

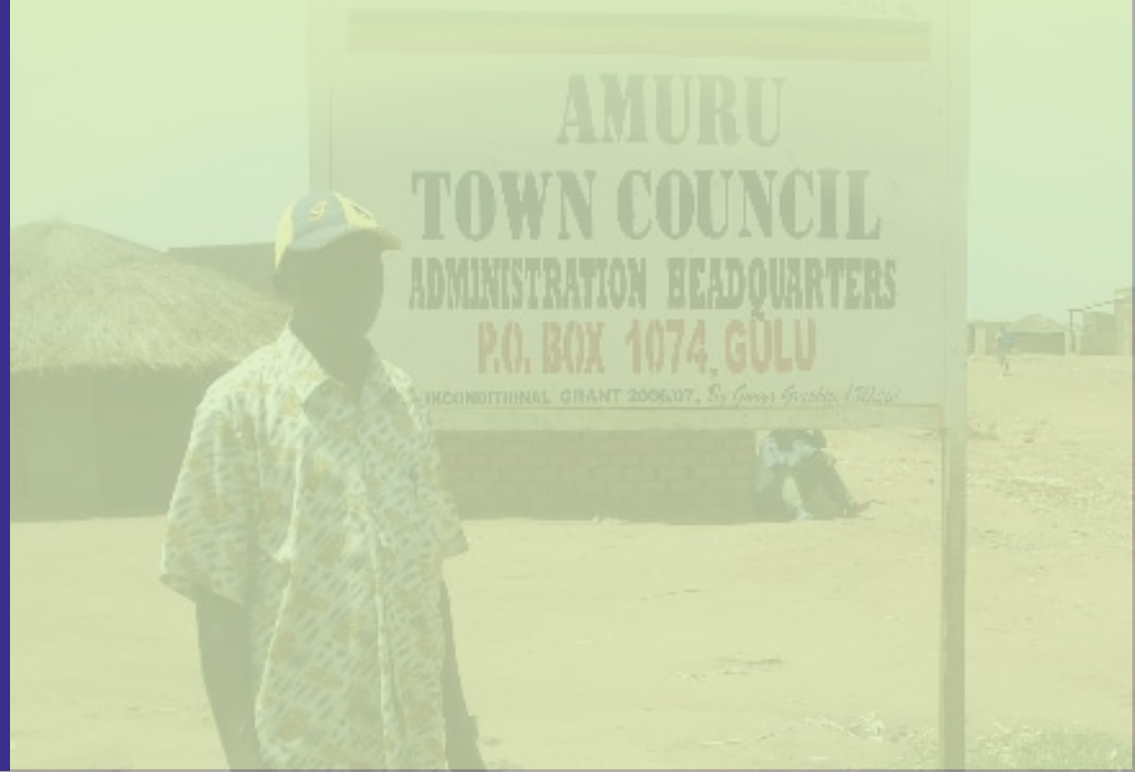
Beyond Juba

Building Consensus on Sustainable Peace in Uganda

Breeding Fragmentation?

Issues in the Policy and Practice of Decentralisation in Uganda

Issue Paper No. 1
June 2009



Beyond Juba

A transitional justice project of
the Faculty of Law, Makerere University,
the Refugee Law Project and
the Human Rights & Peace Centre

The Beyond Juba Project builds on the participating organisations' work on peace- and conflict-related issues in Uganda and is a direct response to the Juba peace talks between the Government of Uganda and the Lord's Resistance Army.

The project constitutes three pillars:

- In-depth consultation and training with key stakeholders including different branches of government
- Research on critical issues relating to transitional justice in Uganda
- A multi-layered public information campaign that reaches all sectors of society

Beyond Juba is a three year project funded by the Swedish International Development Agency (SIDA) and the Norwegian Embassy.

ACKNOWLEDGMENTS

The research was made possible with funding from the Norwegian Ministry of Foreign Affairs (MOFA) and the Swedish International Development Agency (SIDA). MOFA and SIDA fund the Beyond Juba, which is a transitional justice project of the Refugee Law Project (RLP) and the Human Rights and Peace Centre (HURIPEC), all part of the Faculty of Law - Makerere University. On behalf of her partner organisations, the Refugee Law Project is grateful to the National Council of Science and Technology (NCST) for granting them permission to undertake research in Uganda.

The research team comprised of Nsamba A Morris, Benard Kasozi Okot, Stephen Oola, and Winnie Agabo. The paper was written by Nsamba A Morris with input from Prof. Joe Oloka-Onyango and Dr. Chris Dolan. The author is indebted to all persons who attended the two consultative meetings that gave valuable input on the draft paper. Last but not least, special thanks to Livingstone Tenywa who provided logistical support to the research team in the different parts of the country.

CONTENTS

1.0 Introduction.....	2
1.1 Historical linkages between district formation and ethnicity.....	2
1.2 Methodology.....	5
1.3 History of the Case-Study Regions.....	5
2.0 Key findings of the Research.....	6
2.1 Service Provision or Political Rewards?.....	6
2.2 Participation: Guiding the Decision-Making Process at the Local Level.....	9
2.3 Justice Law and Order Sector.....	12
2.4 Conflicts: Negotiating Accesss to Services and Rights.....	12
3.0 Conclusion.....	15
4.0 Recommendations.....	17
Bibliography.....	18

1.0 INTRODUCTION

Uganda's decentralisation policy has attracted both academic and technical debates and writing.¹ This literature and debates have hitherto focused mainly on administrative efficiency, thus effectively depoliticising and delinking decentralisation from historical processes. This paper seeks to refocus the debate by drawing linkages between colonial and post-colonial processes of identity construction (especially ethnicity), power capture, and retention and resource control at national and local level on the one hand, and the policy and practice of decentralisation and local governance on the other.

1.1 Historical Linkages between District Formation and Ethnicity

The linkage between ethnicity and district formation extends back to the colonial period. As early as 1900, an agreement was put in place for local government administration in Buganda, followed in 1901 by similar agreements for Tooro and Ankole and in 1933 for Bunyoro.² The new system of local government was based on chiefs – created where they had not previously existed or their powers elevated where they had existed – who were responsible to district commissioners.³ While some chiefs were traditional leaders on the basis of heredity rule, the new cadre of chiefs were civil servants appointed and promoted on another criterion such as literacy.⁴

Whether hereditary or newly appointed, the introduction of traditional chiefs into district administration effectively set a pattern of linkages between culture and politics.⁵ Furthermore, wherever possible and practical, each ethnic group was put in a single district,⁶ and as a result ethnic identity became coterminous with political identity, as individuals were pinned specific locations.⁷ Political rights underwent a form of redefining. A person's ethnic birthplace also became his/her political place where s/he could enjoy political voting rights. Consequently, by 1960, tribal loyalties were deeply rooted and the notion of Uganda existed primarily in the minds of Europeans.⁸ Despite the fact that the territory called Uganda recognised civic individual rights, collective rights in districts and ethnic places – including both political and socio-economic rights such as access to land – maintained greater resonance.⁹

This was a direct outcome of the divide and rule policy that the colonial and post-colonial state in Uganda adopted in managing local challenges to its power. The British, who saw northern Uganda as a problem area, described it as a disturbed hostile territory¹⁰ treated as an occupied territory until 1921. Similarly Karamoja was

1 See for instance, Nakanikye and Asiimwe, 2007; and MISR, 2000; Nsibambi, 1998; Ahikire, 2007

2 Uganda Protectorate. *Report of the Uganda Relationship Commission*, Entebbe: Government Printer, 1961

3 Uganda Protectorate. *Report of the Uganda Relationship Commission*, Entebbe: Government Printer, 1961; Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers, 1996

4 Uganda Protectorate. *Report of the Uganda Relationship Commission*, Entebbe: Government Printer, 1961

5 For a detailed account see Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers, 1996

6 Karugire Samuel. *A Political History of Uganda*, Kampala: Fountain Publishers, 1980; see also Uganda Protectorate. *Report of the Uganda Relationship Commission*, Entebbe: Government Printer, 1961

7 Reiley Richard and Johns Sheridan. "Local and District: Should they be forgotten?" *Journal of Modern African Studies* Vol. 13, No 2, (1975): 309-332

8 Uganda Protectorate. *Report of the Uganda Relationship Commission*, Entebbe: Government Printer, 1961

9 Barya John-Jean. *Reconstituting Uganda Citizenship under the 1995 Constitution: A Conflict of Nationalism, Chauvinism and Ethnicity*, CBR working Paper No. 55, 2000

10 Barber J. *Imperial Frontier*, Nairobi: East African Publishing House, 1968

considered a hostile territory under the administration of Justice, Karamoja Act, of 1964 which criminalised any and all forms of gatherings. The southern part of country, by contrast was favoured and protected from the other regions. Nonetheless, even in the south it was not all splendour. Different communities were ruled using different legal regimes. Fragmented customary law was enforced in African communities, as civic law was enforced among the foreign agents of the colonial state, effectively dividing people into two categories-races and natives¹¹. While some scholars¹² have argued that ethnic identity and politics in Uganda are not directly and indirectly linked to the colonial processes, the colonial state not only set up, but left in place an institutional apparatus that promotes ethnic identity. This was mainly done through a political arrangement that put emphasis on territorial citizenship and rights as a mode of suppressing nation wide resistance to state power.

More recently, governance reforms brought in by the NRM government from 1986 onwards have managed to delink voting rights from locality, by pegging voting to residence. But with the introduction of elective politics starting with the National Resistance Council (NRC) elections, the NRM was faced with a question of how to retain its power. Like the colonial state, it responded with divide and rule politics. A regime which had promised democracy, non-sectarian politics, and resolution of local tensions¹³ reverted to culture. It listed 56 indigenous communities in the 1995 constitution creating two kinds of divisions. First was the division between the rural and urban in a fashion that prescribed culture for the former and politics for the latter¹⁴ resulting into culturalisation and de-culturalisation of politics in the rural and urban areas respectively. The second form of division separated indigenous from non-indigenous people. The latter mostly migrants and persons displaced by various conflicts are considered culturally alien even when they come from the same country¹⁵. It is paradoxical that a regime which preached merits of unity and legislated against political parties for being divisive and ethnicised when faced with political pressures, followed a divide and rule strategy.

Ethnic manipulation has been done through the creation of districts whose purpose as Hon. Omoro Atuba said “is not bringing services nearer to the people but to contain tribal sentiments by dividing up a group of people”¹⁶. The special presidential assistant on political affairs, Moses Byaruhanga, justified this divide and rule as promotion of cultural identity and purity. He argued that colonialists put people of different cultures together as such the demanding and granting of districts is a way of solidifying cultural identities¹⁷. Byaruhanga’s argument is collect in as far as it points out that the colonial state had put together people of different but related cultural identities together. While this process is some time justified as a triumph of local democracy ushered

11 Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers, 1996; Republic of Uganda *Report of the Commission of inquiry into the Local Government System*, Kampala: Ministry of Local Government, 1987; Berman Bruce “Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism” *African affairs*, Vol. 97 (1998): 305-34; Blanton Robert et al. “Colonial style and Post Colonial Ethnic Conflict in Africa” *Journal for Peace*, Vol. 38, No 4, (2001): 473-491; Bratton M and Walle V. Nicolas. *Democratic Experiments in Africa: Regime Transitions in Comparative perspective*. London: Cambridge University Press, 1997.

12 Republic of Uganda. Decentralisation Policy Strategic Framework, Kampala: Ministry of Local Government, 2001.

13 See NRA/M 10 point programme

14 Mamdani Mahmood. The politics of democratic reforms” In *Uganda Landmarks in Rebuilding a Nation*, ed. Langseth P, J Katarobo, Brett E, and Munene J, 229-239. Kampala: Fountain Publishers, 1995

15 *ibid*

16 Parliamentary Hansard Wednesday July, 20th 2005

17 Moses Byaruhanga (2009) “In Defence of the Creation of New Districts” *The Daily Monitor*, June, 01 2009

in by the NRM¹⁸ Hon. Dr. Mallinga expressed concern that during the process of district creation “people are not consulted the discussions are among politicians”¹⁹ as such in Kasese district the “demands for the a separate district for the Basongora are engineered by politicians who hold private meetings with Basongora”.²⁰

Hon. Betty Amongi who underlined the role districts play in retention of political power. She thanked the government for granting Oyam district status since it was a promise the president made to the people of Oyam in 1998²¹. Bushenyi district council resolved that: “there is need to follow in the footsteps of the delegates’ conference and pass a resolution seconding Museveni Yoweri as the sole movement presidential candidate²². Clearly district creation is not always a demand by the people concerned but a political move geared at appeasing a group of politicians or communities. The use of district creation as a strategy to capture and retain power and manage local tensions and challenges in particular by the president has resulted into an acceleration in the number of districts to 80 opposed to the 38 that existed in 1992²³. In the next financial year the number will increase to 94 districts. This has raised concerns about the relationship between political power capture, and retention, and control of resources on one hand and the local governance processes in Uganda on the other hand.

As Hon. Prof. Tarsis Kabwegyere noted “[if you consider] all districts in Uganda - the best of them could only contribute a maximum of 15 percent of their budget leaving the central government to carry the weight”. He furthered observed that “if there is one egg on the table and thousands want to access that egg the more that come to that table will not improve on the size of the egg. Therefore, the objective initially of decentralization has been to deliver services but the sustainability of those services will depend on the productivity and the economic transformation of the districts”²⁴. It is in the same vein that in late 2008 Uganda’s development partners began to raise serious concerns about the economic viability of districts.²⁵

Another set of questions relate to the extent to which decentralisation has managed to promote peaceful and harmonious co-existence and national reconciliation in Uganda. Specifically, what is the relationship between the need to bring services nearer to the people through creation of more districts, and the desire to retain political power? According to Hon. Cecilia Ogwal “the one who dishes out always leaves something bigger for himself”²⁶. What is the big thing government intends to achieve from the creation of many districts? What does writing some ethnic groups into the constitution mean for national unity? What is the relationship between ethnic protection - through creation of ethnic districts- and article 29(2a) of the constitution that grants every

18 Parliamentary Hansard Wednesday July, 20th 2005

19 Parliamentary Hansard Wednesday July 20th 2005; Naturinda Sheila (2009) “Jopadhola want referendum held over new district” *The Daily Monitor*, June, 11 2009; Emojong John A. (2009) “Councilors fight over Tororo split” *The Daily Monitor* June, 12 2009

20 Interview with a male Bishop of the Church of Uganda in Kasese district on April, 11 2008

21 Parliamentary Hansard Wednesday July, 20th 2005

22 Minutes of Bushenyi District Local Council Meeting held on December, 21st 2000

23 To view the changing administrative map of Uganda since independence, go to www.beyondjuba.org

24 Parliamentary Hansard Wednesday July, 20th 2005; Republic of Uganda. *Local Government Sector Investment Plan (LGSIP), 2006-2016: Decentralisation for Social-Economic Transformation*, Kampala: Ministry of Local Government, 2006; “Statement of the Uganda Local Government Association (ULGA) presented at the National budget Consultative meeting with district chairpersons and the ministry of Finance Planning and Economic Development”; *New Vision*, March, 30th 2009

25 See “Statement by the Development Partners’ Working Group on Decentralisation during the Joint Annual Review of Decentralisation, December, 2008”; see also *Sunday Monitor*, May, 18 2008

26 Parliamentary Hansard Wednesday July, 20th 2005

Ugandan a right to move and reside freely in any part of the country? What kind of rights does districtisation (defined here as the creation of districts without recourse to the criteria given in official decentralisation policy documents) give to those considered an ethnic majority in the district? What happens to those who fall into a minority grouping? Furthermore, how are key rights enshrined in the 1995 Constitution, such as freedom of movement, the right to reside in any place of the country, and the right to employment, affected by decentralisation? And what are the implications of all of this for national unity?

1.2 Methodology

Findings of this Issues paper are based on 126 interviews and 24 Focus Group Discussions conducted from April 3rd -19th 2008, in Bushenyi and Kasese districts in Western Uganda, and two consultative meetings held in Kampala in November, 2008. The analysis is informed by earlier field research carried out in Karamoja (November 2007), and Lango and Acholi sub-regions (February, 2008). In Acholi and Lango sub-regions, the research team conducted 144 interviews in Gulu, Amuru and Lira districts. In Karamoja interviews were conducted in Kaabong, Abim, Moroto, and Kotido districts.

The following categories of informants were purposefully selected for interview: district and sub-county political and administrative leaders, civil society, Justice, Law and Order Sector representatives, lower local leaders, security officers, opinion leaders, students and teachers in technical colleges, elders and youths, women and community members. To minimise the limitations of purposive sampling, the study used an in-depth interview guide and Focus Group Discussions to draw out the contextual, historical and current issues about decentralisation. In both interviews and Focus Group Discussions, decentralisation was examined along the following lines: emerging forms of participation and how ethnicity identity is constructed; political bargaining between the central and local governments in the process of local governance; districtisation and its effects on service provision; and how emerging conflicts and contradictions within the practice of decentralisation affect national unity and integration.

1.3 History of the Case Study Regions

Kasese and Bushenyi districts were both created in 1974. Kasese was carved out of Tooro kingdom in response to the demands of the Rwenzuru movement for a district for the Bakonzo and Bamba, and was initially called Rwenzori district.²⁷ Bushenyi, originally known as West Ankole, was created out of what used to be Ankole district to separate the predominantly Bairu Western Ankole from predominantly Bahima Eastern Ankole.²⁸

Despite their origins in attempts to create distinct spaces for distinct ethnic/linguistic groups, as a means of reducing tensions within the independence administrative units, both districts are today multi-ethnic in composition. In Kasese the dominant ethnic groups are the Bakonzo, Batooro and Bamba with minority groupings of Banyankole, Basongora and Bakiga.²⁹ In Bushenyi district the dominant ethnic groups are the Banyankole and Bakiga.

27 <http://www.kasese.go.ug/background/index.htm>

28 Bushenyi District Three Year Rolling Development Plan, 2007-2010

29 <http://www.kasese.go.ug/background/index.htm> It is important to note that one particular sub-county, Karusadara, stands out from the rest of the district in terms of ethnic diversity. This is due to its location on the railway line as well as the presence of large-scale prison farms.

Karamoja, a single district at independence, has since been sub-divided into six districts which broadly correspond to different ethnic sub-groupings and livelihood patterns, namely Moroto (Bokora and Matheniko), Kotido (Jie), Nakapiripirit (Pian, and Chekwi), Amudat (Pokot), Kaabong (Dodoth, Bokora, Nyangea and Ike) and Abim (Labwor). There is talk of creating one more district in the sub-region; one for the agriculturalist Nyangea and Ike out of what is currently Kaabong district.³⁰

Acholi, until 2000 comprising only two districts (Gulu and Kitgum) has since been subdivided and is now composed of four districts (Gulu, Kitgum, Pader and Amuru). Unlike Karamoja, where district boundaries broadly correspond to ethnic sub-divisions, many people see the creation of Amuru district in particular as attempting to create an NRM stronghold within a sub-region, which overall offers very little support to the NRM.³¹

Lango split in 1974 by the formation of Apac and Lira districts saw further subdivision when Amolator was carved out of Lira (2005) and Dokolo and Oyam were carved out of Lira and Apac respectively in 2006. Again, these divisions appear to be more related to the Lango region's history as a UPC stronghold, rather than a response to conflicts arising from competing ethnic sub-groupings and livelihood patterns.

2.0 Key Findings of the Research

2.1 Service Provision or Political Rewards?

The 1995 constitution offers service provision and effective administration as the conditions for alteration of district boundaries and creation of new districts³². As such, districts serve two reciprocal purposes. To the local population, they extend services and to the state, they extend the apparatus of administration and control. Our findings suggest that the success in the provision of services is questionable, although the increase in the number of districts has undoubtedly helped the state to extend its presence and therefore its control. The quality of services delivered appears to be good mostly around the district headquarters but not in distant sub-counties³³. This has then been used to justify the creation of additional districts as expressed by Prof. Tarsis Kawegyere in 2005 when presenting a motion for the creation of 11 additional districts. He argued that “some of the proposed districts have arisen because the mother districts have in some way neglected them”³⁴.

With the introduction of democratic elections in 1996, the ruling elites came under great pressure from opposition politicians both nationally and locally, despite the absence of well established political party structures. In this context the district apparatus has formed the seedbed for political mobilisation and power capture. Similarly, service provision by the districts has been used by national and local elites to provide rewards to their electorates. The provision of rewards is controlled through the use of conditional rather than unconditional grants. Since local government budgets are funded to the tune of 80%-85% by conditional grants,³⁵ there is limited discretion

30 Phone discussion with a Female Local Government Official of Nakapiripirit district, on October, 23rd 2008. The district is composed of Karamojongs (have different sub-ethnic groupings) and the Kalenjini Pokot. Amudat District which yet to commence operation will be mostly for the Pokots

31 Interview with male sub-county chairperson in Gulu, on February, 15th 2008

32 Article 179 of the 1995 Constitution of Uganda

33 Interview with a male district official in Bushenyi district on April, 4 2008

34 Parliamentary Hansard, July, 20th 2005

35 Republic of Uganda. *Local Government Sector Investment Plan (LGSIP), 2006-2016: Decentralisation for Social-Economic Transformation*, Kampala: Ministry of Local Government, 2006

for local councils to prioritise their own budgeting and planning. With limited local revenues – in some local governments only amounting to 3%³⁶ — coupled with the increase of conditional rather than unconditional grants, local planning and participation is effectively under the control of the national political elites. This control is supported by the legal and institutional apparatus of decentralisation.

According to the Local Government Act, of 1997, for example, local governments should accord National Programme Priority Areas (NPPAs) preferential budget outlays. When a local government deviates from this, the Local Government Finance Commission (LGFC) is supposed to inform the President through the Minister of Local Government.³⁷ The President can for example assume – directly or indirectly – the executive and legislative powers of any district.³⁸ The legal and institutional apparatus not only entrenches an incentive system for the national elites to intervene in local affairs, it makes local governments susceptible to demands of the national political elites. It is this delegation of responsibilities without corresponding power that affects service provision by creating two constituencies for local governments. The first legal constituency is the national political elites, in particular the President. The second constituency is the electorates or consumers of services delivered by the districts. While the first constituency can use the legal and institutional apparatus to determine services to be provided, the second cannot. Similarly, because of money politics, the first rather than the second constituency makes more sense to sections of the district political leadership since it can fund their political campaigns.

In the era of liberalisation and privatisation, the reward envelope³⁹ for the central state dwindled as the districts assumed the role of service provision. The local state became the primary providers of jobs and tenders. As such, whoever controls the districts controls local resources and determines how and who accesses the resources. In multi-ethnic districts, this has created or increased competition over resources such as land, jobs and tenders. Without any other means of mobilisation, ethnicity is used as a mobilisation tool to access such resources and services. Ethnic mobilisation and agitation is termed popular democracy by the state, which believes such demands are emancipatory and need to be treated as such⁴⁰. This in turn increases the state presence as well as government capacity to control the local and national spaces. Each new district results in another Member of Parliament (MP), another Resident District Commissioner (RDC), and another Chief Administrative Officer (CAO) and so on. In the name of service provision, the ruling elites manage to expand the reward envelope. It is also done by dividing up multi-ethnic districts and livelihood patterns as evidenced in eastern Uganda, with the creation of Busia from Tororo, Kaberamaido from Soroti and Abim from Kotido.

As the control of local spaces by national and local elites increases with the creation of more districts and the political use of service provision, so does the division between rural and urban districts. Whereas urban districts like Kampala can attract and retain qualified staff, rural districts often cannot.⁴¹ As such service

36 ibid

37 Section 78 Local Government Act, 1997

38 Article 201 (1) of the 1995 Constitution of Uganda

39 These are monetary and non-monetary compensations that a neo-patrimonial regime pays its supports so as to retain power

40 Ocwich, Denis “Can Uganda’s Economy Support more Districts” *The New Vision*, August, 8th 2005

41 In 2007 some new rural districts which had been created a year earlier (e.g. Abim, Amolatar, Amuria, Bukedea, Bukwo, Bulisa, Budaka, Butaleja, Dokolo, Kaliro, Lyantonde and Manafwa) had only succeeded in filling 9% of vacant posts. Even some long established districts, such as Gulu, had only succeeded in filling 36% of posts; Interview with ministry of local government Official on 23rd March 2009

provision in the rural districts is undertaken by understaffed district administrations that can neither monitor, nor supervise contractors, nor effectively engage the community. Without the human resources needed to implement, monitor and supervise services, the absorptive capacity of these districts is reduced, and they cannot use all the money accorded to them by the central government. The unspent balances attract a penalty from the central government in the form of reduced funds to the district in the next financial year.⁴² Faced with the pressure to use all the money despite the challenges, CAOs plead with sector heads in the districts to increase spending.⁴³

In districts affected by conflict, the situation is even worse. According to the Peace, Recovery and Development Plan (PRDP), the human resource gap in the conflict affected districts is 51%,⁴⁴ and yet the same districts are supposed to implement the PRDP programmes in addition to existing commitments. Operating with only 49% of posts filled, the absorptive capacity of the districts is poor and it is questionable whether they can deliver development as envisaged by the PRDP. Consequently they are likely to accumulate a lot of unspent balances, attracting penalties from the central government. It is no wonder that despite several reconstruction programmes, the region has yet to attain development levels comparable to the southern part of the country and that people in the north continue to feel marginalised.⁴⁵ The failure by districts to deliver on the promise of service provision and socio-economic development tends to result into demands for new districts from those who feel marginalised, a process which fuels further fragmentation. The problem is not with the districts, but the intent of the political leaders when they decide to create districts which are not economically viable, or which are intended to weaken local processes and challenges to state power. The increase in the number of districts without consulting the ministry of local government⁴⁶ increases the administrative costs both at the national and local level.⁴⁷ In Kasese district, for example, 10-11 billion of the 23 billion shilling budget is spent on administration.⁴⁸ Funds meant for service provision are spent on administration which benefits the political and administrative elites running these local units.

In addition, the increase in particular of ethnic and political districts⁴⁹ tends to containerise people and devalue service provision. Similarly those who were originally marginalised under the parent district use the new district to marginalise others but also containerise themselves to the new districts.⁵⁰ Their interest is to seek employment in the new district, not any other.⁵¹ The new district is considered their place to battle it out with other groups.⁵² Jobs in the districts are mostly granted to people considered born within the districts. Consequently the district comes to represent the interests of a specific group of people, which affects the

42 Minutes of the Joint Meeting of Sector, Sub-sector heads, ACAOs and All sub-county chiefs at Bushenyi Agriculture Development Centre (DFI) on April, 02 2004; Minutes of Kasese District Technical Planning Committee Meeting held on September, 5th 2006 in the Teachers Resource Centre

43 Minutes of District Technical Planning Committee meeting held in the District Council Hall on July, 03rd 2007

44 Republic of Uganda. *Peace and Recovery Development Plan for Northern Uganda*, Kampala: Office of the Prime Ministry, September, 2007

45 Interview with a female Judicial Officer in Gulu district on February 13th 2008

46 USAID. *Strengthen Decentralisation in Uganda Phase 2 (SDUII): Lessons Learned Review*, Kampala: December, 2007

47 Parliamentary Hansard July, 20th 2005

48 Interview with a Male district official in Kasese on April, 10 2008

49 USAID. *Strengthen Decentralisation in Uganda Phase 2 (SDUII): Lessons Learned Review*, Kampala: December, 2007

50 Interview with a male Religious leader in Gulu District on February, 9th 2008

51 Interview with a male sub-county chief in Bushenyi district April, 9th 2008; Jamwa Ojwang "We welcome Kisoko District" Daily Monitor June, 2nd 2009

52 Interview with a sub-county chief in Bushenyi district April, 9th 2008

socio-economic development in so far as the district cannot marshal the needed human resources with which to offer services. The division of districts additionally weakens some groups as it pins others to a specific location. In conflict circumstances, where people experience migration within and outside their home districts, and where access to education is seriously reduced, the pool of skilled human resources is very small.

The Agreement on Comprehensive solutions for the Juba Peace Talks stipulates that government shall take special measures in favour of development of the least developed areas by way of a mechanism that ensures easy access to funds for resettlement and the enhancement of productive capacities.⁵³ The institutional framework of delivering this balanced development involves both national and local actors. At the local level the districts play a pivotal role. But the creation of some of the districts appears to be political – containment of opposition challenges - rather than development. The central government seems to use decentralisation to effectively distance itself from failures and problems associated with unequal development⁵⁴ or service provision. For instance, the central government allocates only one third of its overall sectoral budget to district expenditures,⁵⁵ and yet, when asked to explain why services are poor or not delivered, it explains that service provision is the mandate of districts. In this fashion the central government both cleans up its image but also deflates interest in scrutinising service provision in Uganda.

Certainly the central government may have benefited from decentralisation in so far as it appears to shift responsibility for failure to deliver services from central to local government. As such, unbalanced development and the resulting sense of marginalisation are explained by the central government as local issues that can be sorted out if the districts offer better services. As the central government avoids the bad roads, unsafe water, bad schools, and poor health centres,⁵⁶ local leaders carry the burden and blame of all such failures.⁵⁷ During a visit to Kanungu district in 2008, President Museveni reportedly said, “I will soon investigate chairpersons of districts to find out how the money at the district is spent.”⁵⁸ He claimed that districts had failed to meet their responsibilities, but made no mention of central government’s own responsibility to work on main roads in the districts.

The legal and institutional set-up of decentralisation and political interests rather than administrative efficiency seem to offer a recipe for the national and local elites to use decentralisation to capture local spaces as well as retain power. When the system is used to reward clients of the regime generates tensions and a sense of marginalisation. It is this political influence with decentralisation policy, which reconstructs identity undermining national unity and reconciliation.

2.2 Participation: Guiding the Decision-Making Process at the Local Level

Participation is a political process that involves making decisions about resource allocation and utilisation. At the local level, it takes several patterns and happens in different structures, including local government and

53 Clause 11.1 (a) Agreement on Comprehensive solutions between the Government of the Republic of Uganda and Lord’s Resistance Army/Movement

54 Interview with male sub-county chairperson in Gulu District on February, 15th 2008

55 Interview a female senior government official in Oyam district on February, 19 2008

56 Interview with male Opinion leader in Bushenyi, on April, 7 2008; Interview with a male district official of Bushenyi district on April, 6 2008

57 Interview with a male sub-county chairperson in Gulu District on February, 15th 2008;

58 *The Daily Monitor*, September, 4th 2008

administrative units, district and sub-county councils. There are different groups with several interests in the decision-making process at the local level. Some politicians are interested in maximising their political capital, the technocrats in achieving set goals and the community in accessing services. Each of these different groups has a particular space it uses to influence decision-making.⁵⁹ It is important to examine how these different structures relate with each other in the process of decision-making and what ramifications districtisation has on participation.

Community participation in decision making processes often appears to be aimed at fulfilling legal requirement rather than influencing the outcomes of the process. Although communities make their priorities and projects known during the planning processes, many times there is no feedback about which projects are to be funded and why.⁶⁰ In pastoral communities, participation in decision-making processes is further circumvented as there is no consultation in the Manyattas.⁶¹ The tendency is to think that people are conflict prone.⁶² As a result, planning and budgeting are not sufficiently participatory and all inclusive.⁶³ Because of limited participation it is difficult to synchronise village/parish action plans and priorities into higher local and central government plans and priorities⁶⁴ in a manner that honours views from lower local government and administrative units. The District Technical Planning Committees (DTPCs) in Kasese and Bushenyi noted that community participation in the planning process is low and that sometimes villages are not consulted⁶⁵ because of limited funding.⁶⁶

Without community participation, district politicians, technical staff, central government ministries, donors and sections of civil society take decisions about local needs and priorities. Communities are thus reduced to consumers of services without the power to determine how such services may be delivered and by whom. Controlling decision-making processes at the local level is implicitly and explicitly ingrained into the 1995 constitution and the Local Government Act, 1997 which prescribe that community interests and needs have to fall within the NPPAs for purposes of balanced development.

The structure of local governance limits political and community participation in decision making processes in as far as it is characterised by a substantial transfer of tasks, but a rather limited transfer of powers from the central government only as far as the district⁶⁷ and the sub-county/division. In addition, qualified civil servants working with uneducated politicians, appears to be a premeditated measure to safeguard against unwise, irresponsible, discretionary decisions by elected local politicians.⁶⁸ Consequently, civil servants rather than politicians manage decentralisation with the latter being reduced to cogs in an ever moving machine of

59 Ahikire, Josephine *Localised or Localising Democracy: Gender and the Politics of Decentralisation in Contemporary Uganda*, Kampala: Fountain Publishers, 2007

60 Interview with a male civil Society official in Kasese on April, 15th 2008

61 These are the traditional homesteads of the Karamojongs in north Eastern Uganda

62 Interview with a male government official in Moroto district on November, 13th 2007

63 Cammack Diana, Golooba-Mutebi Fred, Kanyongola and O'Neil Tam. *Neo-patrimonial Politics, Decentralisation and Local Government: Uganda and Malawi in 2006*, Good Governance, Aid Modalities and Poverty Reduction Working Paper 2, December, 2007

64 Ibid; Republic of Uganda. *Local Government Sector Investment Plan (LGSIP), 2006-2016: Decentralisation for Social-Economic Transformation*, Kampala: Ministry of Local Government, 2006

65 Bushenyi district Technical Planning Committee Meeting held on August, 13th 2007; Minutes of the District Technical Planning Committee meeting held on the November, 27th 2007 in the Teachers Resource Centre.

66 Cammack Diana, Golooba-Mutebi Fred, Kanyongola and O'Neil Tam. *Neo-patrimonial Politics, Decentralisation and Local Government: Uganda and Malawi in 2006*, Good Governance, Aid Modalities and Poverty Reduction Working Paper 2, December, 2007

67 DANIDA Draft Report Decentralisation of Government in Uganda, January 1993

68 ibid

local governance. It is imperative to note though that alliances do exist between the administrative and political cadres at the district level allowing politicians a measure of control and influence. Furthermore, the nature of decentralisation at the lower levels is that of delegation not devolution; implying that decisions taken by lower councils have to be approved by higher councils⁶⁹. As such, there is difficulty in integrating village and parish plans into district and sub-county plans in situations where the former do not satisfy interests of the latter⁷⁰. This control is facilitated by the use of conditional grants, limited ability of districts to apply and/or borrow money for local use and the declining levels of local revenues in the districts⁷¹. Overall, local planning and budgeting processes is partly a means of dispensing patronage by using local resources as rewards.⁷²

While the NRA had devised a broad-based system, Constituent Assembly (CA) elections in 1993 exposed weaknesses inherent in the movement system/no-party democracy as former political parties campaigned for specific individuals. In response to this challenge, the NRA turned to culture and ethnic management even as it preached ethos of unity and reconciliation. As a result, ethnicity and culture were written into the 1995 Constitution by listing 56 indigenous communities, and the 2nd schedule of the Local Government Act, 1997 empowers districts to manage cultural affairs. Simply put, management of culture and ethnicity were strategically embedded into the legal framework, and with the proliferation of districts – some of which are ethnic/linguistic in character – it has been used to fragment political challenge to the NRM leadership.⁷³

The use of culture and ethnic identity in politics has redefined participation to the extent that districts are seen and perceived as avenues for ethnic emancipation underlining group – rather than individual – rights. One can access socio-economic and political rights because they are culturally resident. This is seen in particular during the process of staff recruitment into the district service. This may be justified as good practise since ethnic groups are emancipated, but the effect of that emancipation and how the emancipated relate with others is very important. For instance, in Bushenyi district, the clamour for district status by the various sub-counties is not only about the desire to access services, but how to make sure that “sons and daughters of the soils” take control of resources.⁷⁴ Those who manage to get a district use it to lock out others, and those who are locked out have two options. First is to fight it out⁷⁵ - with their tormenters - as they do not have another home to which to

69 ibid

70 Cammack Diana, Golooba-Mutebi Fred, Kanyongola and O’Neil Tam. *Neo-patrimonial Politics, Decentralisation and Local Government: Uganda and Malawi in 2006*, Good Governance, Aid Modalities and Poverty Reduction Working Paper 2, December, 2007

71 Obwona Marios et al. *Fiscal Decentralisation and Local Government Finance in Relation to Infrastructure and Service Provision in Uganda: A collaborative Study between the National Association of Local Authorities in Denmark (NALAD), and Economic Policy Research Centre (EPRC), Uganda*, Kampala, 2000

72 Oloka-Onyango. *Decentralisation without Human Rights? Local Governance and Access to Justice in Post-Movement Uganda*, HURIPPEC working paper, No. 12, June 2007; Interview with Ministry of Local Government male Official, in Kampala on February, 23rd 2009

73 Oloka-Onyango. *Decentralisation without Human Rights? Local Governance and Access to Justice in Post-Movement Uganda*, HURIPPEC working paper, No. 12, June 2007; Mamdani Mahmood. The politics of democratic reforms” In *Uganda Landmarks in Rebuilding a Nation*, ed. Langseth P, J Katarobo, Brett E, and Munene J, 229-239. Kampala: Fountain Publishers, 1995

74 Interview with a male sub-county chief in Bushenyi district on April, 9th 2008

75 This has resulted into ethnic and resource conflicts in the Karamoja region between plantation agriculturalists in Abim districts and the cattle nomads of Kotido and Kaabong districts, currently the Basongora and Bakonzo are fighting over the control of the district and land in Kasese as a result of terming the former as alien, in Tororo districts there have been numerous conflicts between the Itesot, and the Japadolah, as indeed there are tensions and conflict between Bahima cattle nomads and plantation agriculturalists in several parts of Baganda and Bunyoro.

return.⁷⁶ Second, they demand for a district⁷⁷ which inevitably results in a new wave of minorities caught within and between district borders.⁷⁸

2.3 Justice Law and Order Sector (JLOS)

The development of judicial infrastructure and policing has not kept pace with the increase in the number of districts and sub-counties, making access to justice difficult. It has been observed that pursuing a case to the end is difficult; it involves movement to and from remote places to the town centres, where the courts and police are located, and the process can drag on for several years.⁷⁹ Whenever a new district is created there is a change in the magisterial area, the new area must prosecute all cases⁸⁰ that fall within its mandate though the resources and staffing for the new magisterial area will not necessarily be provided. According to the chief justice circular (magistrate court, Magisterial area), in 2007 regulations, for example, there are supposed to be 32 magistrates courts in Bushenyi – but only 7 courts are functioning.⁸¹

The failure to establish magistrate courts means that police cannot commit suspects to courts. If the area where a crime is committed possesses no court, the suspect has to be either transported to another magistrate court within the same magisterial area, or the police will act as the arbitrator. The cost of transporting suspects and conducting investigations are at time born by the plaintiffs. Failure to fund the process results into police keeping a suspect under custody, sometimes for more than 48 hours. Thus courts are viewed as a tool for the rich to grab people's property. The poor man knows that he cannot follow the suit to its final judgement and has always to resort to other means.⁸²

Those who cannot finance their access to justice use traditional mechanisms. These can also be controversial since they sometimes represent the interests of particular groups in society. The more district boundaries attempt to reflect ethnic groupings, the more problematic this becomes. In Bushenyi, for example, the Abairu detest traditional justice because the traditional system represents the interests of the Bahima. Similarly in Kasese, the Basongora and Banyabindi fear that traditional justice cannot be fair to them if a case involves a Bakonzo. Similarly, traditional courts tend to be male dominated; thus women have limited trust in them. In the absence of clear justice mechanism that are both accessible and just, whether in the formal or traditional justice sector, people at times resort to lawlessness and mob justice.

2.4 Conflicts: Negotiating Access to Resources and Rights

The promotion of political rather than administrative objectives in the practice of decentralisation has generated tensions, within and between regions. There are boundary conflicts between Pallisa and Namutamba, Tororo

76 Nakayi Rose. *Decentralization and the Situation of Selected Ethnic and Racial Minorities: A Human Rights Audit*, HURIPEC working paper No. 15, July 2007; Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers, 1996

77 Tororo, Pallisa and Mbale districts which comprised of different ethnic groups at independence have experienced such demands on a wide scale compared to other districts in the country.

78 Some of these minorities caught between borders are avoidable while others are not. For instance the creation of Amuru district has meant that some communities can no longer access justice in Gulu district yet they are geographically nearer to Gulu compared to Amuru district.

79 Interview with a male judicial official in Bushenyi district on April, 08th 2008

80 For treason and capital offenses the magistrate courts play a procedural role by referring such cases to the circuit court.

81 Interview with two male security officials in Bushenyi district on April, 04th 2008

82 Ibid

and Butaleja, Mbale and Budaka, Kyenjojo and Kabarole. Internal ethnic conflicts and tensions are seen in the districts of Kasese, Kaabong, Nakapiripirit⁸³ and Tororo. According to the national objectives and directive principles of state policy, all organs of the state and the people of Uganda shall work towards the promotion of national unity and, peace and stability; and every effort made to integrate all the people of Uganda, while at the same time recognising the existence of their ethnic, religious, ideological, political and cultural diversity.⁸⁴ While creation of districts along ethnic/linguistic lines can be justified as recognition of ethnic diversity, it undermines national unity since it breeds isolationist tendencies⁸⁵ and ethnic animosity thus rendering some communities helpless and weak.⁸⁶ In some areas it has created a sense of a territorially defined citizenship at the local level. In Karamoja sub-region the phenomenon of territorial citizenship has increased ethnic conflict between the Jie and Dodoth.⁸⁷ This can be blamed on the creation of Kaabong district which is predominately comprised of the Dodoth.⁸⁸ Boundaries have increased sedentarisation of nomadic Karamojongs reducing interaction as moving with animals to water points outside your area is a problem.⁸⁹

Ethnic groups which fail to see benefits from districtisation feel marginalised and this fuels demands for more districts as an avenue to access and control socio-economic rights and resources. This demand often has political backing. Political elites use the feeling and perception of marginalisation and the inability of existing districts to offer services equitably and efficiently as a basis for demanding new districts. While the demand is seen as benefiting the people, it also divides them as a specific ethnic administration rules over population belonging to different ethnic groups.⁹⁰ This limits access to land, participation in local governance processes, and leaves decision-making to only those considered natives of the district.⁹¹ When justifying granting districts to Pallisa and Butebo counties, Hon. Mallinga lamented that “there is unequal distribution of schools, health services and all social services, based on tribal differences.”⁹² Ethnic identity becomes the axle upon which all rights and privileges are determined. Since there are groups – for example like the Pokot in Nakapiripirit and Ike in Moroto which cannot claim ethnic dominance in the district, their options are limited to fighting it out with the dominant groups so as to access those rights considered to be group rights. While this fight may be termed as emancipatory because it aims at according a specific group rights they are denied.

With the introduction of electoral politics, politicians at the local and national level have used ethnicity as a basis for mobilisation. This was clearly articulated by Hon. Mallinga when he accused Hon. Kafire Rainer, of “going through Budaka and Kibuku scaring the people and telling them that if an Itesot became LC V chairman, then they would destroy Pallisa”⁹³. In Kasese district, for example, the Basongora are not allowed to claim land because they are considered ethnically foreign although they are Ugandans. The dominant Bakonzo ethnic

83 The tensions in Nakapiripirit may be partially resolved that the government as decided to create a district for the Pokot in Amudat county, but this ethnic isolation and ring fencing cannot resolve conflicts, but only afford government an opportunity to divide and rule over communities

84 Objective 3 (i) and (ii) 1995 Constitution of Uganda

85 Interview with male security official in Kasese on April, 9th 2008

86 Interview a male civil society official, in Kotido District on November, 21st 2007

87 Interview a male civil society official, in Kotido District on November, 21st 2007

88 Kotido district is predominately Jie while Kaabong although it has agriculturalists in some areas is predominately Dodoth

89 Focus Group Discussion with Karacuhas (Ngigente) in Rupa Sub-county, Pupu Parish, Kalukalet Village, Moroto district on

November, 14th 2007

90 Mamdani (2008) “The Question of Justice-Lessons and Challenges” Talk to Commemorate International Human Rights Day for

Kenya Human Rights Commission, December 2008”

91 *ibid*

92 Parliamentary Hansard, November, 16th 2000

93 *ibid*

group claim that Kasese district is their ethnic cradle which was “achieved with blood from the Batooro and they cannot die again for the sake the Basongora”.⁹⁴ Their claim for such rights is seen as politically engineered and aimed at undermining the district.⁹⁵ Fragmentation in particular defines and permanently creates conflict prone tendencies. Examples can be drawn from the Pokot and Pian in Nakapiripirit, and the Itesot and Japhadola in Tororo. “It engenders secession tendencies”⁹⁶ hence districts sometimes represent and enforce specific cultural and ethnic interests.

Recruiting into the district ranks is one such opportunity the districts use to reward and favour their sons and daughters.⁹⁷ The appeal to ethnicity to win political power at the local level reflects the political stakes at play. Districts now have a considerable amount of resources which opposition and pro-government politicians at the national and local level are interested in controlling. Controlling such resources affords the political elites opportunities to exercise patronage and thereby maintaining their political power. To ethnic groups, controlling these resources affords the opportunity to access political, socio-economic rights and resources.

Districtisation has become a means of avoiding tensions between agricultural and pastoralist livelihoods. In Kasese, conflict takes on an economic dimension as cultivators (Bakonzos) are pitted against cattle keepers (Basongora) as the two economic modes struggle to co-exist on the same land. There is now talk of creating a separate district for the Basongora. In Karamoja the creation of Abim district which is populated predominately by agriculturalists, inspired the agriculturalists of Nyangea sub-ethnic group in Kaabong to also call for a separate district.

Kasese and Karamoja are unusual in that a big proportion of their land area has been reserved for government use and been made unavailable to the local population. The table below shows land use distribution in Kasese district.

Land use distribution in Kasese District

Land use	S q u a r e Kilometre	%
R w e n z o r i National Park	652	17.9
Water Queen Elizabeth National Park	461	12.6
Human use	885	24.3
Total	1647	45.2
	3645	100

Source: Kasese District Development Plan, 2007-2010

In both Karamoja and Kasese, arable land is found mainly in the plains, yet these are also shared between the population and the government establishments like game parks, forests, and farms. With increasing pressure

94 Interview with a male civil society official in Kasese district on April, 15th 2008

95 Interview with a male civil society official in Kasese district on April, 15th 2008

96 Interview with a male senior government official in Moroto District on November, 12th 2007

97 Interview FGD with male and female members of a Civil Society organisation in Moroto District, on November, 12th 2007

for land and pasture from the pastoral communities, contestations over land increased. Fragmentation of these regions in particular Karamoja have tended to pin grazing to a specific geographical area with ecological implications which are beyond this paper to address⁹⁸. Geographical restriction has also meant tensions, over access to resources (mainly water and pasture in the case of Karamoja). In Kotido, for example, the Jie claim that Kotido is their district, and the Matheniko and Bokora have to graze in Moroto, not Kotido. The agriculturalists claim that Abim which is called a zone of peace and development is their district as such the pastoralists should restrict their activities to Kotido.

In an attempt to win the battle, each group appeals to ethnic identities⁹⁹ to mobilise support. Different ethnic groups demonise each other and argue that they are the original inhabitants of a particular district. For example, the Basongora claim that Kasese was originally their county as it was once called Basongora County; the Bakonzo were in the mountains or the Congo. On the other hand, the Bakonzo claim the Basongora were temporary cattle herders who came from other parts of the country during dry seasons and have never had permanent land in Kasese. In Karamoja, counties correspond with and are named after the main clans that constitute the Karimojong. Moroto district comprise of two counties: Matheniko and Bokora. The dominant ethnic group take the county to be their ethnic cradle, yet there are other smaller groups in the same area, for example the Tepeth in Matheniko County. Nakapiripirit comprises of Amudat for the Pokot and Chekwi for the Chekwi and Pian. The politics of naming counties in Kasese and Moroto districts thus creates ethnic tensions. In Kasese, the two counties are named Bukonzo and Busongora after the two dominant ethnic groups, thereby promoting territorial citizenship¹⁰⁰ rather than civic citizenship.

In Kasese, the government has attempted to salvage the situation by allocating some of the government land to cultivators and cattle keepers on a ratio of 1:3. While this may have solved the problem for now, it is not a permanent solution as cultivators and cattle keepers have continued to fight over land.

3.0 Conclusion

This series of discussion points, drawing on findings from diverse corners of Uganda, suggest that many of the key stated objectives of decentralisation, as articulated in the introduction, are yet to be realised. The practise of decentralisation, especially after 1994, has tended to focus on political objectives, rather than the administrative efficiency promised in the policy. Many elements of service provision have failed to increase in the way that was hoped for, and greater local participation in decision-making processes, whether by communities or government officials, remains highly circumscribed. The Justice, Law and Order sector in particular has failed to keep up with the pace of district formation, and decentralisation, rather than reduce conflicts, has if anything aggravated them. The use of “divide and rule” criteria for district formation has led to a rapid escalation in the number of districts and a tendency to redefine participation in decentralised decision-making along ethnic lines, resulting in tensions and conflicts within and between districts.

98 Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers 1996, Bazaara Nyangabyaki. “Politics of Legal Land Reforms and Resource Rights in Uganda” A paper presented at Africa in the New Millennium Conference held on 9th- 12th December, 2002

99 For a detailed discussion of ethnic identities in Kasese also see RLP, *Western Uganda:*

Research on Traditional Methods of Conflict Resolution and Potential for Long-term Reconciliation: Briefing note to Care International, 2005

100 For a detailed account see Mamdani Mahmood. *Citizen and Subject: Contemporary African and Legacy of Late Colonialism*, Kampala: Fountain Publishers, 1996; Mamdani Mahmood. “The Politics of Naming: Genocide, Civil War”, Insurgency, 2007.

Via http://www.lrb.co.uk/v29/n05/mamd01_.html

While the benefits of districtisation to the general population appear somewhat limited, some of these findings indicate that there are political benefits, particularly for national and local elite groups. Central government benefits in so far as it can distance itself from failures of service delivery within the districts. In addition the central government seems to benefit in so far as decentralisation helps the state to extend its extractive capacity and effective administration to the country side. The local elites benefit in terms of greater access to resources and political leverage. In short, decentralisation tends to create space for the state to penetrate society rather than for society to lay claims on the state. Local participation conditioned by national priorities is yet to deliver on the much expected participatory democracy. The focus on ethnic purity and/or ethnic separation as a method of conflict resolution is also undermining national unity and integration, and eroding the prospects for cohesion.

4.0 Recommendations

- 1) Sections of the local Government Act, 1997, and the 1995 constitution need to be amended so as to insulate the process of district creation from political influence peddling such that district creation can be based on a proper criteria. Article 179 of the constitution simply talks of density of the population and economic viability as a criterion for district creation, without quantifying population density and economic viability. To that list, there is need to include geographical coverage and quantifying the other aspects.**
- 2) In districts where there is are dominant and smaller ethnic groups, proportional representation in the local councils can be tried. This may be complemented with equitably distribution and delivery of resources and services respectively within and between districts.**
- 3) Government is commended upon the establishment of an anti-corruption court. To strengthen the fight against graft, the corruption court needs to be accorded more justices, and other human resources as well as establishing its branches in all districts. To support anti-graft institutions, there is need to create a special investigative division within the police to investigate corruption cases so as to timely prosecute offenders.**
- 4) To attract and retain qualified technical staff within districts, there is need to make such positions attractive. This can be done by a shift from a separate to unified personnel system that creates a cadre of technical human resource for districts which is both transferable with limited costs. This will allow employee mobility and transferability without recentralisation of staff. It will also limit the usage of funds since the District Service Commission will be replaced with a single national body in charge of all district technical staff.**

Bibliography

- _____. “Statement by the Development Partners’ Working Group on Decentralisation during the Joint Annual Review of Decentralisation”, December, 2008
- _____. “Statement of the Uganda Local Government Association (ULGA) presented at the National budget Consultative meeting of district chairpersons with the Ministry of Finance, Planning and Economic Development”, 2007
- Ahikire Josephine. Localised or Localising Democracy: Gender and the Politics of Decentralisation in Contemporary Uganda, Kampala: Fountain Publishers, 2007
- Barber J. Imperial Frontier, Nairobi: East African Publishing House, 1968.
- Barya John-Jean. Reconstituting Uganda Citizenship under the 1995 Constitution: A Conflict of Nationalism, Chauvinism and Ethnicity, CBR working Paper No. 55, 2000
- Berman Bruce “Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism” African affairs, Vol. 97 (1998): 305-34
- Blanton Robert et al. “Colonial style and Post Colonial Ethnic Conflict in Africa” Journal for Peace, Vol. 38, No 4, (2001): 473-491
- Bratton M and Walle V. Nicolas. Democratic Experiments in Africa: Regime Transitions in Comparative perspective. London: Cambridge University Press, 1997.
- Cammack Diana, Golooba-Mutebi Fred, Kanyongola and O’Neil Tam. Neo-patrimonial Politics, Decentralisation and Local Government: Uganda and Malawi in 2006, Good Governance, Aid Modalities and Poverty Reduction Working Paper 2, December, 2007
- Karugire Samuel. A Political History of Uganda, Kampala: Fountain Publishers, 1980
- Mamdani Mahmood. “The Question of Justice-Lessons and Challenges” Talk to Commemorate International Human Rights Day for Kenya Human Rights Commission, 2008
- _____. “The Politics of Naming: Genocide, Civil War, Insurgency”, 2007. Via http://www.lrb.co.uk/v29/n05/mamd01_.html
- _____. Citizen and Subject: Contemporary African and Legacy of Late Colonialism, Kampala: Fountain Publishers, 1996.
- _____. “The politics of democratic reforms” In Uganda Landmarks in Rebuilding a Nation, ed. Langseth P, J Katarobo, Brett E, and Munene J, 229-239. Kampala: Fountain Publishers, 1995

- Nakanikye B. Musisi and Asiimwe Delius. Decentralisation and Transformation of Government in Uganda, Kampala: Fountain Publishers, 2007
- Nakayi Rose. Decentralization and the Situation of Selected Ethnic and Racial Minorities: A Human Rights Audit, HURIPEC working paper No. 15, July 2007
- Obwona Marios et al. Fiscal Decentralisation and Local Government Finance in Relation to Infrastructure and Service Provision in Uganda, A collaborative Study between the National Association of Local Authorities in Denmark (NALAD), and Economic Policy Research Centre (EPRC), Uganda, November, 2000
- Oloka-Onyango. Decentralisation without Human Rights? Local Governance and Access to Justice in Post-Movement Uganda, HURIPEC working paper, No. 12, June, 2007
- Reiley Richard and Johns Sheridan. “Local and District: Should they be forgotten?” Journal of Modern African Studies Vol. 13, No 2, (1975): 309-332
- Republic of Uganda. Peace and Recovery Development Plan for Northern Uganda” Kampala: Office of the Prime Minister, September, 2007
- _____. Decentralisation Policy Strategic Framework, Kampala: Ministry of Local Government, 2006
- _____. Local Government Sector Investment Plan (LGSIP), 2006-2016: Decentralisation for Social-Economic Transformation, Kampala: Ministry of Local Government, 2006
- _____. Constitution of the Republic of Uganda, Entebbe: Uganda Printing and Publishing Corporation Ltd.
- _____. Local Government Act, Entebbe: Uganda Printing and Publishing Corporation Ltd
- _____. Report of the Commission of inquiry into the Local Government System, Kampala: Ministry of Local Government, 1987
- Refugee Law Project. “Western Uganda: Research on Traditional Methods of Conflict Resolution and Potential for Long-term Reconciliation” Briefing note to Care International, 2005
- Uganda Protectorate. Report of the Uganda Relationship Commission, Entebbe: Government Printer, 1961
- USAID. Strengthen Decentralisation in Uganda Phase 2 (SDUII): Lessons Learned Review, Kampala: December, 2007



FACULTY OF LAW

Makerere University
P.O. Box 7062, Kampala - Uganda
tel: +256-414-542284
fax: +256-414-543110
e-mail: lawdean@muklaw.ac.ug
website: www.makerere.ac.ug/law



REFUGEE LAW PROJECT

Plot 9 Perryman's Gardens, Old Kampala
P.O. Box 33903, Kampala - Uganda
tel: +256-414-232552 /-343556
fax: +256-414-346491
e-mail: research@refugeelawproject.org
website: www.refugeelawproject.org

Northern Uganda Office
Plot 3 Paul Peter Opok Road
P.O. Box 880 Gulu - Uganda
tel: +256-471-433803
fax: +256-471-433266
e-mail: gulu@refugeelawproject.org



HUMAN RIGHTS & PEACE CENTRE (HURIPEC)

P.O. Box 7062, Kampala - Uganda
tel: +256-414-532954
fax: +256-414-543110
e-mail: huripec@huripec.ac.ug
website: www.huripec.ug