distributed money to themselves (DPlt10: 01.08.2012).

Sometimes you wonder why some people stay in one place for ever and others are transferred within a very short time. People look for their people and place them in places that they want (DCS5: 21.08.12 Wakiso).

In the first extract, NCS2's comments suggests that albeit the presence of formal institutions, decisions concerning recruitment in government institutions is often based on ethnic ties. The fact that formal procedures are conducted, but decisions are made based on personal and/ or ethnic relations, confirms the practice of neo-patrimonialism discussed in the previous chapter. The second extract shows how the ethnic ticket is used in resource allocation within LG. It suggests that the top officials knew the state of new districts, but their decision was informed by patriotism towards their ethnic group. The practice of politics of ethnicity has thus enhanced disparate decision making. In line with authors cited above, respondents were of the view that the turn to politics of ethnicity was driven by resource scarcity in the country; something they called 'sharing the national cake'—because everybody wants to share a piece of the national cake, people are subjected to power struggles towards gaining access to national resources and when one gets there, he/ she certainly first thinks about his/her tribe [*sic*] or clan to maintain their voters (AC1 30.07.12 Kampala).

In all these extracts, it appears that there is a less regularised exchange of favours for benefits based on ethnic identity. The desire to share the national cake is not just a struggle for survival, but an exhibition of imbalanced distribution of resources thus access to political power is seen as a gateway to national resources. In this case ethnic competition is powered by the desire to maximise group returns because securing political dominance assures that the material interests of the group will be safeguarded. This is no different from Scharpf's (1997) idea of categorising actors as individual or composite actors working towards achieving the goals of the entire group. In terms of policy decisions, I argue that those with the capacity to influence policy may choose to pass even unpopular decisions for as long as they benefit his/ her ethnic group.

Furthermore, interviewees were of the view that when actors at local level practice politics of ethnicity, they were only emulating what happened at higher levels (AC3:27.07.12 Kampala). One councillor described the current practice as follows;

> You know my sister, the manner in which things are done in this country is difficult to understand. The law says this and people do the opposite. But when you try to analyse you see that everything is done based on where one comes from. Nowadays everything goes to the west, the jobs, projects and even the way the court operates. If you want to prove what am saying you go to Kyengera[63] on Friday evening, you will see, *be'baali kubintu*[64] (DPlt10: 01.08.2012 Mukono).

A similar opinion was held by a group of civil servants in Pallisa who also argued that ethnic considerations had become the norm in the politics of Uganda (GRP3: 28.0812 Pallisa). For instance, while, referring to the appointment of former army commander, General *Aronda Nyakairima* to take over the position of minister of Internal Affairs, respondents claimed that the decision was informed by ethnic identity. Constitutionally any serving army officer is required to resign from the army before taking up such a position, but this was not the case with Aronda. On the contrary, as respondents observed, the law was applied in the appointment of former army commander General Jeje Odongo who had to resign in order to take up a ministerial post. To this effect, respondents concluded that indeed ethnicity had played into application of the law in the two cases because the former comes from the same ethnic group as the president.[65] Perhaps this is why DPlt10 above claimed that even the way the court operated reflected ethnic biases. However it is important to note that whereas ethnicity plays into the politics of Uganda, at LG level, it is diluted by soilisation. This implies that ethnicity mostly informs decisions at national level while at LG, soilisation is a more determining factor.

Whereas this may not be new in Uganda and perhaps elsewhere in Africa, it becomes an interesting case considering that it is happening in an acclaimed democratic government, which claims to observe the rule of law and one whose leader vowed to fight ethnicity. The failure of parliament to decide on the matter puts questions into the functionality of formal

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[63] Kyengera is a locality on the highway to Western Uganda. Most Ugandans' observation is that every Friday, hundreds of government cars head to the west and since this is the pathway, people see them. The interpretation is that only 'westerners' are enjoying the national cake.

[64] *Be'baali kubintu* literally means ,they are the ones in things' meaning they are the governors

[65] Jeje Odongo was formally the army commander. When he was appointed to take on a ministerial post, he was made to resign from the army as per the constitution. He was succeeded by Arondo Nyakairima who was also later appointed to a ministerial post but did not have to resign from the army. The issue caused public debate and divided parliament. For details on this subject see (The Observer 30.06.2013. *'Aronda: MPs attack 'tribal' Museveni'*

institutions. It becomes difficult to disassociate ethnicity from the current regime just as it was in past regimes often referred to as dictatorships. Such practices activate ethnic consciousness and influence public policy decisions at different levels of government.

In relation to the above case, respondents further drew insights to the Global Fund Commission[66] and its outcome to argue that decisions based on ethnic identity were very palpable in the country. In this case, respondents referred to ministers—Mike Mukula an Atesot from eastern Uganda, Jim Muhwezi and Alex Kamugisha both from Ankole which is also the president's ethnic group. The Anti-corruption Court found the two ministers from Ankole innocent and only Mukula had a case to answer[67]. Respondents, however claimed that the judgement was influenced by politics of ethnicity. Further illustrations as to how ethnicity is deeply entrenched in the Ugandan public can be seen in the proceedings of this case. During court proceedings, groups of supporters from the two ethnic groups surrounded court premises each accusing the other of sabotaging 'their son'. Regardless of whether the court procedure was just or not, such behaviour shows that communities do not trust state institutions. Government's passive approach to ethnic tensions has implications for LG and above all threatens national stability. The pre-eminence of one ethnic group over others will inevitably lead to more confrontations in the future.

In 2013 Muslim MPs petitioned the speaker of parliament over what they called marginalisation. The complaint followed new judicial appointments in which no Muslim was appointed.[68] Earlier in 2012 there was a similar situation in which Muslims petitioned parliament over discrimination in appointments to civil service.[69] Reflecting on these instances, some respondents were convinced that LG actors should always pay attention to ethnic diversity especially in the formation of the LG executive (DPlt2: 05.09.12 Kabarole). According to DPlt2, ignoring these factors would lead one into trouble. This again shows that ethnicity and consciousness to ethnic factors is often driven by political actors. On the other hand DPlt2's comments suggest that a council that is not sensitive to other factors of ethnicity divisions may fail as actors may engage in ethnic struggles in terms of decision making.

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[66] This was a commission of inquiry into the alleged mismanagement of the Global Fund project in Uganda. It was instituted in 2005 and lasted seven months investigating misuse of more than 200 million dollars which was given to Uganda by the Global Fund to Fight AIDS, Tuberculosis and Malaria. Among the accused were three ministers from health ministry.

[67] See also Wesaka A. 2013 'Gavi cash: Mukula to spend four years in prison' Daily Monitor 18.01.2013

[68] Mugerwa Y. 2013. 'Muslims seek to block new judges' Daily Monitor 07.05.2013
[69] Mubiri Ruth, 2012 'MPs: Muslims Sidelined in Presidential Appointments' URN 23.07 2012

Another point of interest in which politics of ethnicity is manifested can be cited in competitive elections. In an affirmative tone, respondents claimed that ethnicity was the driving force in politics of the country and that elections provided ground for politicians to further the ethnic battle—'it is becoming increasingly difficult for people to vote for others not from their tribe. People always vote for those who speak their language or who come from their village' [*sic*] (NCS1: 24.07.12 Kampala). According to NCS1 this was how people expressed the feeling of belonging together and that it had a way of influencing policy decisions. This is further enhanced by the fact that most political parties in Uganda are constituted along ethnic lines. In anticipation of the elections in 2016 several candidates have already expressed interest and are using the ethnic ticket to appeal to their respective groups. When the leader of opposition in parliament was dropped, there was an outcry from the eastern part of the country with Forum for Democratic Change (FDC) supporters threatening to leave the party because a member of their ethnic group was dropped. Political analysts have indicated that the next election may probably take on an ethnic dimension more than ever. Political analysts concur with the more general conviction that ethnicity will be a decisive factor in 2016 elections. As one of them argued; 'the eastern and Buganda question will re-emerge with an undertone of having at least a muganda or easterner for president coupled with religious and cultural undertones particularly the Catholic and Pentecostal faiths'.[70]

It is prudent to say that politics of ethnicity has resulted in ethnic fractionalisation in Uganda. It is a channel through which resources are distributed and a means of consolidating one's political base. As many scholars have observed, there is no doubt that ethnicity has played and continues to play a major role in Ugandan politics irrespective of which perspective it takes. Thus when talking about public policy decisions in LG one should not fall short of recognising the influence of actors' ethnic orientation. As an ideology, ethnicity has become an avenue for popular mobilisation and legitimisation of political actions.

8.7.   Summary

This chapter has examined the relationship between state and non-state actors in particular those within LG. It examined the roles played by each group in order to establish if there is anything that points towards hybrid governance. It started by explaining the concept of hybridity and went ahead to position non-state actors in Uganda. Section 8.3 examined how

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[70] Mugerwa Y. 2013   '2016 polls: What will influence the voters?' Daily Monitor 21.10.2013

non-state actors influence the making of national laws. It observed that the ability of non-state actors to influence national policy and/ laws and government's readiness to listen to them and incorporate their opinion in policy decisions signifies hybridity in policy decisions. The chapter also explored the involvement of non-state actors in the social service sector. This section argued that the recurrent underprivileged socio-economic and political conditions in the country have facilitated the engagement of non-state actors in provision of social service. This has paved way for them to penetrate government spheres and counter the state's claim of sovereignty in public policy decisions. In section 8.5, the role of non-state actors in influencing electoral outcomes was explored. The findings indicated that both religious and traditional institutions directly or indirectly endorsed and campaigned for a candidate of their interest. This was driven by the need for representation, that is, such candidates had to stand for the interests of their advocates. This implied that despite the constitutional veto against the involvement of religious and traditional institutions in partisan politics, they were part and parcel of the political setting in the country. Finally the chapter investigated politics of ethnicity and found that it played a major role in influencing policy decisions such as how resources are allocated. Politicians often played the ethnic ticket in order to advance their motives. Consequently, this had led to ethnic fractionalisation. It is suffice to argue that the proliferation of non-state actors in governance has facilitated people's loss of trust in formal institutions. This is not to suggest that formal institutions have completely been disregarded, but it illustrates the public's turn to non-state actors as instruments for political mobilisation. Since much of the legitimacy of those in power rests with how well they make use of such rules, they have vested interest in paying attention to them. In the context of LG, this often manifests itself during the implementation of community projects. It showed that where LG fail to include religious and traditional leaders' opinion, projects are bound to fail. In order to ensure success of any LG project, LG has had to include these non-state actors in decision making.

To demonstrate the hybridity in government and to reconcile this chapter with the previous ones, it is observable that non-state actors have influence in the following areas; policy formulation both at local and national level, elections and election outcomes, development (land) and social service provision. This influence can be interpreted as exercise of micro-hegemony, implying that micro-hegemony is not only a privilege of politicians or actors within government. From the perspective of ACI, it reflects the use of values, which in this case include reputation (by virtue of being religious or cultural leaders), wealth (ownership of

land) and rectitude, (culturally accepted norms). Non-state actors draw their power from these values and this enables them to engage in a bargain with government. In terms of endorsing and sponsoring particular candidates for political posts the same is applied. Whereas this could be seen to illustrate the ethnic element whereby actors endeavour to promote those who fall within their group, it may on the other hand denote the something for something syndrome discussed in chapter seven. In all these aspects, non-state actors equally engage in the promotion of neo-patrimonialism. Nevertheless, the turn by aid agencies to collaborate with non-state actors does not only signify a level of trust, but also recognition of their role in advancing democratic participation, creating social order and filling the gap left by the government. In so doing, they shape political discourse. On this note it is necessary that functional and sustainable institutions which actors can depend on in decision making need to be developed to reconstruct LG and be reconciled with non-state actors. To answer the main research question, it is evident that the social environment in which LG operates is one where non-state actors such as religious and traditional institutions command a lot of respect and loyalty. Mindful of this fact, LG is forced to submerge itself in the realms of these institutions. As such, policy decisions are a mixture of state and non-state actors' opinions and interests. The interface between state and non-state institutions and their ability to accommodate each other constitutes what I call hybrid government. Conclusively, the findings of this chapter demonstrate that there is institutional hybridity in (LG) government.

CONCLUSION

This thesis addressed the question of political, economic and social factors that influence public policy decisions in Uganda's local government. In this regard it explored conditions under which LG operates, the institutional and structural set up, its functioning and implications on public policy decisions. It further explored who the most important actors are, how they interact as well as the interaction between the different institutions located within the public realm within which LG operates in order to find out the implication on public policy decisions. I argue that, LG in Uganda operates under volatile political, economic and social conditions, but at the same time in an environment consisting of powerful actors in each of the three domains investigated. It is these actors who direct matters of policy. As a result public policy decisions take the form of neo-patrimonialism. In addition to uncertainty the political environment is filled with power struggles, arbitrary use of power, patronage networks and concentration of power in the executive, which weakens formal institutions. In the face of social, political and economic conditions in the country and formal institutions not being fully respected, actors have resorted to use of power including seeking association with the highest office in the country in order to influence public policy decisions. From the economic point of view, LG operates in a weak economy characterised with resource scarcity, heavy financial dependence and political-business coalitions. In the face of economic setbacks, both LG and individual actors therein seek external means of financial support. Consequently, remedy providers directly or indirectly gain access ground to become part of the policy decision makers thus widening the number of actors therein. On the other hand, the social set up is composed of strong non-state actors like traditional and religious institutions who also command significant loyalty from their followers. The ability of non-state actors to penetrate not just the political environment, but also the policy and decision making apparatus, amid prohibiting constitutional provisions denotes an imbalance between formal institutions and non-state actors. This is further compounded by resilient ethnic relations, which equally inform actors' interactions and behaviour. I argue that the hazy social, political and economic environment under which LG operates has a direct bearing on decision making process. Therefore, decentralisation of LG and the subsequent structural and institutional restructure facilitated the emergence of powerful actors who consistently exploit the system to endow themselves against constitutional provisions at the expense of the community they were supposed to serve. Public policy decisions are majorly 'a pendulum sink' reflecting the interests of the different actors/ groups of actors therein involved—neo-patrimonial in nature.

The data for this study was collected using qualitative research methods such as face to face interviews, focus group discussions and participatory observation among other. The aim was to examine the extent to which public policy decisions are concluded within or outside the confines of constitutional provisions. Drawing insights from ACI the study analysed the relationship between institutions and actors, addressing the question of which one takes precedence in decision making. The main empirical findings are chapter specific and were summarised within the respective empirical chapters (5-8). The following section synthesises the empirical findings to answer the main research question and the respective specific ones.

Finding I

One of the most significant findings to emerge from this study is that constitutionalism is plagued by resilient unchecked micro-hegemonic practices by actors within and outside government. Through an elaborate analysis of the LGA and institutional setup of LG, this thesis found out that this was the result of the restructure of LG resulting in the creation of power centres and establishment of powerful actors. Each level of government has some 'powerful actors who drive the system. The findings show that in the process of performing their duties these actors exercise a significant level of power thereby recreating, defending and modifying micro-hegemony. Micro-hegemony is then used in recruitment of personnel, informs financial decisions, tendering processes and the making of by-laws. In terms of policy, it is evident that power other than formal institutions maps the manner in which policy decisions are concluded. The source if this power could be any of the Lasswellian values such as wealth, education, social status, respect, rectitude and affection.

The study also found out that there is a growing musevenism sensation. The emphasis on parliamentary supremacy and separation of powers as agued in the debate on constitutionalism (Okoth-Ogendo, 2000) is weakened by this practice. Musevenism grants actors some source of power that enables them to exert control over others and/ or influence public policy decisions at LG. The implication is that public policy decisions are a privilege of the president and his allies and as a result decisions do not address community or local needs, but those of their designers who are certainly the most powerful actors. The establishment of various power centres over the last twenty years since the adoption of decentralisation has 'legalised' the use of power to enact decisions with minimal reference to the law. Therefore power is a dynamic factor that informs public policy decisions.

An examination of the legal and structural design, the establishment, practice and application of micro-hegemony in four main areas—recruitment in civil service, financial decisions, public procurement and formation of by-laws actors in LG facilitated the arrival at this finding. This was further enhanced by an investigation on the practice of musevenism, and seemingly raising tendency towards recentralisation of LG within a decentralised system. In amplifying some of these ideas, it became palpable that the current system of LG in Uganda is not dissimilar to the substantive policy objectives or procedural policy styles of its predecessors. This is exhibited by the continued domineering tendencies and the practice of musevenism. I argue that, decentralised LG has not translated into realistic public reform as per the acclaimed benefits of decentralisation. Instead, it is necessarily tied, albeit in complex ways, to the structures, policy styles and trajectories of its predecessors with minimal changes that signify a move towards real decentralisation. In this sense, there is much more continuity between the traditional LG and the decentralised LG than is implied in the literature on new forms of LG. This thesis therefore situates the policies and practices of LG in Uganda within a historical perspective, and develops the contention that in the context of public policy decisions, it is difficult to assume a generic form of LG, but it should be seen as a hybrid. I argue that these illustrations are important for supporting the call for more nuanced characterisations and interpretations of the changing nature of LG. In particular, this thesis argues that more emphasis should be given to the continuities in system administration.

Reflecting on the main research question of this study this shows that the political environment in which LG operates is uncertain. As such I argue that the construction of public policy decisions is not only informed by constitutional provisions, but also influenced by the exercise of micro-hegemony. Therefore the process goes beyond constitutional provisions, making it more complex and dynamic than what it appears to be.

Finding 2

The second major finding was that, decentralised LG had led to an elite capture of power thus the aim—increasing local participation, including participation in decision making, has not been fully achieved. I suffice to say that although decentralisation increased community participation and paved way for political representation, this has not translated into real community involvement in making policy decisions on matters that affect people's daily lives. Moreover relationships among actors therein is characterised by conflict, interference and

disagreement. The nature of relationship defines how actors participate as well as how they make decisions. It also became apparent that the system is beset with numerous social and institutional challenges. By examining the impact of creating new districts, the study found out that, much as new districts had increased political representation, the phenomenon had a downside—soilisation. Because of district creation, soilisation was on the increase and had become the measure of LG practices. It is the guide to policy decisions at all levels of LG. On the other hand, soilisation has divided society and increased social conflicts. Soilisation had further rendered such practices as corruption normal for as long as it was the sons and daughters of the soil that benefited. It emerged that despite the popular campaign for decentralised democracy, real democracy in Uganda is still fragile. For instance although the country opened up to multi-party politics, the political environment remains fragile while institutional values have not paved way for political pluralism to flourish. This observation confirms arguments presented by scholars like Ihonvbere and Mukum Mbaku (1998) who argue that democratic governance in Africa is still far from being achieved.

By examining the concept of participation it came to light that LG was further affected by capabilities of actors at national level to advance their interests. For instance, by advocating for new districts to be created, the already meagre resources available to LG were being heavily encroached on. This finding challenges scholarly arguments that suggest that decentralisation improves governance and promotes popular participation (Villadsen and Lubanga 1996). This study found that, participation is about bargaining and negotiation among powerful actors competing to influence public policy. The form of participation that seemed to have developed has not resulted in citizen ability to decide their destiny or influence policy decisions directly or even indirectly. Similarly, multiparty politics had only resulted in political representation in terms of political ideology symbolising democratic practices, but has not translated into equal involvement in decision making. Even with decentralisation and multipartism, power deeply remains in the hands of the NRM, which often skilfully manoeuvres itself into the helm of organisational hierarchy. The implication is that there seems to be no difference between formal institutions of the state and those of NRM as the ruling party. As a result, political parties have failed to act as advocates for democracy.

In the process of creating new districts, new spheres of patronage were being created and as a result this defines resource allocation and other policy related decisions. I argue that the real change that decentralisation aimed to achieve has not taken place in terms of transforming people's lives as well as participating in decision making. This finding

compliments Green's argument that, inasmuch as rulers are the ones who decide when, where and to whom they will allocate patronage, their institutional choices are governed by the desire to maximise their individual political power by designing institutions that will allow them to exercise their power to the greatest extent possible (Green, 2011).

Finding 3

Since this study aimed at exploring some of the socio-politico and economic factors that influence public policy decisions in Uganda's LG arena, it came out that, money plays a very momentous role not just in determining how actors interact, but is used as a show of power. As indicated in the first finding, power was the main factor that determined policy outcomes and shaped LG practices in general. In view of the Laswellian values that actors may apply to influence policy decisions, this study confirmed that actors with a lot of money were able to influence the decision making process as well as policy outcomes. This was regardless of whether these actors were politicians or civilians from within or outside government. The relevance of money is reinforced by the country's current economic state and political structure, that is, the decline in fiscal and political powers of collective institutions of local welfare provision. This has subjected LG to dependence and contributed to fragmentation, especially as new institutional arrangements modify not only the traditional roles of LG, but also alter their power base.

Secondly the study found out that monetisation of LG practices had enhanced and sustained neo-patrimonialism. By monetising the system, actors from within and outside government including non-state actors depended on their monetary power to influence policy decisions. As such politics and policy making is not a privilege of politicians, but for those in possession of money. This has resulted in commercialisation of politics in the country.

By examining economic liberalisation, the study found out that privatisation had succeeded in enriching a few people/ groups of people leading to a power capture by the same group of actors. Therefore those who control politics also control the economy limiting political participation to a few resourceful individuals. The socio-political and economic setting in the country has led to the emergence of political-business coalitions and increased corruption as actors strive to look for money. This argument compliments Bayart's symbolisation of African politics as 'Politics of the Belly'. Bayart (2009:242) argues that in Africa, 'a man of power who is able to amass and redistribute wealth becomes 'a man of honour'. Because

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of the power of money, actors have been able to undermine institutions. I argue that given the manner in which money drives LG, policy decisions are a basket of interests drawn to benefit individuals or groups of persons' in the decision making domain.

Finding 4:

Finally considering the country's cultural and religious diversity and the weak state of formal institutions, the study found out that there is a hybrid of non-state actors whose activities are sometimes intertwined with those of the state. The social vacuum created by semi functional formal institutions has facilitated the emergence of strong non-state actors and this has particularly been amplified and illuminated by the country's socio-politico and economic conditions. In the course of performing its duties, LG is continuously engaged in negotiation, and re-negotiation with non-state actors. This counters the constitutional provision that forbids religious and traditional leaders from partisan politics and/ or exercising any administrative or legal duties. On the other hand, given the social construction in the country, non-state actors have been able to shape Uganda's political discourse, influence policy and decision making processes and will probably define the future direction of local politics. The balance between state and non-state actors' interests has resulted into hybridity at least in the context of policy decisions. I argue that the outcome of policy decisions and outcomes resulting from a nexus of state and non-state actors is likely to be diverse and contingent.

The overall observation is that public policy decisions in Uganda's LG are the outcome of the exercise of power. Whereas power may be the driving force of governance world, over, the difference with the Ugandan case is that this power is conceptualised and applied differently. Power and its application in Uganda takes place in different forms, which this study has transformed into concepts. They include micro-hegemony, musevenism, soilisation, monetisation and something for something, which also reflects neo-patrimonial practices. Whereas these concepts are defined differently and are applied in different situations, it is important to note that they all, in one way or another symbolise power and their execution symbolises power at work. Similarly, those who use them have the same goal—to achieve individual or group interests. The most important point to note here is 'interests'. At this point, ACI becomes more useful in reconstructing the rules of the game. The perspective of ACI is that policy decisions are a result of how actors define a problem, their interests, orientations and capabilities and their interactions in a given policy environment and the institutional setting. A LG District Service Commission that chooses to recruit only sons/

daughters of the soil may justify their action as promoting them, while a politician who demands for a new district may equally argue that this will minimise marginalisation. On the other hand, a RDC who refuses to sign a citizen's papers is doing so within his power while a LCV chairman who chooses to recruit only his relatives is also doing so within his power. These illustrates that power is not exercised in a vacuum, but within an institutional setting. At the same time their behaviour is driven by either individual or group interests, for instance, the RDC may simply want to fulfil is personal ego, the DSC may be interested in group development while the LCV may have been tipped off or is simply recruiting his relatives. If he recruits his brother, this can be interpreted as soilisation, a practice justified among the communities. When boda bodas object being taxed by using the president's name, they too have found a power source in it. So be it soilisation, musevenism, monetisation or something for something, each of these notions grants its perpetuators the power to do things outside the rational legal logic, either through constellation or as individuals. The usefulness of ACI here is that it helps us see for ourselves that, although rules existent, actors often rely on their orientations and capabilities to influence policy outcomes. Moreover, the broader institutional setting plays a key role in shaping their identities and interests. Therefore rules only help in co-defining actors' interests and values. In terms of the most important and influential actors, the findings of this study indicate that it is difficult to point out one person/ group, but what is evident is that these actors are located both within and outside government. Those within government mostly include elected and appointed politicians including the president himself. Actors outside government include non-state actors as defined in this study and the international community represented by financial institutions.

Finally this thesis has shown that constitutional structures of LG are present as agents of the rule of law. Yet when judged against modern theories of decentralisation, Uganda's LG has many shortcomings. Indeed, one of the issues I have highlighted is the interplay between the local, national and even international actors/ institutions, the interface between state and non-state actors and the contrasting ways in which LG systems interconnect with the external world. I argue that this intersection facilitates our understanding of the changing nature of LG and the dynamics of public policy decisions. In this sense, it seems impossible to conceive of a generic form of mapping public policy decisions, rather there is a hybrid of possible and potential processes incorporating a range of institutional and actor networks and associations.

Theoretical Implication

The theoretical lenses of decision making need to be revisited in order to capture the social political and economic dynamics that shape public policy decisions in countries like Uganda as well as elsewhere in Africa. This is because the existence of constitutions alone may not necessarily imply constitutionalism given the existence of various seemingly powerful actors within and outside the government domain as well as patronage networks. As Christian Lund (2006), argues, public authority does not always fall within the exclusive realm of government institutions, neither is there a shortage of institutions trying to exercise public authority. It also challenges Olowu and Wunsch's definition of local governance as a rule-governed process through which residents of a defined area participate in their own governance in limited but locally important matters; (Olowu and Wunsch 2004: 4). As demonstrated in this thesis, the presumed benefits of decentralisation like participation and involvement in decision making are primarily a privilege of a certain group of actors—powerful and resourceful. This means that local communities are only routine electorates and nothing more. The findings confirm Scharpf's ACI approach to policy studies suggesting that actors are characterised by their orientations (perceptions and preferences) and by their capabilities. Therefore it bears a high level of truth when Hyden (2006:116-7) observes that the problem of governance in Africa is not lack of policies, but the fact that these policies are ignored by those in cabinet who are in charge of the final decision making process.

In terms of the concepts, hegemony for example is often defined and perceived as leadership exercised by the working class over the other exploited classes (Gramsci, 1891-1937), or political rule of dominion especially in relations between states (William, 1977:100). This conception of the concept of hegemony limits its understanding to only super powers and intellectuals. However, this study found that, in the context of LG in Uganda, each actor has a certain level of hegemony whose exercise he/ she maximises to his/her own benefit or to the benefit of his/ her clientele group. Reflecting on the role of non-state actors, it also becomes evident that not only intellectuals can exercise hegemony. The case provided in chapter eight in which the king's men pulled down the subcounty building, is just one example that shows that hegemony is not a privilege of the highly educated. By developing the concept of micro-hegemony, the study demonstrates that the exercise of power is not only limited to states and/or highly educated persons. It is something that takes place within institutional structures in any setting and at any level of governance. The study also found out that concepts like ethnicity and nepotism are either too wide and cannot capture certain micro aspects of social

organisation such as soilisation. Concepts like musevenism explain that what is always covered by the literature on authoritarian rule does not always cover certain aspects of governance models found in developing countries like Uganda.

Policy implication

One particular policy program with extended theoretical underpinnings was decentralisation. Uganda was hailed as an icon of success by the World Bank and other governance experts (see Nsibambi 1998; Ndegwa 2000 & 2004). However, evidence from several studies, including Ribot (2000) and this thesis, point to the fact that like most public sector reforms it has not necessarily produced the objectives it was designed to. Instead it has significantly contributed to hybridity in governance whereby public policy decisions are conducted in a neo-patrimonial manner. In addition, the process is more or less limited to a certain group of actors. This is facilitated by the design of the LG, which is structured around well written but semi-functional institutions. The implication is that matters of policy are subjected to the mercy of powerful actors. Therefore beyond, this study, it is important to note that the process of making public policy decisions is a difficult one and not straightforward as some one would expect. Moreover it involves many heterogeneous actors, a wide range of inputs and complicated interactions which produce unpredictable outcomes. This means that simple solutions to complex problems are rarer than most people think. From this study, it is important to note that no single policy decision can be said to be perfect because its effects are often uneven. For example changes on taxation policies which aim to abolish certain taxes may please tax payers but put LG is a worse situation. This therefore brings about the need to regulate policy decisions. In the context of government structures, it is important to note that policy decisions are not made in isolation given the complex interactions between actors that predetermine policy decisions. In the Ugandan case, it is difficult to differentiate the legislature from government as well as government from the ruling party. There is a significant dominion of government (executive) over parliament. This also explains why there is more politics than policy in LG in Uganda.

Limitation and Recommendation for future research

Perhaps the most notable limitation of the current research is the lack of voices from non-state actors like religious and traditional leaders as well as that of local communities. The study

only looked at the influence of these actors from the perspective of politicians and administrative personnel at local and national levels. Community participation discussed in this study reflects the perception of politicians and administrative personnel and not that of communities themselves. Similarly, the influence of non-state actors analysed in this study is taken from what the respondents of this study. Future research should directly include interviews with these groups in order to get their opinion on public policy decisions in LG.

Another limitation of this thesis is that while exploring decision making processes on public policies, it took a general approach: did not focus on one specific sector. Although analysis touched on four main areas—human resources recruitment, procurement, finance issues and the making of by-laws, these are only smaller sectors within LG. The implication is that the thesis offers some sort of a general impression in all sectors or ministries. Whereas this provides insights into public policy decisions in Uganda's LG, it is important to conduct a study that examines specific sectors such as health, education or Agriculture. In addition, the discussion of land contained in this thesis is very limited yet land is increasingly becoming a critical issue in both local and central government. Land in Uganda is no longer looked at as an economic resource but also a political factor. It has also become a major cause of conflict in both rural and urban areas. An examination of public policy decisions in these sectors would perhaps provide different results thus the ability to assess which sectors can better perform when decentralised.

Finally results revealed how different political, economic and social factors influenced decision making in LG. These findings could be the result of the data collection methods used. First, the study majorly relied on face to face interviews. This method of data collection does not facilitate attainment of statistical data from where one can measure levels of the phenomena under investigation for instance increased participation in decision making. Further, no district from northern Uganda was sampled. There is a possibility that the region offers a different experience. This makes it necessary for a study that covers the entire country.

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1. As LG, how do you work?
2. As An LC elected via party affiliation, how did you win?
3. How do you conduct the day to day work at local council?
4. In as far as decentralised LG is concerned, what do u think you have achieved so far?
5. What are the challenges you are facing?
6. As a council, how have you tried to address these challenges?
7. On individual basis how best do you think this be addressed?
8. Do you think there is a difference on how the LG used to work be4 decentralisation?
9. Are there things that have fundamentally changed?
10. What has remained the same?
11. Personally who do you work with most in as far as executing your duties is concerned?
12. What works better for you; is it the hierarchical order or individual persons?
13. Who is the first person you talk to any case you have any idea or a problem? Why XX?
14. Who is the most influential person in your daily work?
15. What do you have to say as far as decentralisation in the context of multiparty is concerned?
16. What comes to your mind when you hear the word Local Council or LG?
17. What were your expectations when you first became an LC?
18. Can you describe for me your colleagues?
19. How do your workmates handle conflicts at LC level?
20. In your opinion what is decentralisation about and how has it changed your life?
21. How satisfied are you with the policy of decentralisation?
22. In your opinion what does the LC3/V do?
23. In your opinion, do you think decentralisation has led to a situation in which everyone has power to influence important decisions made by the council?
24. What is your normal day like?
25. Tell me your general observation on how the LG system works
26. Finally, how exactly do you go about deciding what should be done?

Appendix

List of Interviews

Code used		Categories
1.	AC	Academicians
2.	NPlt	Politicians above LCV level (N- National)
3.	DPlt	Politicians at district & sub-county (LCV,LCIII & councilors
4.	NCS	Civil servants at ministry level
	- DCS	Civil servants at district level
	- SCS	Civil Servants at sub-county level
5.	GRP	Group discussion with councilors and/ or SAS

National Politicians i.e. above LCV Code used NP /MP/X

Interviewee Nr.	Code	Date and place of Interview	Brief profile
1	NPlt1: 0.09.12	10.09.12 Kampala	Former minister of Relief Disaster & preparedness
2	NPlt2 : 3.07.12	23.07.12 Kampala	MP Burahya County - Kabarole district
3	NPlt3: 3.08.12	13.08.12 Kampala	MP Rukiga County Kabale district & chairperson of the Committee on LG Accounts
4	NPlt4: 1.09.12	11.09.12 Kampala	MP Agule county Pallisa committee member Finance, Planning & Economic Development
5	NPlt5: 3.09.12	13.09.12 Kampala	Woman representative Wakiso member Public Accounts Committee
6	NPlt6 02.08.21	02.08.21 Kampala	Woman Representative – Mukono, member committee on equal opportunities
7	NPlt7:11.09.12	11.09.12 Kampala	MP Kyadondo county North Wakiso, vice chairperson Committee on Finance, Planning & Economic Development

8	NPlt8: 3.10.12	13.10.12 Berlin	Opposition member & political activities also known critic of the current regime
9	RNPlt:12.12.13	12.12.13 Kampala	Former minister of LG was the brain behind decentralisation

Local Politicians Codes: LP/LC V/X; LP/LC V/X; LP/AC/X; LP/DC/X & LP/LCIII/X

1	DPlt1: 1.09.12	01.09.12 Pallisa	LCV Pallisa district
2	DPlt2: 5.09.12	05.09.12 Kabarole	LCV Kabarole district
3	DPlt3: 1.08.12	21.08.12 Waksio	LCV Wakiso district
4	DPlt4: 5.07.12	25.07.12 Mukono	Vice chairman/ district councilor- Kyampisi Mukono
5	DPlt5: 7.08.12	27.08.12 Pallisa	Assistant chairman Pallisa/ councilor Ikiki sub county
6	DPlt6.30.08.12	30.08.12 Pallisa	LCIII Pallisa Agule
7	DPlt7: 27.08.12	27.08.12 Pallisa	LCIII Kalaki sub-county Pallisa
8	DPlt8.09.07.12	09.07.12-Tele Int (TI)	LCIII Kiira TC Wakiso
9	DPlt9: 31.07.12	31.07.12 Entebbe	Mayor Entebbe municipality
10	DPlt10:01.08.12	01.08.2012 Mukono	Mayor Mukono
11	DPlt11:02.08.12	02.08.12 Pallisa	LCIII Gogonyo sub county Pallisa
12	DPlt12:03.09.12	03.09.12 Kabarole	District Councillor Rubona Kabarole
13	DPlt13:03.09.12	03.09.12 Kabarole	Fortportal district councilor
14	DPlt14.03.09.12	03.09.12 Kabarole	Fortportal district councilor

15	DPlt15:04.09.12	04.09.12 Kabarole	District councillor Kisomoro Kabarole
16	DPlt16:09.09.12	09.09.12	District councilor Pallisa
17	DPlt17:03.08.12	03.08.12 Wakiso	Mayor Nansana
18	DPlt18:08.07.12 TI	08.07.12 TI	LCI Nsuube village Mukono :Telephone interview
19	DPlt19:31.07.12	31.07.12 Entebbe	LCIII Entebbe Zone A
20	DPlt20:31.07.12	31.07.12 Entebbe	LCIII Entebbe Zone B

Civil Servants   **CS**

	Code	Date and place of Interview	Brief profile
1	NCS1: 24.07.12	24.07.12Kampala	Acting PS MoLG.
2	NCS2:29.05.13 NCS2:14.10.2013	29.05.13 Erlangen Tel Int 14.10.2013	PS ministry of works & transport. Formally PS of Ethics and Integrity at the time of the interview
3	NCS3: 27.07.12	27.07.12 Kampala	Deputy Coordinator for the Program Coordination Unit-Ministry of Local Government
4	DCS1: 25.07.12	25.07.12 Mukono	CAO Mukono
5	DCS2: 29.08.12	29.08.12 Pallisa	CAO Pallisa
6	DCS3: 20.08.12	20.08.12 Wakiso	CAO Wakiso
7	DCS4: 05.09.12	05.09.12 Kabarole	DCAO Kabarole

8	DCS5: 21.08.12	21.08.12 Wakiso	Deputy CAO Wakiso
9	DCS6:29.08.12	29.08.12 Pallisa	Deputy CAO Pallisa
10	SCS1: 03.09.12	03.09.12 Kabarole	SAS Karambi sub county in Kabarole
11	SCS2: 07.09.12 SCS2:26.08.13	07.09.12 Kabarole 26.08.13	Town Clerk of Fortpotal in Kabarole Telephone Interview Höchstadt-Kabarole
12	SCS3: 06.09.12	06.09.12 Kabarole	SAS Rubona sub county in Kabarole
13	SCS4: 07.09.12	07.09.12	SAS Mugusu sub county in Kabarole
14	SCS5: 31.08.12	31.08.12 Pallisa	Community Development Worker Pallisa
16	SCS6: 3.09.2012	03.09.2012 Wakiso	Environment officer Kira Town Council
17	SCS7:27.08.12	27.08.12 Pallisa	SAS Kalaki subcounty in Pallisa district
18	SCS8: 30.08.12	30.08.12 Pallisa	SAS Opatetai sub county in Pallisa
19	SCS9: 04.09.12	04.09.12 Kabarole	SAS Kichwamba sub county in Kabarole
20	SCS10:31.08.12	31.08.12 Pallisa	SAS Gongonyo Sub county in Pallisa

Academicians   AC

1	AC1: 0.07.12	30.07.12 Kampala	Former Prime Minister of Uganda and a professor of political science. Has published works on decentralisation
2	AC2: 2.08.12	02.08.12 Kampala	Professor of social works, population & poverty at MUK. Consultant on

			decentralisation and local governance.
3	AC3:27.07.12	27.07.12 Kampala	Lecturer Makerere University Kampala-Uganda
4	AC4: 05.12.13	05.12.13 Kampala	Political Science and Senior Research Fellow at the Makerere Institute of Social Research in Uganda. He has published a lot on decentralisation in Uganda

Group Discussions

1	GRP1: 03.09.12	03.09.12 Kampala	Sub county councillors from Wakiso & Mukono
2	GRP2: 03.09.12	03.09.12 Wakiso	SAS' Mukono and Wakiso
3	GRP3: 28.0812	28.0812 Pallisa	SAS/parish workers Apopong
4	GRP4: 30.08.12 P	30.08.12 Pallisa	SAS/ parish workers Agule
5	GRP5: 29.08.12	29.08.12 Pallisa	SAS/parish workers Opatetai Pallisa
6	GRP6	31.08.12 Pallisa	LCIII Councilors Pallisa

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Dissertation: The Politics of Public Policy Decisions in Local Government in Uganda

M.A.   Peace and Conflict Research, Otto-von-Guericke-University Magdeburg 2009-11
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               Uganda. A case Study of Gulu District

B.A.   Communication Science University of South Africa 2008

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Work Experience

2012-2013: Lecturer
University of Bayreuth (Faculty of Languages)
Course: Business English, English for Media Practitioners

Sept-Nov 2010: News Reporter
DW Radio/DW World (Bonn)

March 2007-March 2009: News Editor/ Reporter & Producer
Uganda Broadcasting Corporation

April 1999 –February 2007 Reporter/News Editor/Producer /Trainer
WBS Television; Kampala-Uganda

Other Professional Tasks held

External media consultant; Unicef-Uganda, Goal Uganda,

Freelance Media Expert; UNESCO; UNHCR; GB Oxfam Uganda Chapter

Professional Training

2007 October: Making Television News; Reuters Foundation London UK

2007 September: Reporting Climate Change in Africa; Reuters Foundation Nairobi Kenya

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2005 July-October Consumer Journalism: DW Television Training Institute Berlin Germany

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