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Impact of Multiparty Politics on Local Government in Uganda

Terrell G. Manyak and Isaac Wasswa Katono

ABSTRACT: Following years of civil strife, Uganda emerged as a “movement only” state under the National Resistance Movement led by Yoweri Museveni. One of the major innovations of this new government was to implement a strategy of administrative and fiscal decentralization. This experiment was long hailed as an African success story, but the reemergence of multiparty politics in 2006 is having a major impact on local governance. This study traces the development of political parties and local governments in Uganda. It then examines how multiparty politics has resulted in changes that have impacted decision making at the local government level. The study concludes that multiparty politics is leading to fiscal insolvency of local governments, the creation of unviable new district governments, and administrative recentralization.

KEY WORDS: Uganda, political parties, governance, decentralization, local government

I. Introduction

The rapid change in Ugandan national politics following the reestablishment of political parties in 2006 is well documented in the academic and policy discourses on Uganda. In a comparative examination of East

African countries, the Japan International Cooperation Agency traces Uganda's rise from "hopeless" under the dictator Idi Amin to becoming a fine example of African reform, and then falling back to being just an ordinary African county under its present leadership (JICA 2008). Muhumuza (2008) examines the trend in Uganda toward recentralization and the use of grassroots partisan followers to serve the interests of the ruling government in achieving personal entrenchment. The African Peer Review Mechanism (2007) details the many challenges faced by the Ugandan government in maintaining a viable decentralized system of governance. In a critical review of the African Peer Review Mechanism report, Mbazira (2008) concludes that Uganda is now lacking in respect for law because the country is far from allowing free competition for political power.

This article extends previous research by examining the impact of multiparty politics on local governance and the way local-level politics is practiced following the re-introduction of political parties in the country. What makes the present study different is that it views the impact of this change from the perspective of the elected and administrative leaders who are responsible for the functioning of local governments. How has multiparty politics influenced their decision-making processes? What strategies have local leaders employed to accommodate the stresses created by the multiparty system? What challenges confront local leaders in delivering services as a consequence of Ugandan political parties struggling for control?

This study is based on interviews with over sixty local government officials at the district and municipal levels of government throughout Uganda. The officials were primarily senior elected or professional leaders. The district level included district chairpersons (DCPs), chief administrative officers (CAOs), some technical officers, resident district commissioners (RDCs), district speakers, and councilors. At the municipal level, interviews were held with mayors, town clerks, speakers, and councilors. Some prominent former politicians who were involved in establishing the local government system were interviewed for a historical perspective. In addition to local officials, interviews were conducted with administrators in key national government agencies and organizations, including the Anti Corruption Coalition Uganda (ACCU), Local Government Finance Commission (LGFC), Ministry of Local Government (MOLG), Uganda Local Government Association (ULGA), and Uganda Management Institute (UMI). The interviews that were carried out in 2008 and 2009 followed the same procedures as those with local officials.

These administrators were also quite helpful in providing access to documents that are not readily accessible to researchers outside Uganda.

All persons interviewed were assured that their responses would be kept confidential unless the situation being discussed had previously been made public. While a formal script was not followed in the interviews, the same set of issues was discussed with each participant. The interviewers took copious notes during the interviews and then compared their notes for completeness and accuracy. Newspaper reports were relied upon to follow local-government political developments that evolved during and immediately following the interviews.

The selection of districts and municipalities for study was based on newspaper reports of prolonged conflicts or mismanagement. Also included in the study were local governments that maintained a reputation for providing effective service delivery. The districts of Kayunga, Masaka, Mukono, Sembabule, and Kampala, the capital city and commercial heart of Uganda, are referred to as the central region (Buganda). The southwestern region of Bushenyi, Kabale, and Mbarara districts is a wealthy tea, coffee, livestock, and banana-growing region of the country. The western region of Hoima, Kibaale, and Masindi districts borders Lake Albert and Murchison Falls National Park on the Nile River. The northwestern region of Arua, Gulu, Lira, and Ma-racha-Terego districts is an area ravaged for twenty years by the Lord's Resistance Army, with many people living in camps for internally displaced persons. The eastern region of Mayuge, Iganga, Jinja, Sironko, Soroti, Mbale, and Tororo is largely a diverse agricultural area best known for being the cradle of the Nile River.

II. Evolution of Local Governance

The British maintained a highly centralized government system prior to independence in 1961. The country was administered through eleven districts that were governed by a district governor who ruled to a large extent through British-recognized, and in some cases appointed, traditional chiefs. The British did allow a limited degree of local governance by establishing agreements with Uganda's major ethnic groups. The most important of these agreements was with the Baganda, Uganda's largest ethnic group of over 5.5 million people that inhabit the north coast of Lake Victoria (Apter 1997). The kabaka (king) of the Baganda was given *de facto* recognition for having ownership of significant tracts of land and authority over his people in exchange for loyalty to the

crown. As an act of favoritism, the British also designated the Baganda as the administrative elite of the Uganda colony. The kings and chiefs of other smaller ethnic groups were also accorded special powers in the traditional kingdoms under their control. The most notable group was the Acholi that occupied the northcentral region of the country. The Acholi were considered a “martial tribe” and formed the core of the British-controlled military (Mudoola 1993).

In 1955, the colonial administration enacted the District Administrations Ordinance that delegated to local governments the responsibility for service delivery. However, power remained centralized, as reflected in the 1959 enactment of the Local Administrations Ordinance that granted the colonial governor the authority to appoint chairpersons and members of appointment boards. A significant devolution of power to local governments did not occur until the enactment of the 1962 federal independence constitution that divided the colony into four provinces, below which were districts, subcounties, parishes, and villages. Through the Local Administrations Ordinance, the new constitution also empowered local councils to collect taxes and administer lands, local roads, rural water supplies, education, and health, among other key functions.

These reforms had little time to take hold following independence as the postcolonial regimes of Milton Obote and Idi Amin quickly restored a centralized system (Kanyehamba 2002). Under Obote’s first regime (1963 to 1971), the Urban Authorities Act (1964) and the Local Administrative Act (1967) recentralized most of the service delivery functions that had been devolved to local governments by the 1962 constitution. The minister of local government was given extensive power including the authority to determine the number of local councils and approve council elections and bylaws. The Amin regime (1971–1979) decreed the creation of ten provinces that were directly ruled by military governors.

After Tanzanian troops overthrew the Amin regime in 1979, Milton Obote returned to power and abolished the ten military provinces. The new government reestablished the Urban Authorities Act and the Local Administrations Act that had been adopted during Obote’s initial regime. The following year, after the disputed national elections won by the Obote-led Uganda People’s Congress (UPC), Yoweri Museveni formed the National Resistance Army (NRA) and went into the bush to wage a five-year struggle that was successful in overturning the second Obote regime in 1986 (Kauzya 2007; Mbazira 2008).

The turbulent civil war led to the virtual collapse of local government structures, as most state authority disintegrated when officials fled for their safety. To provide security and some governance structure in the NRA-controlled areas, Museveni formed resistance councils (RCs) in each village and town. The councils elected a representative to a re-gional body, which in turn elected representatives to govern the dis-trict (Amaza 1998).

A variation of the improvised NRA local government structure was recommended to Parliament in the Report of the Commission of Inquiry into the Local Government System, which laid the foundation for the Local Governments Act (Mamdani 1987). The primary difference between the new local government structure and the original NRA structure was that citizens at each level of local government, rather than resistance councils, would directly elect district chairpersons, mayors, and district and local councilors. Part of the justification for direct local elections was to circumvent the traditional chiefs who were widely viewed as having been corrupted by the Amin regime (Kanyehamba 2002; Livingston and Charlton 2001; Mamdani 1987). It should be noted that Obote had removed traditional chiefs (and kings) from power following the abolition of the British recognized ethnic kingdoms in 1967. Based on the recommendations of the Commission of Inquiry, the Resistance Councils Statute was enacted in 1987 specifically to reestablish a decentralized form of local governance. Additional changes occurred in 1993 when local governments were empowered to provide improved service delivery.

Most of the provisions of the Resistance Councils Statute and other empowering legislation were incorporated into Chapter 11 of the new constitution that was promulgated in 1995. A key principle of the new constitution was a commitment to establishing a decentralized form of government. This commitment to decentralization became fully realized two years later when the Ugandan parliament enacted the Local Governments Act in 1997. The new law was based on Ugan-da's experience under British colonial rule, the governing structure created by President Museveni's NRA during the guerrilla war, and the continuing interplay of ethnic and religious conflicts. Under this law, the village council, also known as Local Council (LC-1), is the lowest unit of administration. Villages are combined to form a parish (LC-2), and parishes are combined to form a subcounty in rural areas or town council in urban areas (LC-3). In urban settings, town coun-cils are combined to form a municipal council (LC-4). A district

council (LC-5) is then formed by combining LC-3 and LC-4 local governments (Makara 1998).

III. The Politics of Decentralization

President Museveni and the NRA made two major political decisions after assuming power in 1985 that directly impacted political parties and local governance (Golola 2001; Wadala 2007). The first decision was to reorganize the National Resistance Army into the National Resistance Movement (NRM), commonly referred to as “The Movement” (Museveni 1997). The Movement Act and the Movement (Elections) Regulation Act passed in 1997 made each Ugandan a member of the Movement and required that all elections be based on the merits of the candidates. Political parties, which had been suspended when Museveni initially came into power, were brought under the NRM umbrella (Byrnes 1990). The restructuring was implemented despite the fact that some political parties had extensive followings and long histories in Uganda, before and after independence. The NRM justified its action as being necessary to re-establish national unity. Indeed, the demise of democracy was widely attributed to the fractious role played by political parties. While some party leaders opposed the “no party” system, Museveni’s personal popularity and the euphoria of the moment swept them aside. Moreover, the Democratic Party (DP) and the Uganda People’s Congress (UPC) were part of the broad-based government of national unity at that time.

The second critical decision made by the NRM government was to divide the country into forty-five regional districts, plus the city of Kampala as an urban district. This division differed from what had existed at independence when Uganda consisted of ten districts, four kingdoms, and one special district (Karamoja). The kingdoms had been abolished with the 1967 constitution and made into districts, with the Buganda region being divided into four districts presumably to dissipate the political power of the Kabaka. The number of districts increased to thirty-eight under the Amin regime and then reduced to thirty-three after he was overthrown. Under the newly adopted structure, the Baganda agreed to continue the four-district arrangement largely because of President Museveni’s immense popularity at the time and the fact that he had arranged for the return of the Kabaka from exile in Great Britain. Buganda leaders have since had second thoughts about the division of the kingdom and now insist on forming

what they call a “federo” system that would essentially restore the rights and powers granted to them by the British (Mulondo 2009; Mwanje 2009; Naluwairo and Bakayana 2007; Ssemugo and Mulo-ndo 2009). The frustration of the Baganda was manifested in deadly street riots in 2009 and President Museveni’s call to restrict the powers of the traditional kingdoms (Olupot 2009). The Baganda believe the central government was subtly attempting to weaken the kingdom by creating even smaller entities that can then be incited to oppose federalism.

From 1986 to 2005, Uganda was ruled under the Movement “no party” system. Two national elections were held under the Movement system in 1996 and 2001, both of which were easily, though controversially, won by Museveni. The allegations of vote rigging and other misbehavior did much to energize political parties to call for a boycott of the 1996 parliamentary elections. This nine-year period before the re-introduction of multiparty politics was in many respects the high point of decentralized government in Uganda. Party politics did not exist at the local level and the president’s power was essentially unchallenged. The central government demonstrated a high degree of commitment to, and political support for, local-government financial and administrative autonomy (Muhumuza 2008). One of the unknowns during this period was the extent to which President Museveni was personally committed to decentralization, given his later actions. A former close adviser to Museveni who is now, however, part of the opposition speculated that decentralization was a politically expedient move after taking power. Since Museveni’s political strength in the electorate rested largely with the rural population of Uganda, he had little hesitancy in sacrificing elements of the Local Governments Act of 1997 if such action would facilitate his popularity with this group.¹

Most Ugandans appeared to accept the district and local council structure and the direct election of district and local officials. As a consequence, the governance system created by the Local Governments Act of 1997 became widely recognized by the international community as a model for political decentralization (Kisakye 1996). Indeed, many local leaders commented about meeting with teams sent by other developing countries to observe how this experiment in local governance was being implemented. The “no party” era is remembered as a period when local government revenue collections were at their highest. It was relatively easy to secure donor-funded projects and

councilor allowances were satisfactorily funded. Local government councils met regularly, suppliers and creditors were paid, and service delivery was at its best, all of which made the NRM quite popular.

Uganda's experiment in local government democracy began to take a negative turn with a series of decisions by the central government that led to the acceptance of a multiparty political system. The international community, particularly donor countries, and the resurgent political parties called into question the "no party" approach dominated by the NRM (Barkan 2005; JICA 2008). It was agreed that Article 269 of the 1995 constitution and other laws and regulations that restricted the activities of political parties at the national level be repealed (Amnesty International 2000). The Political Parties and Organisations Act was passed in 2002 to enable the dormant political parties to re-establish themselves officially and allow their candidates to challenge President Museveni and the NRM in national and local elections. This action was followed by a national referendum held in 2005 in which 92.4% of Ugandans voted for a return to a multiparty system (African Elections Data Base 2006). The new Political Parties and Organisations Act was then enacted in 2005.

The decision by President Museveni to accept a multiparty system resulted from several factors. He claimed with some justification that Uganda had evolved to a point where the country could now move to the next stage of democratization. He also believed that people who felt trapped in the NRM should join other political groups so they would stop causing disruptions within the NRM. Many observers of Ugandan politics believe the most important factor in President Museveni's decision to accept the multiparty system was his desire to continue as president despite the constitutionally mandated limit of two terms or ten years in office (Barkan 2005). Because the NRM dominated Parliament, the term limit clause was easily overridden in anticipation of the 2006 multiparty election (Krutz 2006). This move permitted President Museveni to stand for a third term in office, which he won amid accusations of vote rigging and political intimidation of the opposition (Gloppen et al. 2006).

The 2006 elections resulted in four major parties having seats in the parliament and showing some degree of following in the presidential election. Table 1 shows 284 persons were directly elected members of parliament (i.e., 215 constituency seats with 69 seats aside for the election of women representatives). The constitution mandates that each district have a directly elected woman member of parliament. As

Table 1
Parliamentary, Presidential, and
Local Government Elections Results 2006

Political Parties	Parliamentary Seats 2006*	Presidential Elections Votes 2006*	District Chairpersons 2006**
National Resistance Movement (NRM)	205	59.28%	50
Forum for Democratic Change (FDC)	37	37.36%	4
Uganda People's Congress (UPC)	09	0.82%	1
Democratic Party (DP)	08	1.59%	1
Conservative Party (C)	01		
Justice Forum (JEEP)	01		
Independents	37	.95%	13
Nonpartisan	10		
Vacant	1		
Total	284	100%	69

Sources: * Gloppen 2006; ** Electoral Commission 2006

for local council election outcomes in 2006, the results of the Electoral Commission (2006) show that NRM had 50 district chairpersons, FDC had 4, and the DP and UPC each had 1 seat. Thirteen seats were listed as held by independents. Thus, the NRM had substantial numerical strength in both the parliament and the districts.

The lifting of restrictions on party activities in 2006 was initially viewed with some apprehension (ACCU 2006; IRI 2003). However, most Ugandans appeared willing to give political parties the opportunity to compete for political power. One administrator commented at the time, "The people are not used to multiparty politics and need to be stimulated to start appreciating and effectively operating under a multi-party system. It is like a cock that has been tied for so long. Even if it is untied, it has to be chased for it to run" (quoted in JICA 2008: 49).

This study, which was conducted three years after the re-introduction of political parties, found a mixed reaction among local leaders to

the new multiparty environment. Many of those interviewed felt that local governments were unable to handle the political conflicts that multiparty systems inevitably generate. This point was particularly apparent where the district chairperson was a member of one party and a major part of the council was from another party. A common complaint was that everyone was jockeying for the upcoming election in 2011. A senior administrator in Lira noted that “councilors would censure the chairperson or try to poison every initiative made by the opposition.”² In another district, a councilor concluded, “All leaders not from the NRM are seen as enemies and anti-government. Hence, good ideas get outright rejected, creating endless conflicts.”³ A frequently raised concern during the interviews was that local politicians do not understand how local issues relate to national issues. The general feeling, as expressed by a mayor, was that “local government should have been left nonpartisan, but the multiparty system is now a fact of life and everyone needs to adjust to the new reality.”⁴ Part of this grudging willingness to accept the new reality is that local government funding in the form of conditional grants (funds destined for a prescribed activity, e.g., health), unconditional grants (funds that can be used at the discretion of the local government after catering for salaries) and equalization grants (funds given to districts that lag behind on certain indicators, e.g., sanitation) would keep coming, according to the constitution, no matter what party or parties control the central government.

It was interesting to note the aggressiveness with which many district chairpersons and municipal mayors approached the potential discord from multiparty politics in their local councils. It was not uncommon for these leaders to comment that party conflicts were minimal in their jurisdiction because they worked hard to include opposition party members in decision making. The most common strategy is to meet privately with party representatives (caucuses) prior to council meetings and work out compromises. Another common strategy is to make sure that minority party leaders are given secretarial positions that allow them to participate in council executive meetings. Indeed, the field interviews strongly suggested that local governments could work in a multiparty environment if the party leaders, and particularly the district chairpersons, wanted the system to work. Where such an environment failed to evolve, the decision-making process was easily deadlocked. Problems also arise because of factional conflicts between local and national political leaders within the same party, as

was seen in the Lira and Sembabule districts that had great difficulty functioning, much to the detriment of the people they serve.

IV. The New Political Landscape for Local Government

The real impact of the re-introduction of multiparty system in Uganda was found in the changed attitude of the NRM and the central government toward local governments. While the causes for specific decisions are often complex, the central government appeared increasingly willing to sacrifice the interests of district and local governments to achieve political advantage in the upcoming 2011 national and local elections. The changed attitude toward local government was most notable in three areas. First, the central government significantly reduced the financial independence of local governments by directly intervening in their collection of tax revenues. Second, new districts were created primarily to gain political support with little regard for their financial viability. Third, key local-government administrative offices were recentralized, which elected leaders perceived as weakening the authority of local governments.

Local Government Revenue Policies

The new political landscape for district and local governments under the multiparty system became apparent when opponents of the NRM realized that local tax policies were a potentially volatile political issue. This point was particularly apparent with a very unpopular source of local revenue called the graduated tax (G-tax). The G-tax was first imposed by the British in the 1930s. It required that all adult males and fully employed females pay a form of poll tax and carry a card at all times showing proof of payment. Adding to the unpopularity of the G-tax was the heavy-handed way in which the tax was some-times collected. It was not uncommon for tax collectors to enter villages in the middle of the night with armed police or to establish roadblocks to catch tax evaders (Francis and James 2003).

Opposition parties began to gain political traction with this issue by claiming they would eliminate the G-tax if elected. President Museveni responded to the challenge in 2006 by suspending the tax. The justification for this action was that the G -tax was unpopular and that local governments spent too much money in collecting the tax. Unfortunately

for local governments, the G-tax contributed more than 80% of their discretionary income (LGFC 2007). The rescinding of local taxes continued as citizens complained about other local taxes. The NRM-dominated central government would arbitrarily rescind these taxes to maintain popularity. Examples of rescinded local taxes include market dues, motorcycle transporters' tax, and any other local taxes that were deemed unpopular by some voting constituency. Each decision to rescind a tax was supported with a rationale, but the end result was the further erosion of local government financial independence (LGFC 2009; ULGA 2009).

Three issues need to be noted with respect to the G-tax. The first and most complex issue is the difficulty in determining the exact amount of revenue loss to local governments. The problem stems from the disagreement that exists among the different stakeholders and central government over the exact amount of money local governments were collecting before the rescinding of the G-tax. For example, the independent Local Governments Finance Commission (LGFC 2007) puts the figure at 60 billion Uganda shillings (Shs). On the basis on the audited accounts for financial year 2003/2004, however, the government claims that local governments were collecting only Shs 45 billion per annum (MOFPED 2008). The second issue relates to the government's commitment to pay G-tax compensation. In 2008, parliament voted to provide local governments with Shs 45 billion per annum for three years as compensation for the lost G-tax revenue. What is not clear is the fiscal future of local government once the three-year period expires. Apparently, this issue is being put on hold until after the 2011 elections. The third issue centers on the sustainability of the G-tax compensation mechanism. The central government agrees that the proposed mode for providing compensation to local governments for the lost funds is not sustainable. Hence, it put into place a local service tax and a hotel tax that it claims is a more sustainable mechanism (MOFPED 2008).

A field study carried out by the LGFC in 2007/08 illustrates the problematic impact of the suspension of the G-tax. According to the LGFC study, it was common in all the local governments studied that the funds being received as compensation for lost revenue were less than what they collected before the abolition of the G-tax. For example, Hoima District collected over Shs 349m, in FY 2004/5 in G-tax funds. G-tax compensation received for the FY 2006/7 was about Shs 218m, representing only 62% of the G-tax collected just before its abolition. Masaka District collected Shs 1.3bn in FY 2003/4 from G-tax,

Table 2
Trends in Graduated-tax Compensation, 2005/06 to 2010/11

(Numbers represent billions of Uganda schillings allocated per annum)

Year	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
District	*NA	40.7	9.6	27.7	37.4	34.8
Urban	*NA	4.3	2.4	6.3	7.6	10.2
Total	34.8	45.0	12.0	32.0	45.0	45.0

Source: LCFC (2010) * Data were not available for 2005/06.

but was compensated only Shs 906,507,130 in 2006/07. In the same study, some districts in Northern Uganda argued that the base year used by the central government for calculating the compensation fund was inappropriate because they were already under the insurgency of the Lord's Resistance Army. They noted that most of the local population was housed in camps for internally displaced persons. Furthermore, the calculation was based on the amount of tax paid, which failed to include those who had defaulted in their tax payment.

The G-tax was abolished in May 2005 and actual compensation to local governments started in FY 2005/06. Very inadequate compensation was provided in 2005/06, 2007/08, and 2008/09. In 2006/07, 2009/10 and 2010/11, local government did receive Shs 45 billion per annum, but this amount is still below the estimates suggested in the LGFC study (see table 2).

All the local government leaders interviewed expressed strong concern about the financial health of their district or municipality as fiscal problems are beginning to emerge. The most pressing problem has been the sheer loss of revenue. As one district leader noted, the G-tax brought in Shs 2 billion in his district, but locally raised revenues are now bringing in only Shs 500 million. A district vice chair-man in the central region lamented, "When constituents look at you, they don't care who you are or how much education you have. Are you responding to their needs? People expect wonders. We have 880 kilometers of roads, but money to maintain only 80 kilometers."⁵ Another pressing problem mentioned in the interviews was government pensions that had been funded primarily by the G-tax. With the loss of revenue, the central government was asked to take over pension funding, but the idea was rejected. The result in one district was that 500

people retired from local government with no pension. Their only recourse to secure a pension was to go to court, which could take years before a decision is rendered. Local governments are also unable to pay for many very basic obligations such as council member allowances, monitoring of government projects, and co-funding of foreign donor-funded projects (Wadala 2007). The Local Government Finance Commission concurs: “The objectives and gains of decentralization have been frustrated as the local governments are dependent on handouts from the central government which are sometimes insufficient to fully pay the salaries of the staff leading to accumulated salary arrears” (LGFC 2007: 6).

The local government leaders expressed additional concerns with the new local tax sources being considered or allowed by the central government. Their major concern is that easily collectable taxes and taxes that would raise substantial revenue for local governments are retained by the central government. For example, the Pay As You Earn (PAYE) tax levied on all salaried employees in government and private organizations is collected by the Uganda Revenue Authority. The tax sources left over for local governments, most notably the hotel tax, property tax, and local service tax, either fail to raise sufficient revenue or are too difficult to collect. The hotel tax also has the problem that small towns would not benefit because most hotels are located in larger municipalities.

The problem with direct central government grants, the leaders claim, is that local governments are losing their independence. With local government income approximately 95% dependent on the central government, it is nearly impossible for district and local governments to initiate development projects without obtaining the approval of the central government (LGFC 2009). A senior administrator in Bushenyi commented, “We built the district headquarters out of our own money. We could never think of doing something like that today.”⁶

The political interference in local revenue collection has aroused considerable public debate. Indeed, both supporters and opponents of the NRM have found themselves in opposition to the local government fiscal policies. Perhaps the explanation for the government’s actions lies in the populist beliefs of President Museveni as he searches for political support within the poor population of Uganda. The explanation may also lie in the fact that different election tactics are needed to be elected president from those needed to be elected to parliament. Whatever the explanation may be, the fact remains that local

governments now find themselves in an untenable fiscal position as the 2011 elections begin to unfold.

Creation of New Local Districts

Another distinct change in the local government environment is the rapid creation of new districts. One reason for this change is that local leaders see new districts as an immediate source of revenue for their impoverished area. When new districts are created, the central government provides between USD 280,000 to USD 560,000 for the construction of offices, vehicles, office equipment, and other amenities (Ocwich 2005). In addition, each district is allowed to elect one new member of parliament and to hire an assortment of political and administrative officials (JICA 2009; Mafabi and Kolyanga 2009; Muhumuza 2008). Consequently, observers of Uganda politics believe that President Museveni and the National Resistance Movement are providing money, jobs, and influence by creating new districts in exchange for pledges of political support in the 2011 election (Green 2008; Krutz 2006; Muhumuza 2008). It should also be noted that new districts are created because of political pressures arising from forces within the districts themselves. Green (2008) provides an interesting analysis of the complex dynamics of district creation. New municipalities have also been created, but their number is small and outside the scope of this paper. Table 3 shows the number of districts having doubled from 56 to 112 since the re-introduction of multiparty politics (Abimanyi 2009; Imaka, Nalugo and Ladu 2009; Maseruka 2009; Mugerwa and Imaka 2009; Nakayi 2010).

Local government leaders have consistently expressed frustration about the constant creation and understaffing of new districts. This feeling is well expressed in a statement by a council clerk who felt that most districts were being created by the NRM “to satisfy the egos of local tribal leaders and gain their political support.”⁷ A survey conducted by the Uganda Local Government Association established that average staffing of local government is 64%, which is having a serious effect on the delivery of services (Kato 2010). Of particular concern to local officials was the seeming lack of regard by the central government for the financial viability of these new districts. When a new district is created, a local council secretary for education (minister) complained, “[i]t divides the already limited revenue base of the original district. The end result is two weak districts that cannot provide meaningful services to

Table 3
Creation of New Districts

Year	Number of Old Districts	Number of New Districts	Total Number of Districts
2005/06	56	13*	69
2006/07	69	11*	80
2008/09	80	07*	87
2009/10	87	25*	112

Source: MOLG (2005, 2006, 2009, 2010). *Effective as of July 1 of each fiscal year.

local citizens.”⁸ This concern over district fragmentation was reinforced by donor countries whose financial assistance makes up nearly half the national budget (Maseruka 2008). Representatives of these countries insist that conformance to proper legal procedure and systematic assessments should be provided by the government before any new districts are approved (APRM 2007; Robinson 2006; Steiner 2006).

The unsustainable nature of many of the new districts is apparent. First, it was observed during the field study that most senior professional staff in rural districts do not work on Mondays or Fridays because they were traveling to and from their homes in Kampala or other urban centers, since there is no suitable accommodation for these officers in the newly created rural districts. The “code” expression from the staff was that such officials were attending a training program in the capital. Second, technical staff frequently complained that so much money was used in their budget to cover salaries that little was left over to do actual work in their district. Third, the ability to organize some of the new districts properly was very limited. The field study found several examples of problems created by hastily conceived new districts. The new Maracha-Terego District, for example, could not be made operational because the central government and local elected councilors could not agree on the site of the new district headquarters.

Another major concern is that ethnic conflicts within districts appear to have increased with the onset of multiparty politics and the creation of new districts. The split of Tororo District into Kisoko and Mukuju districts in Eastern Uganda, for example, has raised tensions between the major ethnic groups (i.e., Iteso and Japhadola) as they have fought to take control of the Tororo municipality and protect their

cultural identities. The tension is amply illustrated by the decision of a local citizen to eat a raw rat while standing before President Museveni to protest the delay in splitting the Tororo District. To highlight the cultural differences between the two groups, this citizen dared the Japhad-ola to eat a lizard if they think Tororo belongs to them (Etengu 2005). The rat-eating challenge amply demonstrated the cultural difference between the Iteso and the Jopadhola. The argument is that if the two groups are culturally distinct, they should each have their own district where they can practice their own beliefs. Leaving the theatrics of rat-eating aside, the Iteso have long complained of oppression by the Jopadhola. It is claimed that some Iteso have been “forced” to speak Dopadhola (the language of the Jopadhola) rather than their own Ateso.

The ethnic conflict in the Tororo municipality demonstrates the role of grassroots pressure in the creation of new districts. While the President was keen to please the Iteso who wanted a district of their own, he was reluctant to alienate the large Jopadhola constituency who opposed the location of Tororo in the would-be Iteso-dominated Mukuju District. Nevertheless, when Museveni finally relented in 2009 to create the Kisoko and Mukuju districts, a local newspaper cited the opposition as saying that the district was created primarily to serve as a source of patronage in President Museveni’s bid to win the 2011 election through a popular vote. The people of these areas were reported to have said that President Museveni no longer needs to campaign in their districts, as they will vote for NRM candidates in the forthcoming 2011 elections (Odeke 2009).

Administrative Recentralization

A central tenet of the Local Governments Act of 1997 was that staff recruitment, compensation, and discipline would be the responsibility of the district and local councils. The district and local councils, in consultation with the district executive committee, would appoint a District Service Commission (DSC) subject to final approval of the central government’s Public Service Commission. The DSC was responsible for appointing the staff of local governments, including the Chief Administrative officer (CAO) and town clerks. CAOs and town clerks are important local government positions under the Local Governments Act of 1997 because they head their respective administrative staff and serve as the chief accounting officer of the jurisdiction. To balance the powers of the appointed officers, the elected district

chairpersons or mayors and their respective councils were given specific responsibilities for the development of public policies.

The Local Governments Act of 1997 attempted to give the CAOs and town clerks a high level of legal protection from unwarranted removal. They could only be removed from office by a two-thirds vote of the council. The Chief Justice of Uganda would then create a special judicial tribunal to investigate the allegations and determine if a prima facie case did indeed exist. This process was quite time consuming and the councils would be required to pay the salary of the dismissed executive as well as the salary of the replacement until the termination was decided. One recent case took more than ten years to resolve after a CAO was terminated by the district council for refusing to deploy central government controlled military personnel to run polling centers (Talemwa 2009). The problem that arose in the local government system was that elected officials frequently sought to go beyond their legal mandates either as a show of power or for their own financial gain. The professional executives were often seen as standing in their way. Because the CAO or town clerk was appointed through a purely local process, the elected officials sought to get the administrators out of the way by intimidating them with the possibility of termination or making their lives difficult. While some professional executives have been involved in various illegal or corrupt behaviors, most of them appear to have done a commendable job. As one councilor noted:

The primary cause of conflict in the past was the failure to appreciate different roles within the council. There is no clear separation between policy and politics. The chairpersons and elected councils want to be the boss, but the legal responsibility falls under the CAO. If they ask him to do something illegal, he will put it in writing. The Inspector General can investigate, but it takes time. The administrative people were not strong enough to stop illegality.⁹

Whatever the case, the Local Governments Act makes the CAO directly accountable for their actions since they are the accounting officers in their districts (MOLG 2008).

The reintroduction of political parties in 2005 aggravated the power struggle among councilors themselves as well as between the councilors and the civil servants. In both instances, there has been a heightened desire to skew appointments in favor of people leaning toward the party

supported by the councilors and allocate valuable government contracts to people of similar political views. Consequently, the offices of CAO and town clerk have become the focal points of contentious frictions in the growing struggle for power among the political parties. In 2006, the parliament sought to give the senior professional personnel greater protection by amending the Local Governments Act of 1997. The amendment stipulated that CAOs, deputy CAOs, and town clerks would now be appointed by the central government's Public Service Commission and assigned to districts or municipalities by the Ministry of Local Government. Moreover, tender boards originally put in place by the council were abolished, thereby reinforcing the power of the CAOs. The professional administrator would now appoint and chair the important contracts committee in their respective districts. While the CAOs would continue to report to their respective district chairperson and council, recentralization effectively changed their working relationship with the elected leaders (APRM 2007).

The reaction of local government leaders to the change was mixed. Many felt that elected executives and councils had unfairly bullied the professionals in the past, and the reforms would make local government personnel better able to do their jobs without political interference. Many CAOs and town clerks felt the added protection of being central government appointees would help them to be neutral brokers in working to reduce tensions between political parties, ethnic groups, and religious factions within their jurisdiction. Of course, they would still be under the council's rules and regulations and would have their performance evaluated by the district chairperson or mayor. Some CAOs and town clerks felt the change gave them career opportunities beyond an individual district. However, others felt that the ease of being transferred to other parts of the country by the Public Service Commission would hurt their ability to maintain a side-business like a farm or store that would help them build for retirement.

Elected leaders had markedly different opinions about the amendment to the Local Governments Act of 1997. The widely expressed feeling was that shifting the professional administrators to the central government marked the death of decentralization. A council leader decried: "The CAO now feels superior. He acts arrogant over the councilors and they now feel powerless."¹⁰ Elected leaders were also suspicious of the motives of the central government. One respondent lamented: "They took the CAO, now they are trying to take over production, health, and education. The councils are now constantly

receiving new guidelines that cause considerable confusion. The elected people in the district now have nothing to do.”¹¹

The future danger to Ugandan local government posed by recentralization is increased politicization of local governance. Such changes will likely give whatever political party that controls the central government greater direct control over the administration of districts and municipalities. While the Public Service Commission that appoints the professional administrators at the local level is ostensibly nonpartisan, the widely held belief among local leaders is that Uganda will become so politicized that politics will increasingly find its way into the appointment process after the 2011 elections. This power could then be used to undermine district chairpersons and mayors who represent opposing political parties. The combined effect of administrative re-centralization and financial dependency on the central government is that there would be little discretionary decision-making power in local hands. As one disgruntled local opposition figure noted, “We are becoming nothing more than contractors for the central government.”¹²

V. The Multiparty System and the Movement Legacy

A significant problem that has gone largely unnoticed in studies of Uganda is the residual legal legacy of the “no party” Movement era in making local government operational. For instance, many political and administrative leaders expressed concern about the office of resident district commissioner (RDC) that exists in each district. This office was created by the Local Governments Act of 1997 as part of the Movement strategy to provide a communication channel between the central government and the local governments. The RDC is appointed by and serves at the pleasure of the president to coordinate the administration of government services in the district and advise the district chairperson on matters of a national nature. However, in some cases the RDC has become an obstacle to the development of multiparty democracy at the local government level. Under the Movement Act, RDCs are part of the National Conference of the Movement. The RDC is also an ex officio of the District Movement Committee. Thus, RDCs have in some cases behaved not as civil servants of the central government, but as operatives of the NRM.

The Movement Act of 1997 also created legal structures that have remained very much a part of the NRM party. These structures in turn

have found their way into the daily operations of local government. For example, the Movement Act made all district chairpersons (DCPs) part of the Movement National Executive Committee (NEC). The DCPs are also part of the District Movement committees, as are the chairpersons of city divisions, municipal councils, district councils, town councils, and subcounty councils. This structure goes right down to village level, making many members of village executive committees an integral part of the NRM. However, under the multiparty system, only those people who subscribe to the NRM are part of this arrangement. The effect is to leave the NRM in a much stronger position than the other parties in controlling local government. For instance, the multiparty system in the rural areas entails local people choosing between good and bad leadership in a situation where the ruling NRM party is defined as good and the opposition as bad (Mushemeza 2007). Consequently, despite the legal rights of political parties to operate, the residual legal structures have protected NRM strongholds and made it difficult for other parties to penetrate at the local level (Kiiza et al. 2008).

The interaction between political parties and the day-to-day operations of village-level local governments often goes unnoticed or un-reported. This point is particularly apparent at the Local Council (LC -1) level. An LC-1 is the governmental unit that is in actual contact with the people. It serves as an important service delivery link to mobilize people to take their children to school or receive immunizations, or to participate in community work. It is also the primary medium for communication because important messages are delivered from higher local governments through the LC -1. An LC -1 is composed of nine people, namely the chairman, vice chairman, and secretaries for defense, finance, education, information, and mobilization, and youth, women, and the disabled. An LC-1 is expected to hold monthly village council meetings, though most rarely do, in which security, health, education, and other policy issues are reviewed.

On the political front, LC-1s serve as a mobilization and communication tool especially in times of elections. Naturally, politicians fight to control them. The LC-1s also serve as village courts and are recognized by the judicial system. LC-1s wield considerable political power since the Ugandan people, by the nature of their culture, obey and respect their leaders, especially in rural areas. The last LC-1 elections were held in 2002 under the “no party” system. Residents in villages lined up behind their candidate or the candidate’s symbol. Originally, the entire village council elected a person to each of the

nine positions. This procedure was later revised when an amendment to the Local Government Act of 1997 empowered the chairperson to choose people from the village, subject to ratification by the village council. This action caused widespread apathy since people felt they had been stripped of their power.

To illustrate the complex effects of multiparty politics on the day-to-day workings of local government, the study examines two important cases in Ugandan local government politics. The first case shows how the historic structural link between the NRM and LC-1 level units has delayed local elections and sometimes paralyzed local governments. The second case shows the problems that can be created in forming local government executive committees and operating local councils when the chairperson and the majority of the council members come from different political parties.

Case 1: Local Council (LC-1) Elections

Multiparty politics has significantly impacted the internal working of village level governments by blocking LC-1 elections that were last held in 2002. When the NRM government decided to hold LC-1 elections in 2006, the Forum for Democratic Change (FDC) party went to court in order to ensure that NRM did not get an unfair advantage over other parties due to certain provisions in the Local Governments Act 1997 as well as other related acts (Constitutional Court 2006). The FDC noted in its petition that election officers in local council elections at the district level are the chief administrative officers, while at the county, subcounty, parish, and village levels the presiding electoral officers are respectively the county, subcounty, and parish chiefs. These officials are employees of the local government under the Local Governments Act 1997 and, by extension, are also employees of the central government Electoral Commission. Thus, while contesting elections at these levels, the governing political party could potentially exercise direct control over these officials, which generates perceived bias on the part of these officers in favor of the ruling party. The main issue here was that regulations under the Local Governments Act imposed these officers on the Electoral Commission and thus compromised its operational independence.

The court held in 2006 that holding elections under the current law was indeed a contravention of the constitution. The major impact of the ruling was to block the elections until a change was made in the

law. The government's response was to claim that it did not have the resources to hold LC-1 elections when a national election is in the offing in 2011. Consequently, the current office bearers (most of whom are aligned with the NRM) will remain in office until after the 2011 elections. Another consequence of the court ruling is that individuals who may have political differences with the executive may not get justice since the LC-1 is a court in itself. Consequently, where people would like to make changes to replace an inefficient LC-1 executive, the change is denied possibly for political reasons. The end result is that many LC-1 councils are not meeting, since they are increasingly perceived as time wasting and ritualistic.

Case 2: Hoima Town Council Executive Committee

Under the Local Governments Act of 1997, the chairpersons and councilors of local government councils are elected by direct adult suffrage. Chairpersons are chosen by all voters in the local council electoral area, while councilors are chosen by the voters in the specific area they represent, such as a ward or parish. The chairpersons will then choose their executives, including the vice chairman and the secretaries, from among the councilors subject to ratification by the council. This arrangement seemed to work well until the onset of the multiparty system, which made it possible for a chairperson to come from one party while the majority of councilors are from another party. This problem arose in the Hoima Town Council in Western Uganda where the chairperson is from the FDC party, but the majority of the councilors are of the NRM party. In this particular case, the chairperson also happens to be the national FDC Secretary for Trade and Industry. His deputy (vice chairperson), who is from the ruling NRM party, resigned, which led to the collapse of the local government. The vice chairperson resigned because the NRM constitution does not allow its members to act as agents of any foreign power, political party, organization, or individual in a manner that is detrimental to the interests of the NRM. Two other NRM members of the executive committee also resigned their seats. An attempt was made by the beleaguered chairman to appoint other councilors to replace them, but the effort was aborted when the council ended prematurely after a walk out by NRM councilors. Many observers believe that NRM leaders at the national level instigated the walkout in an effort to frustrate the FDC chairperson because of his high profile position within the FDC. At this point no quorum could be formed to approve

appointments and form a government. As the national political tension increases with the upcoming elections in 2011, it is likely that similar problems will continue to emerge across the country.

VI. Conclusion

The Uganda experiment in local government provides an interesting laboratory for testing the capacity of local government to survive and be effective despite the pressures generated by multiparty politics. Sadly, the situation in Uganda shows how quickly local governance can deteriorate when a major political change, like the re-introduction of political parties, is promoted in response to short term political necessities and without regard to the effective delivery of services at the local level.

The problem was most clearly seen with respect to the funding of local governments. The central government could make a convincing case that G-tax collection was inefficient and created serious issues with the general public that needed to be resolved. Whereas a government should respond to the needs of the people, that same government should balance its response with the broader national good as well as the long-run interests of the people it is mandated to serve. Moreover, creating a situation where local governments are dependent on central government funding undermines the very essence of decentralization and its goal of promoting democracy through enhanced local voice over service provision.

The study found a similar pattern of local government paralysis unfolding with the rapid creation of new districts. It is true that new districts bring regional governments closer to the people, particularly when travel to district headquarters can be arduous for citizens. New districts may also have some palliative affect on easing ethnic tensions and creating new economic opportunities in impoverished areas. However, redistricting without regard to its effect on the effective functioning of local government can have a long-term detrimental social and economic impact in already impoverished areas. It makes little sense to create two ineffective districts out of one marginally effective district when the benefit will most likely be limited to a slight electoral advantage in the next election.

The multiparty system was found to have an indirect impact on the decision to recentralize key local government administrative positions. Since the passage of the Local Governments Act of 1997, CAOs and town clerks have been pressured by many local government

councilors to make often self-serving and sometimes illegal decisions. The re-introduction of political parties made CAOs and town clerks subject to even more pressure as the parties sought to gain competitive advantage. Clearly, the professional administrators needed additional protection to ensure effective functioning of local governments. Many local leaders accept this fact and can live with this recentralization, but they feel very uncertain about the future. Part of their uncertainty stems from the belief that professional administrators are not always correct in assessing the needs and desires of the local population. Recentralization will now make it much harder for elected officials to influence the direction of service delivery in their jurisdictions. Another aspect of their uncertainty is the possible politicization of the central government's Public Service Commission. Thus far the PSC has maintained a reputation of independence. However, the multiparty system may well create an environment where independence will no longer be appreciated and respected.

The final part of the study investigated the residual problems created by the incomplete transformation of Uganda from the "no party" Movement system to a multiparty system. Some institutions, like the resident district commissioner, have become a direct partisan instrument of the president. While this function can be useful in pursuing issues of concern to the president, all too often the RDC has been relegated to playing a nuisance function in the operations of local government. A second residual problem is the legacy of the laws and institutions established during the "no party" Movement that now conflict with laws and procedures created by the Local Governments Act of 1997. These legal conflicts did not become apparent until the multiparty system was adopted. The study points out how some LC-1 operations have been negatively affected by a case brought to the court by the FDC because the law gave the sitting government an unfair advantage over other political parties in village elections. The study also highlighted the dilemma increasingly faced by chairpersons in councils where the majority of councilors allied with a different political party. The result of such party conflicts in local governments is the increased chance of decision-making gridlock.

Notes

1. Interview: Kampala, November 12, 2008.
2. Interview: Lira, December 16, 2008.
3. Interview: Mukono, October 29, 2008

4. Interview: Eastern region, February 19, 2009.
5. Interview: Central region, December 12, 2008.
6. Interview: Central Region Mukono, October 13, 2008.
7. Interview: Bushenyi, December 4, 2008.
8. Interview: Central region, Mukono, October 1, 2008.
9. Interview: Central region, Mukono, October 1, 2008.
10. Interview: Southwestern region, Bushenyi, December 3, 2008.
11. Interview: Northeast region, Masindi, December 14, 2008.
12. Interview: Northern region, Gulu, December 16, 2008.

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