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## Decentralization, local bureaucracies and service delivery in Uganda

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## **Decentralization, Local Bureaucracies and Service Delivery in Uganda**

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October 2001

### **Abstract**

Following close to two decades of political distress and economic decline, Uganda embarked, in the mid 1980s, on far-reaching reforms under Yoweri Museveni's National Resistance Movement. Decentralization was emphasized, with the new leaders highlighting the importance of proximity to policymakers and the necessity of engaging communities in the formulation of policies, which affected them in their daily activities.

However, while much has been achieved under decentralization, a number of constraints remain. Lack of financial and human resources at the local level being the most acute problem. It limits the ability of local leaders to implement policies and programmes, and reduces the independence of local governments, with their leaders continuing to be beholden to the central government. The chapter concludes that decentralization is a process and, therefore, steady progress in capacity and institutional building is more important than isolated breakthroughs.

Keywords: decentralization, local bureaucracies, social services, local autonomy

JEL classification: H4, P4, R0

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## **1. Introduction**

Uganda is one of only a handful of countries in Sub-Saharan Africa, which have taken part in the new wave of decentralization. The process differs from the efforts of the 1960s and 1970s in that this time governments seem ready to cede real power to the lower (local government) levels. It also takes place alongside broad economic and political reforms and with the support of the donor community that is convinced that aid is most beneficial in countries where recipients are able to participate in the political process that determines its use.

However, like was the case in the 1960s, it is sometimes easy to romanticize about the benefits of decentralization, and thus fail to take into account the detailed work required before it benefits people at the local level. In many African countries, an important impediment to decentralization has been lack of financial and human resources. These two deficiencies work interactively. Local governments find it difficult to raise enough revenue and therefore are unable to hire able administrators and other officials to manage programmes. To ensure the provision of essential services, local leaders often have no alternative but to fall back on funds from the centre. The combination of lack of managerial resources, inadequate finances and poor access to markets implies that the concept of independence at the local level is illusory, with the centre dictating the development agenda and local bureaucrats continuing to be beholden to the line ministries.

The purpose of this chapter is to analyse the impact of decentralization on the local governments' capacity to undertake development activities in Uganda and, in particular, to evaluate how the new policies have affected the provision of services at the local level. After a brief theoretical appraisal, the chapter discusses key aspects of the reform of local administration in Uganda, implemented by Yoweri Museveni's National Resistance Movement (NRM) during the past 15 years. We investigate what impact the reforms have had on local bureaucracies, and especially how local populations have been mobilized for development programmes and the extent to which they have participate in policy decisions. We then look at some of the problems encountered in the course of implementing decentralization.

## **2. Issues in rural institutional reform and decentralization**

Interest group politics suggest that politicians at the centre have little wish to cede their vast powers, notably those over public finances, to the local level. That they only embark on meaningful rural reforms, including decentralization, when they detect real benefits to themselves and their political supporters from incorporating the countryside into the mainstream political process. For example, when this gives them a political advantage over their competitors at the centre or when to generate welfare enhancing growth, create broader markets for urban based industries or support the agricultural activities of the elite, it becomes necessary to liberalize the economy as well as domestic politics.

In earlier efforts at rural mobilization and social engineering, past African leaders had embarked on measures collectively referred to as 'African Socialism', these were exemplified by Nyerere's Ujamaa, and on a milder scale by Kaunda's Humanism and

Obote's Common Man's Charter. As detailed in studies by Kasfir (1976) and Hydén (1980) these radical political postures bore little fruit. Kasfir notes that paradoxically all these efforts at incorporating rural dwellers and the poor into the political process during the first decade of independence in the 1960s, seemed to serve the opposite purpose of alienating them further. Thus the politics of national unity that had preceded independence had broken down into ethnic groupings, leading to a 'shrinking' political arena. Hydén argues, on his part, that though seeming to be the direct and indirect objects of political attention of the post-independence leaders, peasants remained decidedly 'uncaptured'. This was partly because there was preciously little attempt to translate the ambitious development agendas of the 1960s and 1970s into practical measures to develop the countryside and raise rural welfare. At one extreme, the controls introduced in a bid to improve resource husbandry had broken down into a crude exploitation of the countryside via commodity marketing boards and import substitution schemes undertaken with the help of foreign exchange controls (Bunker, 1987).

What then has changed in recent years to justify the current optimism regarding the developmental impact of decentralization? Three factors can be named in this regard. First, decentralization, at least in theory, is said to hold great potential for development (see for example Collins and Green, 1994). It can be said to possess a dual mandate. Decentralized government provides space for people to participate in the formulation of policies that affect them directly, including the setting of local taxes, provision of social services and ensuring security of life and property. It is also assumed that it is easier to exercise inclusive politics, which enable communities and groups to influence policies that affect their daily lives, at the local than at the national level. Indeed for many aid agencies local participation has become the focus of their aid programmes (see for example British Government, 1997). In recent years, this has led to the strengthening of 'civil society' as a counterweight to the powers of the central government. The most visible exponent of this trend has been the growth of the non-governmental sector (NGOs) in many African countries to the extent that worries have been expressed over the negative impact that the bypassing of the state might have on public sector effectiveness.

Besides decentralization is assumed to improve decision making at the local level and to raise the quality of governance. Also, by encouraging local participation, decentralization enhances resource mobilization, including development aid, and ensures a more efficient use of resources. This raises the production of goods and services and thus local welfare (Bossuyt and Gould, 2000).

Second, the process of decentralization in Sub-Saharan Africa has coincided with, and perhaps even been dictated by, efforts by the donor community to reorient aid policies. Today, countries that emphasize broader political participation and that show a high degree of ownership of domestic reforms, including a focus on poverty reduction are apt to get more support (see for example British Government, 1997). Since populations in Sub-Saharan Africa will remain predominantly rural for the foreseeable future, rural-based policies, emphasizing decentralization of power as well as local participation will continue to attract aid resources (MacLure, 1995).

Third, the structural adjustment policies pursued in the various African countries have changed the urban-rural terms of trade, especially in countries with a traditional cash crop sector. In many countries one now finds urban groups that are in many ways worse off compared to their rural counterparts (Jamal and Weeks, 1993; Kiggundu, 1997). The

removal of commodity marketing boards and other marketing monopolies has increased the incomes of farmers in some countries and thus raised their bargaining power vis-à-vis the centre. This is certainly true for parts of Uganda and Ghana.

However, while proximity to political leaders and influencing policy at the local level is thought to be important, it is naive to think that power structures at the local level are radically different from those at the centre. Among rural power structures, the relatively well-off still dominate the top, while, as a rule, at most levels men hold the reins of power. Thus, even at the local level, the most disadvantaged members of the community including women, the aged, the handicapped and children have poor access to policymakers and, thus, exert little real influence on policy (Obbo, 1988; Guwatudde, 1997).

Recent reforms, especially those focusing on poverty eradication, have sought to incorporate all social groups in the development process. In fact, the Poverty Reduction Strategy Papers (PRSPs) meant to be the basis for poverty reduction in individual countries are partly based on a participatory process of interviews, meetings and other interaction with all segments of society. However, the politics of inclusion have been complicated by the sheer number of interventions undertaken so far as well as the number of groups engaged in the exercise.

### **3. Local government in Uganda: a short history**

Throughout Uganda's colonial history, the issue of how to govern the various districts of the country was a source of constant debate. During the earlier part of the twentieth century, a policy of governance, known as 'indirect rule', which had been tried with some success in Nigeria, Zambia, Malawi and Tanganyika, was introduced in Uganda in areas which had kings or established chiefs (Golola, 1977). In the rest of the country, a more direct form of local administration was used (Low and Pratt, 1960). It can also be argued, however, that while indirect rule enabled Britain to conserve its financial and human resources, it meant that the form of local administration that was adopted in Uganda was fairly unimaginative. The Buganda Kingdom, which evolved its own system of local government well before colonization, comprised the administrative centre of the colony. Its privileged position at the centre, with encouragement from the new rulers, helped it to export its institutions, notably the hierarchical power structures, to the rest of the country, in the process enjoying a form of suzerainty over major parts of the country.

On Uganda's attainment of independence in 1962, some powers were devolved to the kingdoms. However, the post-independence constitution was short-lived and was abrogated in April 1966 following the overthrow of the titular head of state. A new (and republican) constitution was promulgated in 1967. Under it, a new Local Administration Act (1967) was enacted with provisions that totally ignored the relevance of local government councils, instead transferring and concentrating most of their earlier powers into central government. For example, not only were local government budgets subject to approval from the minister of local government, local by-laws were subordinated to the ministry of local government, which also had the power to revoke them. In terms of financing, ultimate accountability was to the minister of local government and not directly to the local people. Finally, the minister of local government had the power to terminate the mandate of the local councillors and to dissolve local government councils as well.

These features greatly constrained the independence of local governments and reduced their flexibility and ability to renovate. Ultimately, local government councils had very little powers over their employees, with local employment creation sometimes used by politicians at the centre as an avenue for exercising political patronage. In fact, according to the 1967 Local Administration Act, even the lowest ranking employees in local government were appointed by the President (Nsibambi, 1998).

The situation was further radicalized when Milton Obote introduced his 'Move to the Left', which envisioned a socialist future for Uganda, where the 'common man' had ultimate authority in the running of the country. In his Communication from the Chair, delivered at the beginning of the 1970s, Obote (1970: 8) declared that 'from now on there would be one Public Service embracing all public officers in the Government'. Further the President saw no reason why public officers received allowances for working outside their duty stations, since this gave the impression that some parts of the country were more desirable to work in than others. Such allowances were thus abolished.

However, the new reforms were surpassed by Idi Amin's coup d'etat of early 1971. The stature of local governments probably reached its lowest point during Amin's tenure in the 1970s. He abandoned his initial attempts at incorporating civilians into his cabinet, bringing in soldiers instead. These had little interest in public affairs. In attempts at removing potential competitors from the barracks, he had also established provincial administrations, along with provincial governors, most of them fellow soldiers. However, this fitted poorly into the overall administrative structure of the country. The military governors had few real tasks, and were known to undertake such mundane tasks as personally arresting smugglers at the borders or, in the case of the Kampala Governor, arresting banana sellers who had 'inflated' their prices (Bigsten and Kayizzi-Mugerwa, 1999).

When Milton Obote assumed power in Uganda for a second time 1980 (referred to as Obote II), he was initially very successful in returning the economy to stability, partly thanks to assistance from the World Bank and the IMF. Policy statements at the time even suggest that changes in the country's administration were being planned. However, Museveni's guerrilla insurgency embarked on in the early 1980s reversed this and Obote II increasingly diverted resources to the military. There was very little focus on local government reforms at this time. This was roughly the state of affairs when the National Resistance Movement under Museveni's National Resistance Movement (NRM) captured power at the beginning of 1986. On attaining power, the NRM initiated the process of empowering local government through decentralization. It marked the most far-reaching measures to decentralize administration that has ever been attempted in the country (Langseth and Mugaju, 1996).

#### **4. Innovations of the local council system**

Museveni's National Resistance Movement saw decentralization and the devolution of power as key means of introducing popular democracy and fostering local governance. It would promote capacity building at the local level and ensure that there are local inputs in the decision making process, especially with respect to service delivery. These factors would in turn help foster a local sense of ownership of development programmes.

The decentralization and local government reforms started with a commission of inquiry headed by a Makerere University academic Mahmood Mamdani (Republic of Uganda, 1997). Following the Commission's Report, the first step towards reviving the local government powers and functions was the enactment of the 1987 Resistance Council/Committees (RCs) Statute No. 9, which legalised the resistance councils and gave them powers of jurisdiction at the local level.<sup>1</sup>

The decentralization policy in Uganda is based on a hierarchy of councils and committees including the village (LC I), parish (LC II), subcounty (LC III), county (LC IV) and district level (LC V). Each level is headed by a chairperson, while district levels council meetings are chaired by speakers.<sup>2</sup> The local councils have a number of committees including those on finance, education, works and transport, security and gender. These political structures were legalised by the 1993 Resistance Council Statute, which was in turn enshrined in the Uganda Constitution of 1995, with amendments made the Local Government Act, 1997 (Makerere Institute for Social Research, 2000: 2). The main objectives of decentralization were the following (Government of Uganda, 1997: 9)

- To transfer real power to the districts and thereby reduce the workload on remote and under-resourced government officials at the centre.
- To bring political and administrative control over services to the point where they are actually delivered.
- To improve financial accountability and responsibility by establishing a clear link between payment of taxes and provision of services.
- To improve the capacity of local councils to plan, finance and manage the delivery of services to their constituents.

What impact have these far-reaching interventions had on the local government's ability to deliver services and to what extent have local populations been involved in the running of their affairs? We have assembled the main goals of the decentralization process in Uganda along with policy innovations intended to achieve results in Table 1.

Five goals have been identified. The first is to involve local populations in the decision and problem resolving process, thereby empowering them. The second relates to democratization of the decision making process. The third is to enhance the mobilization of resources at the local level. Fourth, to reduce costs for service delivery. Fifth, to raise efficiency and accountability at the local level. To what extent have these innovations led to the results expected and what have been the actual outcomes? We shall discuss the extent to which these goals have been achieved in turn.

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<sup>1</sup> 'Resistance councils' were carryovers from Museveni's guerrilla war. They were converted to 'local councils' since, after achieving power, there was nothing to resist any longer. Note, however, that the National Resistance Movement (NRM) has retained its name.

<sup>2</sup> At lower levels, the chairperson calls and chairs the meeting. Hence the frequent charges of dictatorship at these levels.



Table 1  
Decentralization in Uganda: goals, policy innovations and outcomes

Goals	Policy innovations	Comments on outcomes
1. Incorporate local people in the management of their own affairs.	Identify local problems and find solutions to be implemented by locally elected organs.	Raising the local people's interest in the management of their affairs is probably the strongest outcome of the decentralization effort in Uganda.
2. Democratization of the decision making process.	Elect local leaders instead of having them appointed by central government	Local level democracy is taking longer to take hold, probably for lack of precedent. Many chairpersons are said to be 'dictatorships' who are difficult to remove.
3. Mobilization of local resources.	Make budgets and prioritise expenditure according to needs at the local level.	Few local governments are financially independent from the centre and continue to be beholden to government.
4. Reduce costs for service delivery.	Improve social infrastructure and expand social service provision in the countryside.	Scarcity of resources makes the undertaking of extensive infrastructure and social service extensions difficult.
5. Raise efficiency and accountability at the local level.	Enhance human resources by appointing professional staff to run local services.	The quality of staff recruitment at the local level is improving, though lack of resources implies that many positions are not filled.

Source: from author's notes.

### *Empowerment*

The empowerment of local populations by involving them in the identification and the finding of solutions to their problems has been the driving feature of decentralization in Uganda. As already noted, local councils are composed of elected local people, who often hold personal stakes in the welfare of the area. Such individuals are expected to have considerable interest in the deliberations of the councils and to defend the interests of their constituencies versus, for example, the demands of the central government.

In a study of the evolution of decentralization in Uganda and its impact on rural communities Brett (1993) notes a number of admirable outcomes. He argues that in ethnically divided countries like Uganda, peace and development crucially depend on the presence of effective local authority structures. Since Ugandan authorities have been persistent in their devolution efforts, Brett sees the possibility of getting the diverse groups in the country to start feeling that 'they are getting a fair deal' in terms of access to resources. Furthermore, the new decentralization system, by involving hundreds of thousands of people, hitherto totally ignored, into the political process at the local level has stimulated a rapid growth in social responsibility and political creativity. The local council system has also increased the involvement of women in local politics. Women are reserved a certain number of seats on the councils, while a gender committee focuses on their special interests. However, analysts feel that impediments to women development in Uganda, especially in matters related to property ownership, remain formidable (Guwatudde, 1997).

#### *Democratization of decision making*

Through local councils and committees, the powers and responsibilities for making decisions over issues of local concern in the district have been democratized. This represents a fundamental shift from the traditional procedure where policies implemented at the local government level were made by state bureaucrats based in the capital city, and thus far away from the people affected by those decisions. Similarly, it has been argued (Lubanga, 1996: 56; Kullenberg and Porter, 1999: 12; Kisakye, 1996) that compared to earlier systems, the LC system has proven superior in helping communities reach consensus on political and development issues. This is because the new system moves away from the unbridled and comprehensive subordination of local to centre of the past to a relationship steeped in consensus building, participation in policy formulation and negotiation. Increased transparency in local government has improved the stakeholders' capacity to expose the practices of malfeasance and corruption, which in the past often went undetected at the central level, and to initiate corrective action (Kwagala 1998: 113).

#### *Mobilization of local resources*

Following the old adage 'no taxation without representation', policymakers believed that the system of local councils, where elected representatives took part, would improve the mobilization of local resources, including taxation. Proximity to local policymakers would increase tax compliance, as the population would not only be able to see the direct benefits, in terms of improved services, but would also be able to monitor the use of resources and via the local councils hold errant officials accountable for abuse of office. The Local Government Act of 1997 allows district and subdistrict councils to collect and expend revenue from certain sources, such as market dues and graduated tax. However, the tax base in Uganda differs markedly between districts and regions. Thus while local inputs have made an important contribution to local government activities in some parts of the country in others there has been a more than disproportionate dependency on central government funding.

#### *Improvement of service delivery*

Resource mobilization is closely related to the local government's capacity to improve service delivery. In the past few years, local councils have assumed a number of functions, which were previously performed by line ministries. These include political administration, judicial services involving minor cases, monitoring and supervision of development

projects at the local level and maintenance of community roads. However, not all local governments have the financial or human resources required to provide an adequate level of services. At the lowest levels, much of the work done by councillors is voluntary. Some local council members even complain about 'poor facilitation' and the fact that they have to abandon their income generating activities to attend to council work without compensation. Such people might be difficult to hold accountable to the local communities.

### *Efficiency and accountability*

To what extent has accountability and transparency in local government been enhanced by the decentralization measures? Lack of transparency, and indeed corruption, are among the spurs for faster decentralization. However, part of the reasons why corruption and abuse of office were so rampant at the centre was because of poor managerial capacities. Thus it has been argued by some that care should be taken lest rapid decentralization leads to decentralized corruption. This would be especially true where local administration capacities are weaker than at the centre.

According to Lubanga (1998), however, the government has undertaken important changes that might assist in curbing corruption at the local government level. First, central government allocations to local governments (intergovernmental transfers) are governed by objective criteria. These funds are currently divided into 'conditional' and 'unconditional' grants. Conditional grants are disbursed when the local governments fulfil the agreements with the government regarding certain targets, such as recruiting teachers, purchase of drugs or provision of extension services. These grants cover recurrent expenditure while unconditional grants cover local capital expenditures. The government plans to eventually decentralize the development budget to the districts. Second, funds for local government operations are no longer routed through line ministries. Instead, the Minister of Finance remits funds directly to the accounting officer of each district. An innovation is that the amounts disbursed are published in local newspapers. This enables the local populations to know what to expect in terms of service provision and acts as a deterrent to financial abuse. Furthermore 'ghost' employees at local levels have been spotted and eliminated.

In a paper on the experience of Rakai District in southern Uganda, Semakula (1997) is categorical that the institution of local government councils and committees with full authority over their areas of jurisdiction has resulted in improved efficiency, accountability and transparency in the execution of local government business. He argues that the fact that all public servants in the district and lower tiers are all accountable to the local population, via the local councils, has been a crucial determining factor.

It ought to be remarked that before decentralization most local governments began spending money before their budgets were approved. Since their expenditures were thus technically unauthorized, no budget performance evaluation was ever undertaken. However, since the start of financial decentralization, all councils have been required to have their budgets approved by the appropriate committees, as a first step towards making the budget management process transparent. This also makes it possible to use the budget as a management tool. Furthermore, local budgets enable the centre to 'monitor and evaluate the budgetary and financial management performance of local governments' (Lubanga 1998: 93). In addition, better streamlined budgets have made it possible for authorities to undertake frequent audits of financial statements. This reduces financial

abuse and leads to the apprehension of culprits. This is a vast improvement on the earlier system, when it took the public accounts committee of the parliament years to examine the books of accounts of the district administrations, if at all.

Closely related to efficiency and accountability, is the skill level of the local bureaucrats. Although, the Local Government Act of 1977 provides district councils powers to recruit their own staff members as they see fit, funds for recruiting and motivating educated personnel have been scarce in most local governments. Thus while the more affluent districts, closer to the capital, have been able to lay off incompetent or unqualified individuals inherited from the central government and replace them with more competent ones, poorer districts have seen little change. Thus, on the whole, it has not been easy to improve administrative structures by hiring new individuals, and implementation capacities remain low in many districts. At the district level, service committees have been set up to handle issues related to employment within local governments, with powers to hire, discipline and dismiss employees. This streamlining of the local governments' employment process has helped reduce instances of irregular appointments. On the whole, the recruitment of personnel has been easier in the richer districts, to the south of the country than the poorer ones to the north, where lack of opportunities for generating extra incomes has made it difficult to attract competent staff.

However, there is little agreement on what qualifications the districts' political leaders, as opposed to their employees, should have. Remembering the brutalities unleashed by Amin's 'uneducated horde' in the 1970s, there have been demands that leaders at all levels should be highly qualified. While such demands are feasible in urban areas, notably for the parliament, they become less realistic the further from the capital the district lies.

## **5. Constraints on local governance**

Having reviewed key features of the decentralization and the devolution of power in Uganda, we shall now look at some of the constraints faced by local administrations in realizing the promise of administrative autonomy (refer also to comments on outcomes in Table 1). The constraints and challenges to decentralization can be presented in three broad categories. First, are the difficulties caused by a general lack of financial and human resources, which have hindered policy innovation and limited the independence of local governments. Second, are the complex centre-local relations, whereby political confrontations at the centre, at least their results, have tended to flow over to the districts and further below, thereby altering policy parameters at the local level. The third aspect to take into consideration relates to the political and economic dynamics at the local level itself. Instead of enhancing unity in supposedly homogeneous entities, political autonomy has in some districts tended to unleash clashes of personalities and aspirations. Has decentralization led to fractionalization instead of the reverse?

### *Lack of resources leads to programme failure and reduced independence*

Lack of own resources is probably the single most important impediment to local governance in Uganda. It has severely limited the extent to which local leaders can deliver on their electoral promises, notably improvement of social services, and limits their ability to resist demands and interference from politicians at the centre as well as those from line ministries. With their independence thus curtailed and lacking own funds, local

governments run the risk of becoming instruments for the propagation of political schemes or for the exercise of patronage by politicians at the centre.

Lack of resources also limits the extent to which local leaders can motivate their staff and retain them in the now stiff competition between the public and private sector for educated and efficient employees. Traditionally the wage levels in local government were very low compared to those of the centre, especially since local governments very seldom employed graduates from universities. It has been necessary over the past few years to adjust wage levels upwards, though given the resource constraints named above not many graduates have been absorbed into the local administrations. This might not have been serious if local governments had embarked on retraining programmes to upgrade the skills of their labour force. This again has been impossible owing to serious lack of resources. A shortage of skilled staff has thus put a limit on the amount of intervention that local governments can embark on successfully. It also implies that important aspects of accountability, for example keeping the books in order, refining policies or designing new ones, cannot be undertaken easily. It could be argued, however, that this shortage of skilled personnel is only transient, being caused mainly by the low levels of salaries. Given that Uganda's educated labour force has expanded substantially in the past two decades, the problem of shortage of skills might be resolved when local governments design more attractive terms of service, including improved remuneration.

Thirdly, lack of resources causes a serious shortage of supplies, equipment and physical structures, making daily operations difficult and the realization of policy targets all but impossible. Although lack of basic facilities and tools is partly a result of serious under capitalization in past decades, areas of the country that have experienced long periods of political strife in the 1970s and 1980s have seen their social infrastructure, including schools and clinics destroyed, making their situation even more precarious today. In these areas employees have had to improvise in a multitude of ways to be able to perform their duties. Children are still taught under trees in some areas, while local government offices are often derelict structures, poorly protected from the elements.

#### *Centre-local relations remain complex*

As argued above, the central government's wish to control the periphery made a nuisance of many earlier attempts to cede powers to local authorities. Direct coercion, including legislation, was often necessary to restrain the clamour for autonomy at the district level (Roberts, 1982). To what extent then has the new approach to decentralization, based on local councils, reduced the tension between the centre and the districts in matters of policy co-ordination, budgeting and accountability?

Critics of the decentralization process in Uganda have argued that the policy was introduced too hurriedly, with little preparation of stakeholders, notably the local populations. At the technical level, the legislation required to formalize many of the changes came after the fact. This left considerable room for discretion to politicians. Also owing to the speedy implementation of decentralization, there developed between 1986 and 1989 some confusion over who determined policies at the local level, whether it was the newly created resistance council (later renamed local council) officials or government appointed 'chiefs' from earlier years. While resistance council leaders had taken over the formal duties of the chiefs in the regular local administrations, the traditional organs of the state, such as the police and magistrates, were not giving the resistance council leadership

the recognition and support required to establish effective administration (Makara, 1998: 35).

This policy opaqueness at the local level made it difficult for the rural population to internalize the new system. Since the new system's credibility depended to a large extent on the local people's reaction to its provisions and their ability to sanction poor performance, it was imperative that they understood the issues involved (Semakula, 1996). The Local Government Statute of 1993, was the central government's attempt to remove the confusion of roles at the local level. It presented a decentralized structure of government with sufficient powers for councillors at local levels to make decisions designed to encourage development projects in their localities. The statute was the precursor to the Local Governments Act of 1997.

However, advocates of gradualism have also been opposed (Kayizzi-Mugerwa, 1993; Byarugaba, 1997). The argument is that decentralization implies a system shift and as such will threaten various interest groups including politicians. Indeed whenever there are changes in the political system, there is bound to be resistance and sometimes apathy. These reactions do not mean that change promises little benefit to the population. Since it introduces new ideas and policies and alters the way things are done, change might be the key contribution of decentralization to development.

But perhaps the most important source of conflict between centre and local administration relates to money. Decentralization would have had little content if the central budget had not been similarly decentralized. Thus the goal of financial decentralization was to assign responsibilities and taxes between the centre and local governments, as well as to enable the transfer of grants and other resources from the centre. First, a block grant was devised whereby the central government allocated funds to the districts based on the number and quality of programmes of the line ministries in each district. This was, however, seriously flawed, seeming to favour areas, which already had good access to public resources. It was replaced by an allocation system based on a 'needs-based formula' with a weighting of 10 percent for area of district, 10 percent for the size of the general population, 40 percent for that of the school-going population and 40 percent for child mortality. Still, since the weighting scheme does not take into account the capacity of regions to collect taxes, a degree of inequality in resource distribution remained.

Beginning in the 1993/94 financial year, there was a phased financial decentralization, which began with 13 districts, with another 14 districts decentralized in the 1994/95 financial year. The process was completed in the 1995/96 financial year when the remaining 35 districts also entered the process. Besides block grants, two other grants are the conditional grant and the equalization grant. Conditional grants, as the name suggests, were to be based on certain conditions, to encourage districts to undertake projects in areas such as poverty reduction, which would have been ignored otherwise. However, the conditions have been difficult to define and these types of grants have been given to districts, but without the accompanying conditions, thus becoming a form of block grants. The equalization grant is to be based on assessment of resource endowments, with poorer districts compensated accordingly.

However, for the system of transfers to succeed in achieving the goals envisaged by the centre and the local government, there is need for a high degree of accountability. This has been very difficult to establish in most districts. Local councils have failed to deliver

monthly accounts of expenditure for purposes of planning and budgeting to the centre, as for example requested by the ministry of finance. In trying to reconcile the budgetary process at the centre, the ministry of finance has thus resorted to threats, including withdraw of funding from the districts not complying with its directives and to publish the list of districts not doing so in the local newspapers. On the other hand, while the financial decentralization exercise was intended to reduce total expenditure and personnel in the line ministries, local governments complain that this has not been the case. Departments in line ministries were also supposed with decentralization to reduce their functions to those of policymaking and supervision, relegating operations and related expenditures to the district level. This has not happened to the extent expected. The bulk of government expenditure is still undertaken at the centre (Decentralization Secretariat, 1998).

### *Centre politics often spill over*

Decentralization was also meant to insulate local governments from the political whims of the centre. However, politics at the centre tends to spillover to districts in a variety of ways. Here we shall illustrate with three cases: the sudden abolishment of poll tax during the general elections of 2001, the issue of land reform and the maintenance of local security.

During the presidential campaigns of 2001, President Museveni announced the abolition of 'graduated tax'. In spite of its name, this tax is in reality a poll tax imposed on all adult males, irrespective of their employment status. It is unpopular not only because it is not means based, but also because its collection, especially at the lower levels, involves considerable coercion, including the deployment of armed guards at times.<sup>3</sup> It also happens to be an important source of income in the districts, as the funds collected are retained at the district headquarters. In some districts, graduated tax accounts for up to 40 percent of local government revenue. The sudden abolition of the tax, seemingly without prior consultation, led to serious loss of revenue in the districts. The lack of consultations with the local authorities, which are very dependent on it, illustrates the fragility of their powers in the face of political competition at the centre. Subsequently, local governments have petitioned the central government for a 'special stabilization grant' to compensate them for the revenue loss. Since the government has not responded adequately, many local authorities have decided to scale down on their operations, especially the delivery of services.

The second illustration relates to land. In Uganda, indeed as in other agrarian economies, land issues are at the centre of economic and political debate. Decentralization has brought many of these issues into sharp relief in recent years. As part of its vision for Uganda, the ruling National Resistance Movement has advocated for a far-reaching land reform in order to ensure a more efficient land use and egalitarian land distribution. In July 1998, a new land act came into force. It vested the powers to handle land disputes with subcounty and district land tribunals. In the country as a whole there was to be 45 district land tribunals and over 700 subcounty tribunals. The system of specialized land tribunals was introduced when land disputes threatened to swamp lower courts and local councils in long drawn out disputes, which hampered work in other areas of the local economy. However, the government did not have sufficient funds to put the tribunals into operation. The high court then became the only instance, which could handle land disputes in the country. This

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<sup>3</sup> In some districts, tax collectors raid homes early in the morning before men folk have left. This sometimes forces defaulters to sleep in the 'bushes' until the tax collection campaigns are over.

effectively grounded all land cases. In light of this, the judicial service commission recommended that, at least for the time being, the old order, whereby local councils and lower courts adjudicated land cases, should be restored.

The last example relates to security. The NRM's proudest boast is that it returned peace to Uganda. To increase security in communities, the government introduced a system of local defence units (LDU), with a unit in each locality throughout the country. The unit was under the control of the local council. Members of the LDU would be from the communities themselves and selected by community members. The original idea was that the LDUs were to be maintained by the communities themselves, while the government provided equipment and training.<sup>4</sup> However, although first created in 1986, when Museveni took power in Kampala, LDUs were at least by early 2001 not yet formalized, by say a relevant act of Parliament, as an armed force in the country. This illegitimacy has meant that the welfare of LDU officers and men is not given anywhere as serious attention as that of the regular army. Some members of the force have been blamed for engaging in violence, including robbery. Short of resources, the local councils have also had an ambivalent relationship with their LDUs. They have not been able to maintain these forces or to supply them with basic equipment (for example, gumboots and rainproof overcoats).<sup>5</sup> Moreover, the central government has not been willing to cede control over armed groups to local councils. As a sign of the control still exercised by the centre, the government recently brought the LDUs back into its fold. In the future they will be seen as a department of the regular armed forces. This was also probably done because the government feels the need to keep a close watch on the activities of the LDUs, especially given the insecurity that currently affects the Great Lakes Region.

The conclusion to draw from the above examples is that the new local institutions and their bureaucracies are not yet strong enough to resist political pressure from the centre. Graduated tax is retrogressive and was bound to be eradicated eventually. However, it is a major source of revenue at the local level and abolishing it without consultation dealt a serious blow to the planning and budgetary processes at the local level. However, it is clear that the timing of its abolition was meant to garner votes for the presidential incumbent. In the case of land issues, as well as local security, the illustrations above show that the wishes of the centre will continue to influence events at the local level.

Most recently, members of parliament have sought to sit in on the meetings of the local councils in their constituencies.<sup>6</sup> They argue that this will enable them to use their vast experience at the national level to assist deliberations at the local level. However, there is a danger that if this is institutionalized, local councils will lose their autonomy, with the

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<sup>4</sup> In an estimate, the Monitor Newspaper, August 31 1999 put the total LDU force in the country at 3000.

<sup>5</sup> A typical LDU funding scheme in the Kampala area could look like this: the Kampala City Council pays about 15 dollars per month to each LDU soldier, while the fees collected from citizens for communal security tops this up. But since the volume of fees collected fluctuates considerably, and between districts of the city, the pay is quite uneven – another reflection of the non-regularised nature of the LDU functions.

<sup>6</sup> See for instance the article 'MPs want ex-officio status in Districts', New Vision, February 8, 2001. MPs have, for example, claimed that the district leaders have 'hijacked Government programmes and given credit to themselves'. The wishes of the MPs have more or less been conceded, although there have been worries that MPs would then dictate the agenda, which would be counteracting the decentralization efforts (see also Prud'homme 1995).



spillover from national politics being felt much more than before. It is also possible that the local councils might then become arenas in which the proxy battles for political succession at the centre will be fought. Thus, given institutional weaknesses in local governments, the rules of the game will continue to be dictated at the centre. For some time to come, local authorities will be left to adjust to them as best they can.

### *Decentralization and fractionalization*

To what extent has decentralization led to fractionalization at the local level? Since the onset of decentralization in the mid 1980s, there has been a tendency in Uganda of splitting up districts into ever smaller entities in the belief that atomization will create the dynamics of self-governance and ability to influence decisions that are emphasized by the national resistance movement.<sup>7</sup> However, given the dearth of human and financial resources, this has also caused considerable confusion. In many instances the newly created districts have had to start from scratch without buildings or other infrastructure. Normally, they have to draw staff, with accompanying equipment, from the headquarters of the older district. This has proven to be quite disruptive and conflict-ridden.<sup>8</sup> The 'breakaway' district is sometimes embargoed by the part of the older district, which retains the old headquarters. There are thus costs to atomization, especially since the splitting up of district seldom emanates from a clear-cut strategy of maximizing local benefits but is often done in response to the wishes of important pressure groups and political supporters of the central government.

Is atomization and homogeneity good or bad? They are certainly not uniformly good. It can be argued for example that conflicts are managed better in urban areas because urban dwellers are more heterogeneous by origin but similar in education and other characteristics, such as consumption and leisure patterns. It is the latter accoutrements rather than commonality of ancestral origin that dictate the speed at which communities absorb new ideas, including the benefits of political collaboration.

## **6. Assessing the impact on production, service provision and welfare**

As argued above decentralization has meant policy intervention on a vast scale. However, while the benefits of decentralization seem to be fairly obvious in theory, in practice there is no unequivocal method of measuring them with certainty. This is because for lack of counterfactual history in real life, it is often difficult to say whether the observed change is a result of policy or of exogenous events. This can be illustrated by the situation of households in northern Uganda. There the failure for poverty to decline dramatically in recent years, as has happened in the southern parts of the country, is more to blame on continued insurgence, which has weakened local capacities, than on the failure of decentralization itself. Still, as has been illustrated by recent household surveys as well as

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<sup>7</sup> The scope of the decentralization effort can be given by the fact that there are 45,000 villages, 5,000 parishes, 900 sub-counties and 170 counties (each of the latter being represented by a Member of Parliament). In elections at the parish level, the process cannot go ahead before 30 percent of the electorate are assembled.

<sup>8</sup> There have also been problems with pensions, with new districts not wishing to assume the pension liabilities for retired civil servants now belong to their local government.

participatory poverty assessments (see Republic of Uganda, 1999) give us some idea of the evolution of production and welfare trends during the era of decentralization in Uganda.

Indicators of the impact of decentralization and local institutional reforms can be divided into effectiveness indicators, such as those illustrating the extent to which the goals of reform have been achieved. For example whether proximity to health and education services in the rural areas has improved or whether agricultural extension services have become more effective. Other indicators would be whether the rate of infant mortality has declined and whether rural livestock has better access to water etc. On the other hand, response indicators, show the speed at which local officials are responding to local demands and the speed at which they embark on the resolution of disputes and to the redressing of complaints. The former indicators are of outcomes while the latter indicators are governance-related. Let us look briefly at the impact of decentralization on the following areas:

- primary health
- education
- agricultural extension and livestock services
- roads and water
- security

As we noted above, local councils operate under a serious financial constraint, which restricts their capacity for intervention. Moreover, the councils located in the south of the country, and with a broader tax base, are in a much better position to raise revenue and thus operate more effectively than their counterparts in the north. Still, a recent evaluation (Goetz and Jenkins, 1998) notes a considerable amount of innovation in the primary health sector in Uganda. The charges (costsharing) at the clinics are set by the local authorities and the level of service provision has improved markedly in recent years. Many local councils have introduced local tender boards, which encourage competition between suppliers of materials, medicines and equipment. Although, many clinics have been able to keep charges at affordable levels, instances of corruption as well as the need to bribe health workers have persisted. Recently, during the presidential election campaigns, Yoweri Museveni, declared the ‘costsharing’ of healthcare fees, that is the payment of fees at public clinics, abolished.<sup>9</sup> It is difficult to say whether this new policy is fully funded, however. In any case the abolition reflects the fragility of local institutions as well as their power, since such a decision should have been discussed first within the local levels themselves.

With respect to education, especially primary education, the main thrust there has been the central government’s introduction of Universal Primary Education. This has been a major reform, probably the defining achievement of the NRM government. However, local authorities have had to do a great deal to make a success of it. There is still a serious shortage of school buildings, while teachers have also been scarce. Local councils that have mobilized populations in the construction of school buildings and that have plans for

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<sup>9</sup> This was the second tax ‘abolished’ during the run-up to the elections of 2001. Even here, the timing suggests that the move was more politically strategic than economic. In the aftermath of the ban, medicines began to ‘disappear’ from hospitals and clinics once again.

increasing teacher numbers, via better salaries, have been able to provide their school-going populations much improved service, as is reflected in performance in the centrally administered primary school examinations. Unfortunately, the disparity in performance between districts that are near the capital and those at a remove remains quite large and will probably be difficult to bridge in the medium term.

At the local level the supply of agricultural extension services and those related to transport and water infrastructure are sparse. This is related directly to the lack of capacities mentioned above. Again the richer districts are ahead of the others, but overall progress here is not as marked as in the case of healthcare provision and education.

Peace is an important ingredient in the Ugandan context, and its probably here where local councils have had their biggest contribution. In many areas of the country, decades of lawlessness had led to declining respect for property rights, with legal cases taking years to bring to court, and much longer to reach closure, if at all. Local councils have been able to return the rule of law to many areas, and thereby a sense of security which has enabled households to re-engage in income generating activities in many districts. In this regard, the political wrangles in the districts also are reflections of the fact that given peace, politicians find it worthwhile to compete in the market for political ideas. Lack of dissent and acrimony during a period of rapid social and economic change would have been quite odd.

Finally, on the general issue of governance, there has been a necessary period of learning-by-doing and performance has varied greatly between regions. It is only recently that firmer mechanisms have been put in place to ensure accountability at the local level. A number of officers at the local level have lost their jobs as a result of poor accountability and corruption. Citizens at the local level are also becoming more assertive in their demands for services and higher accountability, in some cases even threatening not to pay taxes. This has been recognized by the government, which now announces all its disbursements to the local governments in the newspapers in order to ensure local monitoring of expenditure and to ensure that services are actually delivered (Ablo and Reinikka, 1997).

## **7. Conclusion**

In many African countries, the creation of effective local institutions for decentralization has only just begun. It will, thus, take a while before the information systems, local level tender boards, drug procurement procedures, auditing systems, sanctions for poor performance, as well as the establishment of accountability to the centre are in place. There is, however, genuine concern that in the midst of decentralization the centre continues to claim the bulk of resources, those generated internally as well as donor and other foreign inflows. Urban concentration of resources leads to a boom in economic activity in areas already relatively well-off, while shortage of resource causes lethargy and dependence on the centre in the countryside.

It is worth stressing, however, that decentralization is a process whose success hinges on a whole range of factors: political, social and economic. In Uganda the tenets of the process are now in place, including well-defined political structures, and how they will relate and be accountable to the communities and the central government. For perhaps the first time

since independence in the 1960s local communities can now influence directly the policies that affect their daily lives. Successful decentralization takes time and is also resource demanding. What is important, however, is to ensure progress in building local institutions. It is the strength of these that will guarantee the success of decentralization.

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