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The rise and fall of decentralization in contemporary Uganda

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Abstract

There has long been an emphasis on the importance of decentralization in providing better quality public services in the developing world. In order to assess the effectiveness of decentralization I examine here the case study of Uganda, which has seen major decentralization of power over the last quarter-century. Initial excitement about Uganda's decentralization programme has, however, tapered off in recent years due to a number of problems outlined here. I suggest that many of these problems are the consequence of broader problems of poor state capacity and institutions that are endemic in developing countries.

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1 Introduction

Decentralization has long been seen as a major policy tool for helping to improve governance and the provision of public goods in the developing world. On the one hand, Seabright (1996) has suggested that accountability is greater at lower levels of government, while Faguet and Sánchez (2013) argue that decentralization allows local governments to respond better to local needs than national governments. However, Robinson (2007) suggests that health and education are better governed by strategies of deconcentration rather than decentralization as local governments often lack administrative capacity, while Treisman (2007) differs again, arguing that generalizing about the relationship between decentralization and government effectiveness is impossible.

In order to assess the effectiveness of decentralization I examine here the case study of Uganda, which has had major decentralization of power since its current President Yoweri Museveni took office in 1986. Indeed, the process by which power has been deconcentrated and devolved to five levels of local government has been called ‘one of the most far-reaching local government reform programmes in the developing world’ (Francis and James 2003: 325). Initial excitement about Uganda’s decentralization programme has, however, tapered off in recent years in large part to continued strong ties between the ruling NRM party and local governments and a lack of effectiveness in providing high-quality public services. The evidence presented here suggests that numerous problems with Uganda’s decentralization programme such as a lack of funds, a lack of competent staff, corruption and an obsessive focus on the creation of new local government units are all responsible for the lagging performance of local governments. The Ugandan case thus suggests that decentralization reforms themselves are not a panacea for broader problems of poor state capacity and institutions that are endemic in developing countries.

The rest of the paper is organized as such. First, I provide a history of decentralization in Uganda since the colonial period. Second, I give an overview of decentralization reforms under President Museveni’s government, and then focus on the dual concerns of a lack of independence and a lack of effectiveness. Finally I conclude with broader thoughts on the consequence of Uganda’s decentralization failures and how they could potentially be rectified.

2 A history of local government in Uganda to 1986

2.1 Decentralization and colonialism (1900-1962)

Under colonial rule most of Uganda was governed by a system of British district commissioners. Under these commissioners chiefs governed under the laws set up by the 1919 Native Authority Ordinance which gave them powers over taxes, courts, local councils and general law and order. Chiefs were paid 10 per cent of the tax they collected, which in many places such as Teso actually exceeded the cost of local government administration (Jones 2005: 58). Indeed, in the eastern and northern parts of Uganda which had no tradition of kingdoms or hierarchical leadership, the imposition of chiefs was alien and, while ruling under ‘customary’ law, chiefs in such areas were actually closer to modern civil servants than traditional pre-colonial rulers. Despite functioning as ‘decentralized despots’ these chiefs

were nonetheless able to introduce cash crops such as cotton into various parts of Uganda (Jones 2005: 60-63; Mamdani 1996). Moreover, towards the end of colonial rule the District Council Ordinance of 1955 set up a system of local elections and councils control over education, roads, police and other local public goods (Awortwi 2011: 360-61).

In Buganda the local government system consisted of the three levels of the *saza* (county), *gombolola* (sub-county) and *muruka* (parish). Here chiefs at all three levels were appointed by the *Kabaka* [king] of Buganda, who was forced to send the names of newly-appointed local chiefs to the British Resident in Buganda for approval from 1907 onwards (Richards 1982: 42-3). Thus, ‘in the mind of the public, the chiefs gradually began to be seen as the mouthpiece of the administration rather than the repositories of tradition’ (Sathyamurthy 1986: 210). Local-level frustration with native authorities ultimately led to the creation of an indirect electoral system in 1945 whereby a proportion of non-official (i.e., non-appointed) *muruka* chiefs were elected popularly, who would then among themselves elect a number of non-official *gombolola* chiefs, who would then elect non-official *saza* chiefs (Sathyamurthy 1986: 314). In the 1950s conflict between the central government and the Buganda kingdom led to requests from the latter to be granted federal status upon independence. Denied the support of the Colonial Secretary, the *Lukiiko* (Parliament of Buganda kingdom) decided to declare the political independence of Buganda on 31 December 1960. Concerns about a future civil war led the British Munster Commission to recommend a federal status for Buganda. Yet the Commission gave the other kingdoms only semi-federal status and the rest of the country a unitary system because they were not as rich or large as Buganda, thereby adding to the pre-existing jealousy of Buganda’s special status.

2.2 The post-colonial period (1962-1986)

Upon independence local government structures remained largely the same in Uganda with the exception of Buganda, which became a bona fide federal state. Buganda now enjoyed a separate constitution and High Court, an independent treasury and a semi-autonomous police force in addition to a parliament—the *Lukiiko*—that had jurisdiction over the courts, land, local government (except for Kampala), public holidays, festivals and traditional and customary matters’ (*Uganda Argus* 2 October 1964). The Buganda government did function in a moderate capacity initially: for instance, it was the only district or federal state, along with Busoga, to fulfill the requirement of creating a planning commission (Sathyamurthy 1986: 491). However, this planning commission noted that the blame for the delay in transforming ‘the present semi-subsistence, peasant farming economy... into a modern, cash, high productivity economy’ had to lie with the conservative Buganda government (quoted by Hancock 1970: 111). Moreover, the Buganda government was obsessed with keeping the lost counties of Buyaga and Bugangaizi part of Buganda to the point of ruin. The government attempted to stop the two counties from seceding from Buganda in a 1964 referendum by settling some 20,000 Baganda in the area and bribing the Banyoro who already lived there (Hancock 1970: 113). Yet in the end the two counties voted to secede, as anyone with knowledge of the area could have predicted, and overspending on the referendum helped contribute to a large budget deficit which put the kingdom on the verge of both bankruptcy and the inability to pay civil servants’ salaries (*Uganda Argus* 19 November 1964).

Thus, by the time Obote sent the *Kabaka* into exile in 1966, the Buganda government had yet to accomplish much of anything significant over its four-year existence other than waste money on bribing voters in a referendum whose outcome was already foregone. It is thus

obviously mistaken on the part of many contemporary Baganda to look back to the 1962-1966 period as a golden age of federal government: one suspects that many Baganda who lived through the period are more likely to remember the booming economy of the period—between 1957 and 1984 the real minimum wage in Uganda hit its high mark in 1964 (Jamal 1987: 128)—than their government’s missteps and mistakes. Indeed, it is not far from the truth to claim, as did Constituent Assembly Delegate (CAD) Margaret Zziwa (Women, Kampala), that Buganda’s four years of federalism constituted ‘the most chaotic period in Buganda’s history’ (*Monitor* 24 July 1995).

The 20 years between the exile of Mutesa in 1966 and the NRA entry into Kampala in 1986 were ones of autocratic and illegitimate local government. The 1967 Constitution completely dissolved all kingdoms’ federal status as well as much of the power of the district assemblies and split the country into 18 equal districts, including West Mengo, East Mengo, Masaka and Kampala in Buganda (Sathyamurthy 1986: 440). The constitution also abolished all district land boards, placing their power in the Uganda Land Commission (Sathyamurthy 1986: 441). Indeed, as Sathyamurthy (1986: 445) notes, ‘from the beginning, Obote regarded strong local governments... as obstacles in the way of forging a united Uganda according to a radical political philosophy’. After the 1967 constitution was passed, Obote embarked on his ‘Move to the Left’, which invariably involved central government control over all aspects of government. His Local Administrations Act of 1967 gave the Ministry of Regional Administrations the right to dissolve any district council while giving the President the right to appoint local Administrative Secretaries and District Commissioners (Golooba-Mutebi 1999: 95-6). In Buganda the chiefs appointed by Obote, who were less educated than their predecessors, were so unpopular that ‘they were afraid to meet their own people, and as they often failed to collect tax, rural administration broke down for some time’. This changing of the guard, which Richards (1982: 48-50) calls the largest ‘clean sweep of local government officials in the history of Uganda’, resulted in the destruction of the intimate links between chiefs and the local population as many of the new chiefs were not local to their areas. It is therefore no surprise that the new chiefs were ‘accused of dishonesty, cowardice, inability to keep order and a standard of tax collection that was “extremely appalling”’ (*The People* 27 April 1971, quoted in Richards 1982: 50).

Neither Amin nor his immediate successors were interested in restoring local control over local government, let alone restoring the former federal or semi-federal states that existed up to 1966. He reorganized local governments into nine provinces, thereby dividing up Buganda among four multi-ethnic areas, namely Central Province (with Kampala as its capital), Buganda (Bombo), Southern (Mbarara) and Western (Mubende), each of which was headed by a presidentially-appointed Governor. Amin did follow through with Obote’s promise to elect local politicians, albeit more than two years after he came to power, in March 1973; nonetheless he appointed 728 soldiers to take up various local level positions only two months after the elections. Needless to say, local level elections were not held again under Amin’s reign (Jørgensen 1981: 308).

Little can be written about local government in the subsequent years up to 1986 since Buganda and Uganda as a whole were full of so much chaos that local government autonomy came very far down on the list of priorities. Under Obote’s second presidency local government remained top-down as it had been since 1967. Nonetheless, in late 1983 and early 1984, when it appeared that the NRA rebellion might be quashed, Obote did try to improve local government administration through such measures as making local taxes more progressive (Livingstone and Charlton 1998: 501-02). Nonetheless, these measures were

easily overshadowed by other events as the NRA revived itself in 1984 and 1985 and the Ugandan economy went into a tail-spin.

3 The RC/LC system (1986-present): reforms and problems

Since 1986 the NRM has invested much effort into completely transforming Uganda's local government system. It is difficult to overstate how much emphasis the NRM put on the success of its local government programme upon taking power. According to its chairman, Mahmood Mamdani (Mamdani 1997), the 1987 Commission of Inquiry into the Local Government System 'considered the RC system as the kernel of the agrarian revolution brought to rural Uganda by the NRM'. The NRM totally altered the formerly top-down local government system by instituting local democratic control through an increased number of popularly elected posts while also making all citizens mandatory members of their local RC/LCIs. Furthermore, the NRM government has not only increased the number of districts from an initial 39 to 112 in an attempt to thereby increase local access to services provided at the district level (Green 2010), but also has focused on both streamlining local government bureaucracy and increasing local fiscal power.

It is therefore no surprise that the LC system initially garnered high praise from scholars like Furley (2000: 93), who writes of the LCs as 'an important step in increasing democracy', as well as from Mamdani (1996) and Allen and Heald (2004) for their ability to detribalize rural administration and combat HIV/AIDS successfully, respectively. The initial reaction within Uganda was just as strong: as Golooba-Mutebi (1999: 112) notes, both the initial RC elections in 1987 as well as the second set in 1989 resulted in 'massive voter turnout indicative of widespread endorsement of, and enthusiasm for, the system'. In his field work in the early 1990s, Karlström (1999: 435) also found much support for the RC system, principally due to its similarity to the old Kiganda local government system in that both systems encourages local control of local politics. In my own field work I encountered similar sentiments from local officials such as the Deputy Resident District Commissioner of Masaka district, who claimed that 'decentralization gives power to you, to me, to the rich and to the poor. Today we can eat together because of decentralization... In decentralization we are all cared for... It gives us open gates to reach wherever you want to reach' (Interview with Lule Ssenkungo Marytheopista, Masaka, 13 December 2001). In other words, the NRM was successful in making the RC/LC system both democratic and legitimate.

Yet, by the end of the 1990s, the faults of the LC system were increasingly clear. As Golooba-Mutebi (1999: 149) writes, 'much of the applause heaped on the RC system in its juvenile days was precipitate. Ten years after the system had been established countrywide, it had begun to show signs of atrophy and possible terminal decline'. More recently, Tripp (2010: 113-20) has noted the ways in which the LC system have served to maintain the NRM's network of power at the local level, even after electoral party politics was legalized again in 2005. Indeed, the LC system has never been neither truly effective nor independent, inasmuch as the result of much of the government's attempts to create local power centers at the district level has inevitably resulted in both ineffective government and a lack of independence. These problems have meant that, while still better than local government under Obote and Amin, the RC/LC system has not fulfilled its initial expectations. I therefore first examine the RC/LC system as it has developed since the 1980s before examining its two key problems in turn.

3.1 The evolution of the RC system (1986-2012)

The RC system was originally introduced as the NRA gained control in the bush war. As early as 1981 the NRA began to organize ‘clandestine committees’ purely as a means for civilians to provide food and security for the rebels. After securing enough territory the NRA named these committees Resistance Councils and allowed them to take on the responsibility of governing villages as well. They did not collect taxes but instead ‘judged local disputes, maintained sanitary regulations, kept roads clear and for security purposes registered everyone... RC chairs issued permits to allow a villager to travel to another village’. Kasfir (2001: 20-4) notes that, although the RCs were overseen by the NRA, they ‘were given unprecedented political and administrative space’. Thus the RC system worked to advantage the NRA leadership by providing them with a semi-regular supply of resources with the willing help and enthusiasm of the local population. In other words, the pre-1986 RC system functioned precisely because, in contrast to its later forms, it was directly important to the survival of the NRA.

As the NRM regime established itself in 1986 it spread the RC system throughout the country. Due to their democratic nature RCs were ‘greeted with enthusiasm’, winning the ‘confidence of members of the public... in most areas of the country’ (Golooba-Mutebi 1999: 105, 109). At first the roles and responsibilities of the RCs were unclear: many RC members initially thought their sole purpose was to distribute essential products like sugar and hence stopped attending RC meetings when these goods became less scarce (*Weekly Topic* 23 July 1986). However, the system became institutionalized with the implementation of the Report of the Commission of Inquiry into the Local Government System in 1987, which resulted in the 1987 Resistance Councils and Committees Statute. The 1987 law set up a five-tier structure that consisted of the RCI (village), RCII (parish), RCIII (sub-county), RCIV (county) and RCV (district) with the additional offices of District Administrator (appointed by the President) and District Executive Secretary (appointed by the Minister of Local Government) at the RCV level.

However, the NRM continued to reform and adjust the local government system. The first significant change to the Resistance Council system came with Museveni’s launch of the Local Government Decentralisation Programme in October 1992, which initiated financial decentralization in thirteen districts in 1993 and another 13 the next year. While the centre retained responsibility for ‘security matters, national planning, defence, immigration, foreign affairs and national projects...’, all other activities become the responsibility of the DRCs’ (*New Vision* 6 April 1993).

In order to monitor this financial decentralization, the National Parliament passed the Local Governments (Resistance Council) Act of 1993, which transferred power from central government representatives to the elected members of the RCV. Specifically the Act replaced the District Administrator (DA)’s position as chairman of the local District Development Committee with the RCV chairman, while making the District Executive Secretary (DES) responsible to the RCV rather than the Ministry of Local Government (Golooba-Mutebi 1999: 116-17). The Act also created the Local Government Finance Commission (LGFC), designed to consider and recommend local government grants to the President, who appoints the LGFC’s seven members every four years. There are three types of grants given to local governments, namely unconditional (largely for the purposes of government salaries),¹

¹ 89 per cent of unconditional grant funds are used to cover salaries and wages (*Monitor* 25 July 2011).

conditional (for specific projects) and equalization (for underprivileged districts) (1995 Constitution of Uganda, Chapter 11, Clause 193).²

Yet the members of the LGFC were not actually appointed until 1995, when the new constitution changed the name of the RCs to Local Councils (LCs) while also mandating direct elections at all levels of local government, including that of the district chairman, every four years. The constitution also detailed the roles of the District Chairpersons, District Speakers, District Executive Committees (DECs), Chief Administrative Officers (CAOs), District Service Commissions (DSCs) and Resident District Commissioners (RDCs). The Chairperson and Speaker were to function largely like the President and Speaker at the national level, while the DECs function as an executive sub-committee within the LCV. Finally, the DSCs function like the Public Service Commission at the nation level in that they hold the power to appoint, discipline and remove district officers. (I examine the roles of the CAOs and RDCs below.) The constitution also mandated that one-third of the all LC members must be women and that the district chairman must be between 30 and 75 years old (1995 Constitution of Uganda, Chapter 11, clauses 176-206).

In 1997 the Local Government Act (LGA) of 1997 increased the powers of the local governments while formalizing the distribution of district revenue to be allocated to the various LC levels. The sub-county (LCIII) would collect revenue and give 35 per cent to the district (LCV). Of the money kept by the sub-county the county (LCIV) and parish (LCII) each received 5 per cent and villages (LCI) received 25 per cent, thereby leaving the sub-county with the other 65 per cent.³ Thus by the late 2000s some 31.1 per cent of all government revenue was spent by local governments, up from 19.8 per cent in 1998 (Lindemann 2011: 407).

3.2 Problems with the RC/LC system

While these reforms have somewhat succeeded in creating democratic and legitimate local governments, they have not, however, resulted in an independent or effective system of local government. Instead, the effects of decentralization have been to devolve the power of the central government to the district level rather than to the lower levels of local government. In other words, Langseth et al.'s (1997: 2) claim that 'districts have now more power, resources, responsibilities, and decision-making autonomy than under the previous centralized system' is indeed true, but does not apply to lower levels of local government. The first problem stems from the NRM's attempts to maintain strict control over the RC/LC system, which has been manifested by its reliance on both central government appointed positions, and local NRM apparatchiks. The effectiveness of the RC/LC system, however, has been affected by four additional problems, namely a lack of funds, a lack of competent staff, local corruption and the creation of new districts. I examine each of these four problems in turn.

Lack of independence

Some scholars have claimed that Uganda's decentralization programme is unusual in the way in which the central government 'pursued a preference for local political empowerment from the beginning so as to build its own legitimacy' (Awortwi 2011: 365; cf. Furley 2000;

² Uganda was one of the first countries in Africa to introduce equalization grants (Steffensen and Trollegaard 2000: 51).

³ Thus the sub-county received 65 per cent of the total tax revenue, or 42 per cent.

Steffensen and Trollegaard 2000; Wunsch and Ottemoeller 2004). However, others like Lambright (2011) and Tripp (2010) have focused on the numerous ways in which decentralization has been instrumentalized by the ruling NRM government. Indeed, Kampala's control over local governments is perhaps the greatest problem for the LC system, since it has meant that the system is less a check on the power of the central government than an extension of its control into local areas. The NRM has granted itself a variety of ways in which to exercise its power at the district level, including a clause in the 1995 constitution giving the President the right to take over a district government in exceptional circumstances (1995 Constitution of Uganda, Chapter 11, clause 202).⁴ However, most of the time the NRM has maintained its control through three ways, namely through the two posts of RDC and CAO at the district level, through the Ministry of Local Government, and through the top-down structure of the NRM itself.

In its attempts to control the district governments, the NRM created two posts responsible to the central government. The first, the DES (now the CAO), is the chief technical administrator in the district and was until 1993 both appointed by and responsible to the Minister of Local Government (henceforth MoLG). While the 1993 Local Government Act made the CAO nominally responsible to the LCV, the MoLG is easily able to intervene in the appointment and firing of CAOs due to its fiscal control over central government grants. Indeed, CAD Ssemaala Kiwanuka Kirundu Kimize (Kyamuswa, Kalangala) complained in reference to the DES that 'decentralization means that powerful district leaders are assigned instead of being elected from within' (Constituent Assembly Proceedings 6 July 1994, 624).

The second position, the DA (later RDC), is appointed by and responsible to the President and co-ordinates future planning through the District Development Committee as well as monitoring and overseeing local government programmes more generally. Indeed, the strategy of the NRM in moving RDCs around the country like foreign diplomats, with only a couple of years at their post before assuming a new position, has prevented the RDCs from identifying with local concerns against those of the central government. This was quite obvious in the case of Protaz Tigurihwayo, the RDC for Masaka when I visited in December 2001 and a Munyankole from Bushenyi district who had never before served as RDC. Tigurihwayo's main complaint about the local government system was that his hands were tied by both the LCV chairpeople, whom he claimed had too much power, and by LCV technocrats, whom he claimed should be appointed by the central government rather than by the DSC (Interview with Protaz Tigurihwayo, Masaka, 13 December 2001).⁵ Thus it was no surprise when the International Foundation for Election Systems (IFES) noted that RDCs 'played a partisan role in [the 1996 presidential and parliamentary] elections' (Green 2008: 437-38). Similarly, in the context of the 2004 debate about President Museveni's potential third term, the RDCs were accused by MPs of serving as NRM apparatchiks, going so far as to bar 'anti-Movement MPs from holding meetings' (*New Vision* 14 August 2004). While this pro-Movement activity has failed to come under criticism from the MoLG, it has not refrained from rebuking CAOs or RDCs for 'engaging in politics and issuing political statements' when they 'criticize leaders in government', as in the case where the Sironko district CAO blamed President Museveni for a shortfall in local revenue (*New Vision* 14 August 2004).

⁴ Museveni used this right in the case of Kibaale district in 2002 (Green 2007).

⁵ Tigurihwayo's dislike for local government staff could explain why the Masaka LCV executive council voted unanimously in favour of his transfer on 18 December 2003 (*Monitor* 22 December 2003); he was moved back out west to Ntungamo district in President Museveni's 2003 RDC reshuffle five days later (*New Vision* 23 December 2003).

The NRM has also maintained strict control over the Ministry of Local Government. For instance, the Minister for Local Government from 1988 to 2003, J. Bidandi-Ssali, was one of Museveni's oldest allies, having served as Secretary-General of the UPM back in 1980. When he began to express doubts about the possibility of a third term for Museveni, Bidandi-Ssali was dropped and replaced in 2003 by pro-third term Professor Tarsis Kabwegyere, co-director of the Movement Radio Station and a stalwart defender of the NRM in various publications (cf. Kabwegyere 2000, among others).

Moreover, thanks to the 1997 Movement Act, the NRM itself reaches down into the local government structure, leading one LCI councillor to claim that 'decentralization is just Movement rule' (Interview with Kaddu Kusainyi, Katooke, 12 December 2001). While political parties are forbidden *de jure* from organizing at the LC1-IV level and are restricted *de facto* at the LCV (district) level due to various constraints (Carbone 2003), the Act made all LC council members from the village to the district automatically members of the NRM. The Act was seen by many Ugandans as 'a ploy by the Movement to turn the five-tiered [LC] system into branches of the movement' (Tripp 2004: 17), an accusation echoed by UPC and DP leaders who claimed that LC members who did not fully support the NRM have been 'thrown out of their positions' (Human Rights Watch 1999: Chapter 6).⁶ Indeed, the Act was effective in raising NRM support nationally from 70 per cent in the 1993 CA elections and 75.5 per cent in the 1996 presidential elections to 81 per cent in the 1998 LC elections (*New Vision* 15 March 1998). That the NRM was most successful at the LCV level, where it won 88 per cent of the seats in the 1998 local elections, (*Monitor* 23 April 1998), is indicative of how much more power it is able to wield at the district level.

Finally, the Movement Act established an NRM committee at each level of local government whose members are elected by the next-lowest level: in other words, it uses the same indirect voting system by which the RC committees above the village level were elected prior to the 1995 constitution, thereby ensuring top-down control (*New Vision* 24 May 1998). Indeed, Museveni instructed District NRM Committees to 'concentrate on mobilizing and monitoring all development and Government activities in coordination with the RDC' (*New Vision* 20 July 1998), thereby completely blurring the line between the NRM and local government exactly at the time when the campaign for the 2000 referendum on the Movement was beginning. The local power of the NRM has thus meant that opening local opposition party office has proved very difficult, with landlords in one locale threatened when it leaked out that they had agreed to rent out offices to the opposition (Muriaas 2009: 103).

Effectiveness

It is possible that many Ugandans would not care so much about NRM control over local governments if the LC system were effective in service provision. However, much of the initial gains associated with decentralization reforms in the 1990s have not been matched in recent years (Lambright 2012: 2). For instance, the most impressive feat of Uganda's decentralization policy has been the gains in universal primary education (UPE), which saw dramatic increase in net enrolment ratios after school fees were abolished for up to four children per household in 1997 from 57 per cent in 1996 to 85 per cent in 2000 and 97 per cent in 2007 (Bashaasha et al. 2011: 8). However, while the implementation of UPE was

⁶ The one major exception is, of course, Kampala, whose residents consistently elect DP mayors. Here, however, the government has dealt with local political opposition by recentralizing power, specifically via the creation of the Kampala Capital City Authority in 2010 (Gore and Muwanga 2013).

conducted by local governments the initiative behind it was clearly from Kampala in a very top-down manner (Stasavage 2004; Wunsch 2008). Moreover, the success in raising enrolment has not been matched by raising the number of schools or teachers, which led to declining teacher qualifications and questions about a deterioration in the quality of primary education (Bashaasha et al. 2011; Nishimura et al. 2008), with similar concerns about the implementation of universal secondary education from 2006 onwards (Chapman et al. 2010).

The health sector has also been decentralized, with a District Director of Health Services (DDHS) leading a district health team while hospital management boards are appointed by local councils. However, as with education there is little evidence that decentralization is responsible for whatever improvements have occurred in Uganda's health sector (Bashaasha et al. 2011). For instance, Pariyo et al. (2009) suggest that health care initiatives 'were not based on locally generated ideas, objective assessments of the existing situations, or local adaptation of interventions tried elsewhere, but on pre-packaged interventions designed by donor agencies'. They suggest that decentralization has led to increased access to health facilities but no noticeable change in infant or maternal mortality rates, which could in part be due to a decline in income to health workers (Kyaddondo and Whyte 2003).

Assessing the impact of decentralization is in many ways a bit difficult in Uganda, as decentralization has not been implemented suddenly across the country in the same way at the same time as for instance in Bolivia (Faguet 2004), thereby allowing for a clear before-and-after story. However, one way to assess the impact of decentralization on service delivery in Uganda is to examine the effect of district creation, whereby new districts have been created out of older districts on a semi-regular basis every few years since the early 1990s. Not only does the 1995 Ugandan constitution allow for district creation for the purposes of 'bringing services closer to the people', local government officials have long claimed that district creation will bring better public services (Green 2010). Moreover, there is evidence that the Ugandan government has created new districts out of counties that are both politically and economically deprived relative to their 'mother' districts (Grossman and Lewis 2013). However, there remains no evidence that district creation leads to better public services in Uganda, whereby changes in UNDP district-level measures of poverty between 1996 and 2003 are not correlated with the creation of new districts in 1997 (Green 2010).

Indeed, decentralization has in many ways failed to be as effective as was initially expected, thereby leading many older Ugandans to have 'nostalgic feelings' about the 'old system of local administration... when local amenities and infrastructure were relatively well maintained' (Golooba-Mutebi 1999: 126-27). In recent years the percentages of districts meeting the minimum performance standards set by the central government has fallen to only 34 per cent in 2008 from 80 per cent a few years before (Klaver and Tibamwenda 2009). As such, in the 2011 presidential election President Museveni went so far as to distance himself from local government leaders and blame them for poor government performance (Izama and Wilkerson 2011: 67). More generally, the LC system has failed to be effective for four reasons, namely a lack of funding, a lack of competent staff, local corruption and an obsession with district creation, each of which I examine in turn.

Lack of funds

The first problem, and the biggest one according to local government staff, is the lack of funds for local governments, specifically in regards to a lack of local revenue. Up until 2005

the vast majority of local revenue—84 per cent at the district level—came from graduated personal tax (GPT), of which only 45 per cent of its actual potential was collected at the district level (and only 27 per cent at the village level). Although made more progressive in 2003, the GPT was a very regressive tax, with an upper limit of 80,000 Ush and an ‘extremely arbitrary’ system of assessing household income.⁷ Furthermore, collection costs went as high as 30 per cent of GPT revenue,⁸ much of which was felt by locals to ‘to cover the wages and allowances of the tax collector or of civil servants at district headquarters rather than being applied to tangible projects likely to benefit the poor’ (Livingstone and Charlton 1998: 507, 513). Indeed, 2003 ‘surveys from Mubende and Soroti districts indicated that transporting the officials and policemen to round up defaulters is more expensive than the [GPT] money realized’ (*New Vision* 3 September 2003).⁹

The unpopularity of the GPT led to a ‘reluctance to collect taxes’ on the part of local governments, which in turn led to a collection rate of only 60 per cent of adults over 18 in 2002 (Government of Uganda 2002: 4, 28). As a result the government eliminated the GPT altogether in late 2005 in the run-up to the 2006 presidential elections, as were market dues and taxes on *boda-boda* drivers. The result, however, has been that local government have become even more reliant upon the central government for 95 per cent of their budget (*New Vision*, 4 July 2010).

In an attempt to replace the GPT with new sources of local revenue the government created two new local taxes in 2008: first, a local hotel tax charged between 1,000 and 3,500 Ugandan Shillings (Ush) per room per day depending on the quality of the hotel, and second, a local service tax on employees ranging between 5,000 and 100,000 Ush per year (Bashaasha et al. 2011: 4). However, so far neither tax has produced much revenue for local governments, which have collected an average of 6 billion Ush per year compared to 80 billion which they used to collect with GPT (*New Vision*, 3 July 2012). Indeed, as numerous LC officials have noted, the hotel tax is useless in the large number of sub-counties in rural Uganda with no hotels, while many districts also fail to have ‘farmers with the required acreage of land and number of cattle to meet the local service tax requirements’ according to Kabale district chairman Adson Kakuru (*New Vision*, 25 June 2008). Moreover, the money that is released by the central government often comes late, which has led numerous local government officials to ask for the GPT to be reinstated or ask for a 1 per cent addition to VAT (*New Vision*, 5 February 2008; *New Vision*, 23 April 2008).

However, this reliance on the central government has had two significant problems. The first problem is that central government funding for local governments has neither been reliable nor adequate. Indeed, in an effort to reduce Uganda’s budget deficit, the NRM government has cut local government funding from 25 per cent of the national budget in 2005/06 to only 17.6 per cent in 2011/12 (*New Vision*, 24 August 2012). In particular poor districts, especially those in the north, have not seen as much assistance from equalization grants as they should have expected, which is a consequence of the fact that equalization grants comprise only 0.5 per cent of central government funding to districts (Bitarabeho 2008). As a result, the central

⁷ A person with an income of 32,000 Ush paid a GPT rate of 9.4 per cent while people with incomes of 330,000 and 1.5m Ush only paid 5.7 per cent and 5.3 per cent, respectively (Livingstone and Charlton 1998, 504-505).

⁸ Chen et al. (2001: 277) write that ‘the GPT represents an expensive form of tax administration and, because presumptive assessment can imply subjectivity and arbitrariness, is often perceived as unfair’. It is partially for these reasons that other African countries have not allowed local governments to collect income tax (Steffensen and Trollegaard 2000: 48).

⁹ For more on internal variation in GPT collection capacities see Kjær (2009).

government has done very little to help the disparity between rich and poor districts; as Saito (2003: 127) notes, ‘unless the central government is fully committed to supporting it, the difficult issue of regional equity in Uganda will not be resolved’.

The second problem is that the result of this shortage of funds has been the accumulation of what money does exist at the district level. Various studies have confirmed this concentration of funds at the district level (cf. Green 2008). For instance, a Ministry of Local Government (MoLG) survey of nine districts in 2002 noted that ‘there is hardly any officer in charge of education in all the sub-counties visited... This is because this function is entirely being performed by the district’. The same applied to health services: ‘at the sub-county level, health services are almost entirely being performed by the higher local government’. Furthermore, while the percentage of taxes collected by the sub-counties required by law to be given to the district did reach its source, the reverse was not true: ‘the revenues collected by the districts... [are] never shared with the sub-counties’ (Government of Uganda 2002: 24-5, 33-4).

All the above was confirmed in the author’s interviews with various LC councillors in Kiboga and Masaka Districts. Several of those interviewed complained about the lack of money available to them, including one LCI councillor who claimed that ‘all the problem [with the LC system] is money’ (Interviews with LCII Councillor Prossy Nalule and LCI Secretary for Security Hajji Ali Lugemwa, Kiwangala, 12 December 2001). Indeed, one LCII councillor complained that the decentralization programme really only benefitted LCIII and LCV councils, leaving other levels of local government destitute and ineffective (Interview with Sylvester Selayanja, Kiwangala, 12 December 2001), while an LCIII officer pushed the blame up to the district level in that, due to its reliance on graduated tax, the biggest problem for the LCIII was enough money to finance its projects. Indeed, the fact that donors (which in Kiboga came from the Irish and Japanese aid agencies) give money to district governments but no lower-level local governments only tended to exacerbate the disparities between the various level of local governments (Interview with Martin Kabuye, Kiboga, 15 November 2001).

Lack of competent staff

The LGFC has also noted that local government staff members are often incompetent and uneducated. Many local councillors do not fully comprehend the tasks they are supposed to perform: in a 2002 study the LGFC found that only 25 per cent and 30 per cent of local councillors clearly understood their mandates in the areas of education and health, respectively.¹⁰ The most obvious reasons for this include the fact that ‘the books containing the legal framework are unavailable in many local governments’ while, when the books are available, ‘some terms are very difficult to understand’ (Government of Uganda 2002: 39-40).

In the author’s own experiences local government staff members were incompetent in a variety of ways. For instance, in Kiboga district a 20-year old VSO (Voluntary Service Overseas, a British NGO) volunteer from Canada was assigned to help the district staff on IT matters. He had the bright idea of grouping the district staff’s computers in one room so that

¹⁰ Disturbingly, only 29 per cent of district councillors understood their finance and planning mandate as compared to an average of 54 per cent across all levels of local government—perhaps due to the fact that LCVs have the largest and hence most complicated mandate over finance and planning among all levels of the LC system (Government of Uganda 2002: 46).

if one of them had queries about how to operate their computer they could easily ask others without having to shout for the VSO's help. Yet even so the VSO was bombarded with questions, many of which involved turning the computer and/or printer on or off.¹¹

Furthermore, many LCV officials around the country have been caught in scandals as regards to their lack of O-levels (an academic qualification equivalent to the GCSE in the UK), the academic minimum for holding a district-level post.¹² Needless to say, this bare minimum requirement would explain why even those with O-levels were unable to understand their tasks and/or mandates, as outlined above, not to mention those at lower levels of government where the requirement is less or non-existent.¹³ For instance, many LCV councillors, not to mention those further down, cannot speak English (Manyak and Katono 2010: 11),¹⁴ while 'some councillors who head departments are unable to present reports from their departments and hire literate people to read out the reports for them', according to an MP from Mukono district (*New Vision* 26 July 2003).

Local governments also suffer as well from a mere lack of staff, whether educated or not (Steffensen and Trollegaard 2000: 159). The vacancies for various offices due to funding crises—in Kiboga, for instance, the district only received a District Land Officer in 1998, was one of three districts in Uganda to lack a District Environment Officer in 2000 and did not have a RDC when the author visited in 2001 (Interview with FXD Kababanda, Kiboga, 16 November 2001; State of the Environment Report for Uganda 2000/2001)¹⁵—mean that subordinate staff can barely perform what functions they are assigned. Due to the fact that there was effectively no phone coverage in the district until 2003, many of those Kiboga LCV staff who were present left for Kampala almost every weekend, meaning that any matters requiring immediate attention that arose over the weekend had to be postponed until Monday. Finally, the title of Clarke (1998), *The Man with the Key has Gone*,¹⁶ is an unfortunate recurrent phenomenon across Uganda, a problem experienced by the author when he tried to view the land records in Nakasongola district's land office only to be stymied by the fact that the files were inevitably locked in a room whose key was in the possession of an absent officer.

Corruption

While corruption at the central government level has been well documented (Tangri and Mwenda 2001, 2003), Ugandans readily acknowledge that 'the issue of corruption at local government level over money sent from the centre is really enormous', according to MP and member of the Parliamentary Local Government Accounts Committee Betty Amongi

¹¹ The MoLG also found the Kiboga staff unreliable, reporting that the district's Technical Planning Committee (TPC) was 'not functional' due to 'poor quality of plans and absence of minutes and lack of monitoring plans, reports and evidence of follow up' (Government of Uganda 2001).

¹² Members of the District Service Commission, District Tender Boards and Local Government Public Accounts Committees need a minimum of an A Level certificate; Tender Board members also require a minimum of seven years of experience in public service.

¹³ LCIII chairpersons are required to have achieved a minimum of four years of secondary school.

¹⁴ About half of the LCI councillors I spoke to in Masaka district could not speak English.

¹⁵ In addition, the district only received a land surveyor for the first time in 2001; it still lacked a physical planner, land evaluator and registrar of titles to make up a complete district land office staff. When I visited Nakasongola district in 2002, it similarly lacked two out of the seven required members of the District Land Board, forcing the District Land Officer to also perform the tasks of Surveyor and Secretary.

¹⁶ The book tells of Clarke's experiences as a missionary-cum-doctor who opened his own hospital in Luwero district in the 1980s.

(Women, Apac) (Online Parliament of Uganda Hansard, 15 May 2003). One noted study of local government spending on nonwage education expenditures in the early 1990s found that only an average of 13 per cent of the actual grant sent by the central government reached the relevant primary schools, with the rest of the money siphoned off by local officials and politicians (Reinikka and Svensson 2004). Moreover, survey evidence suggests that Ugandans find local officials more corrupt than central government officials, with corruption increasing as one moves upwards from the village level to the district (Deininger and Mpuga 2005: 178).

Perhaps here it is best to take the example of one district visited by the author, namely Kiboga in north-west Buganda, to see how much corruption takes place at the district level alone. Indeed, financial mismanagement has plagued Kiboga ever since it was created out of Mubende district in the early 1990s. In 1994 the RCV Secretary for Women Apophia Nabukeera was accused of embezzling more than 21m shillings before fleeing the district. In 1998 the District Executive Committee (DEC) directed the CAO of Kiboga to suspend the district's Chief Finance Officer and Assistant Salary Officer for 'financial mismanagement, abuse of office and inefficiency in their services, which caused great loss to the district' (*New Vision* 12 September 1998; *New Vision* 11 May 1999), while two sub-county chiefs and four cashiers were indicted by the CAO for failing to account for 16m Ush. Finally, in 2003 the CAO himself came under fire for failing to explain why the district government spent 1.38 billion Ush in excess of its budget, whereas the district's personnel and salary officers and District Service Commission Secretary were arrested in August 2003 for payroll fraud in connection with 'ghost' primary school teachers (*Monitor* 31 January 2004; *New Vision* 18 August 2003; *New Vision* 20 August 2003).

Similar accusations were launched at Kiboga LCV chairman Siraje Kizito. In 2002 the RDC for Kiboga ordered an inquiry into more than 200m shillings meant for classroom construction that had gone missing; Kiboga Woman MP and State Minister for Defence Ruth Nankabirwa claimed that Kizito had embezzled the money. Kizito was also accused of nepotism and 'immaturity' during his first term by DSC chairman Kaahwa Julius Atwoki and Magistrate Philip Odoki, respectively (*Monitor* 15 September 2000). He was nonetheless re-elected in February 2002, only to be accused again by Nankabirwa of having more than 80 per cent of his votes coming from outside Kiboga. In a subsequent trial in Kampala, former LCV candidate Edward Katumba accused Kizito, a Muslim, of giving and promising piglets to voters in return for votes and accused the EC of failing to update the district's voters register; as a result, the High Court declared the LCV seat vacant and called for another election in July 2002. The matter was eventually resolved when the Court of Appeal upheld the election in a unanimous decision, claiming that the electoral irregularities were not large enough to affect the result (*New Vision* 29 October 2002). However, election irregularities again plagued Kiboga in September 2010, when some local officials claimed that armed men attempted to intimidate and bribe voters to vote against Kizito (*New Vision* 25 October 2010).

New district creation

One of the most important trends in Museveni's Uganda has been the creation of new districts. He was not the first Ugandan president to undertake this task; previously in 1974 Idi Amin introduced ten provincial governments and almost doubled the number of districts from 19 to 37 in a clear example of the prebendalistic practices common to Africa at the time (Jørgensen 1981; Van de Walle 2007). As with Amin district creation has created patronage opportunities for Museveni which has paid off in numerous recent elections (Green 2010).

However, unlike Amin Museveni’s government has continued to add districts in regular intervals to the point where it now has 112 districts (Table 1), or more highest-level local government units than any other country in the world.

Table 1: District creation in Uganda

Year	Number of districts	Population per district
1959	16	443,000
1962	17	456,365
1968	18	513,711
1971	19	526,853
1974	37	292,211
1980	33	368,115
1990	34	513,412
1991	38	476,474
1994	39	514,256
1997	45	455,718
2000	56	427,786
2005	69	402,843
2006	80	378,283
2009	87	375,977
2010	112	298,205

Sources: Government of Uganda 1987; Ocwich 2005; US Census Bureau.

As noted by Green (2010), several government officials have claimed that district creation has helped service delivery in such areas as boreholes, schools, and roads. However, he finds no correlation between the creation of new districts and improved service delivery. In fact, the creation of new districts has led to several problems of its own. First, the creation of new districts has led to severe funding problems across Uganda. As noted by the President and Secretary-General of the Uganda Local Governments Association, new districts are often created with severely inadequate staffing, with human resource levels at 55 per cent on average of their full capacity and as low as 10 per cent in many districts (*New Vision*, 24 August 2012). Delays in setting up new district offices often mean that it is difficult to establish where responsibilities lie, as established by Kyaddondo and Whyte (2003) in the case of Tororo and Busia districts in eastern Uganda.

Second, district creation has meant that central government funding allocated at the district level has been spread increasingly thin. For instance, the central government equalization fund budget has remained at the same level of 3.4 billion Ush for a number of years while the number of recipient districts has increased by 400 per cent. While the central government has responded to budgetary concerns by cutting County (LCIV) councils, which cost 17.5 billion Ush per year, the collective savings is so small that it would only help to cover the shortfall in revenue for one district, let alone all of Uganda’s 112 districts (*Independent* 14 July 2012).

4 Conclusion

The LC system suffers from numerous faults and has failed to live up to the aforementioned expectations of the late 1980s. I have claimed here that the problems of the Ugandan decentralization programme are rooted in its lack of independence from Kampala both politically and economically, a lack of competent staff, corruption and an obsessive focus on creating new districts for political reasons. In other words, the disappointments associated with decentralization have been associated with broader problems of state capacity and institutions that are common among young democracies in the developing world.

The failures of decentralization in Uganda have had at least two serious consequences. First, in the Buganda region many residents have expressed a desire to return to the federal system—or *federalo* as it is known locally—of the 1960s despite its failures noted above. Indeed, this continued support for *federalo* within Buganda was at the heart of the riots in September 2009 that shook Kampala. The fact that an uneven federal structure in the 1960s was not only ineffective at providing good public services in Buganda, as detailed above, but was also a major cause of Uganda's subsequent collapse into authoritarianism has not prevented this issue from going away despite various public relations efforts over the years by the central government to convince people otherwise.

A second albeit indirect consequence of decentralization's failures is that the Museveni government has stalled in its developmental efforts. Uganda's relative ranking in the Human Development Index (HDI) has actually dropped in recent years from the 84th percentile in 2003 (147 out of 175 countries) and 82nd percentile in 2004 (146 out of 177) to the 86th percentile in 2013 (161 out of 186), during which time countries like Angola, Madagascar, Nigeria, Senegal and Yemen have surpassed it on the annual HDI. It would be wrong to assume that the failures of decentralization are the primary reason why development in Uganda has stalled relative to other comparable countries—at the very least an inability to lower fertility levels has played a major role in this respect—but the contrast between Uganda and such decentralization successes as Bolivia and Colombia is striking here (Faguet 2004; Faguet and Sánchez 2013).

While the failures of decentralization have been the focus here, it is also clear that previous experiments with more centralized government structures under previous regimes in Uganda have been even worse, as noted above. Thus it is at least possible to suggest some obvious policy changes which could help to alleviate some of the more serious concerns listed here. A halt to creating new districts is one such policy, inasmuch as 'districtization' does not appear to have had any significant impact on development outcomes. Second, allowing more latitude to political opposition at the local level by removing the links between local government and local NRM committees would also allow for more open political competition and thereby incentivize more effective governance. Third and finally, allowing for more effective local taxation would create more local revenue which local governments use for development purposes. Of course in all three cases such reforms would remove power from the control of the central government, which is why they have drawn such little support in Kampala.

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