



Political Uncertainty and its Impact on Social Service Delivery in Uganda

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Abstract

A growing body of scholarship has underscored the role of elite bargains and compromises in fostering or obstructing socio-economic transformation. This has been conceptualized in terms of *political settlement* – a combination of power and institutions that underpins an established socio-political order. The idea of political settlement, associated with the works of Douglas North (and his collaborators), and especially Mushtaq Khan, has gained currency as a key explanatory variable in accounting for the failure of African states to provide quality public goods and services. In the case of Uganda, some scholars have suggested that the country's current *political settlement* has failed to provide the basis for achieving structural transformation. This article questions the conceptual validity of political settlement, suggesting instead that a shift of the conceptual aperture reveals deep *political uncertainty* in Uganda, a key reason why the government of President Museveni and the state apparatus it presides over cannot undertake fundamental transformation. The article argues that political uncertainty in Uganda is manifest in at least four contentious issues: the constitution, electoral disagreements, the ambiguous role of the military and the unsettled question of presidential succession. In an environment of uncertainty, systematic and long-term planning is subordinated to short-term and ad hoc manoeuvres, thus obstructing the building of a firm foundation for structural transformation.

Résumé

Un nombre croissant de recherches a mis en évidence le rôle des négociations et des compromis des élites dans la promotion de la transformation socio-économique et l'entrave à celle-ci. Cela a été conceptualisé sous le terme *règlement politique*, une combinaison de pouvoirs et d'institutions qui sous-tend un ordre socio-politique établi. L'idée de règlement politique, associée aux

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travaux de Douglas North (et ses collaborateurs), et surtout Mushtaq Khan, s'est répandue comme une variable-clé explicative pour justifier l'échec des États africains à fournir des biens et des services publics de qualité. Dans le cas de l'Ouganda, certains chercheurs ont suggéré que le règlement politique actuel du pays n'a pas réussi à jeter les bases de la réalisation de la transformation structurelle. Cet article remet en question la validité conceptuelle du règlement politique, suggérant plutôt qu'un changement de l'ouverture conceptuelle révèle une profonde *incertitude politique*, un facteur-clé pour expliquer pourquoi le gouvernement du président Museveni et l'appareil d'État qu'il préside ne peuvent pas entreprendre une transformation fondamentale. L'article soutient que l'incertitude politique en Ouganda est manifeste dans au moins quatre questions non encore résolues : la constitution, le désaccord sur les élections, le rôle ambigu de l'armée et la question en suspens de la succession présidentielle. Dans un contexte d'incertitude politique, la planification systématique et à long terme a été subordonnée aux manœuvres à court terme et ad-hoc, entravant ainsi la construction d'une base solide pour la transformation structurelle.

Introduction

A growing body of scholarship underscores the role of elite negotiations, bargains and compromises in facilitating or obstructing socio-economic development (Golooba-Mutebi and Hickey 2013); Khan 2010; Lindemann 2010; North, Wallis and Weingast 2009; Bates 2008). The underlying assumption is that both political and economic elite players are central to processes of socio-economic transformation. So to understand growth and development trends, we need to pay attention to underlying power distribution and configurations. Accordingly, the concept *political settlement* has gained currency in debates on institutions and development. It is used to depict elite bargains and compromises, and the extent to which powerful individuals and groups in society adhere to a minimum set of rules. By agreeing to some minimum rules, elites and interest groups engender an enduring settlement which is reproduced over time unless interrupted by internal contradictions or external shocks. At its core, therefore, a political settlement produces a social order that is reproducible and characterized by stability, viability and predictability.

This article conceptualizes *political settlement* as an established and relatively stable socio-political order. Such an order insures society against social violence and political uncertainty, but also provides the requisite enabling environment for sustained growth and long-term socio-economic transformation. A key factor in attaining a political settlement is when political and economic elites arrive at a minimum consensus on the key political questions and collectively invest in a system underpinned by laws, rules and procedures – that is,

institutions. Khan underscores economic viability as equally critical for a political settlement in the sense that basic economic activities should be at least reproducible, if not growing (2010: 21).

Scholarly interest in political settlements has grown following Khan's theorization and the appearance, in 2009, of an influential work by economic historian Douglas North and his collaborators, John Wallis and Barry Weingast. Recently, African scholars working with foreign collaborators on a project at the University of Manchester have made a case for understanding the relationship between existing political settlements and inclusive development (Golooba-Mutebi and Hickey 2013; Hickey et al. 2014; Oduro, Awal and Ashon 2014). In Uganda's political settlement, according to Golooba-Mutebi and Hickey (2013), there are at least four key characteristics: deepening levels of competitive clientelism, highly personalized forms of public bureaucracy, collusive state–business relations, and a ruling coalition that is (expensively) inclusive at the lower levels while becoming narrower and more nepotistic at the pinnacle. Owing to these characteristics, the two scholars further argue, the Ugandan political settlement has failed to provide the basis for structural transformation and provision of high quality public services. Beyond modest economic growth, macroeconomic stability and what Golooba-Mutebi and Hickey (2013) call 'pockets of bureaucratic excellence', Uganda's political settlement has not delivered on the substantive needs of the country: provision of critical public goods and services, and overall structural transformation (see also Kjaer and Katusiimeh 2012).

The broad research question for this article is framed as follows: *how does the interplay between power and institutions impact on the quality of government and provision of public goods and services?* This article contributes to the debate on understanding how the underlying power dynamics in Uganda impact on social service delivery. The article takes up the concept of political settlement and assesses its applicability and analytical value to the Ugandan case. Is there a political settlement in Uganda? If yes, why is it not conducive to structural transformation and the provision of high quality public goods and services? Or could it be that if we adjust the conceptual aperture, we find no political settlement, but uncertainty, precisely the Ugandan state's inability to provide high quality public services? This article suggests that the characteristics that Golooba-Mutebi and Hickey allude to are features of political *uncertainty* and not *settlement*.

The Argument

It is the contention of this article that instead of a clientelist political settlement, Uganda is mired in significant *political uncertainty*, manifested

in at least four key contentious issues: contention over the constitution, disagreement over elections, the ambiguous role of the military and the unsettled question of presidential succession. The latter came to the fore again with the fallout between President Museveni and his former Prime Minister, Amama Mbabazi, long believed to be the heir apparent. I argue that *political uncertainty* has undermined long-term planning, obstructed rationalization of resource allocation and, accordingly, negatively affected the efficient provision of critical public goods and services. Because of an uncertain political environment, the ruling group works with a short-time horizon as it is urgently concerned with fending off challenges to its power. The exigencies of political survival in an uncertain political environment have taken precedence over long-term planning and investing in building quality governance systems. In the context of high political uncertainty, the subordination of systematic and long-term planning to short-term and ad hoc manoeuvres has obstructed building the fundamentals for structural transformation.

Conceptual Contours of Political Settlement and Political Uncertainty

Political Settlement

Political settlement refers to ‘the “social order” based on political compromises between powerful groups in society that sets the context for institutions and other policies’ (Khan 2010: 4). That is, institutions and policies undergirding a political system are a result of power bargains between different sets of actors, thus to fully grasp a political settlement requires analysis of the power structure. Formal institutions, which are the laid down rules and procedures or the rules of the game (North 1990), represent the nature of actual power distribution (Moe 2005). Formal rules are underpinned by informal norms and actual power, so they work or fail depending on unwritten codes, but also on the underlying power structure. This has been an important intervention of the ‘new institutionalist’ literature (Hall and Taylor 1996), which led to more appreciation that institutions are sticky and enduring devices that shape long-term development (North 1981; 1990; Acemoglu and Robinson 2012; Acemoglu, Johnson and Robinson 2001; 2005; Haber, Razo and Maurer 2003).

Khan (2010: 20) proposed what he calls a more precise definition of political settlement as ‘*a combination of power and institutions that is mutually compatible and also sustainable in terms of economic and political viability*’ (original italics). Power and institutions have to be both compatible and sustainable because

a) if not compatible, powerful players who do not get their due will want to change the existing institutional setup, and b) if not economically viable, then reproducing the system is not possible. But power and institutions, the two pillars of Khan's definition, are notoriously difficult to measure. To define political settlement in terms of compatibility between power and institutions requires a rigorous and sophisticated conceptual measurement. One way around this is to define political settlement in terms of the actors. Thus I define political settlement as *a viable and stable social-political order based on minimum and broad elite consensus*. This definition retains one aspect of Khan's definition – viability – but also emphasizes minimum political consensus, with elites believing that through mobilisation and organisation they can ascend to political power and gain access to national (economic) opportunities.

Central to political settlement is the attainment of minimum inter/intra-elite consensus based on either consultative processes or hegemonic imposition. When elite players and interest groups settle for a specific politico-economic system, a relatively enduring social-political order is created until punctured by external shocks or internal contradictions. Broad consensus on democratic principles, for example, entails acceptable rules of engagement for all political actors, making democracy the 'only game in town' (Przeworski 1991). When this happens, democratic consolidation takes shape and the principle of democratic governance becomes sacrosanct. Under a genuinely democratic political order, the obtaining institutional landscape makes it possible for actors to engage in predictable and repeated interactions. For example, actors who lose elections will plan to have another try at the next cycle because of the predictability that another contest will take place within a strictly defined time-frame.

As an African case-study, since 1992 Ghana has evolved 'a broad elite consensus to seek power only through competitive democratic multi-party elections' (Oduro, Awal and Ashon 2014: 6), thus no major political player has espoused the use of any other method to attain power and no significant political group has seriously attempted to overthrow the democratic regime. Ghana's political settlement has not aided fundamental structural economic transformation of the country's economy as imperatives of stiff competition to retain power between the two main political parties tends to foster short-term calculations at the expense of developing productive sectors (Whitfield 2011a; 2011b). But the further deepening of democracy and expansion of the political space holds the potential for incentivizing focus on long-term and sustainable structural transformation (Oduro, Awal and Ashon 2014).

In the modern world, North et al. (2009) identified at least two forms of social orders or political settlements. First, the natural state order, where

elites agree to respect each other's privileges including property rights and access to resources. These elites may be specialists in violence (Bates 2008), or warlords. They realize that fighting each other is perilous, thus they create credible commitments and engage in mutually rewarding cooperation. If they fight, they all lose; if they cooperate, they extract and all benefit. The incentive to cooperate derives from the consensus to form organizations for rent extraction, but also to restrict access and provide protection against existential threats from the masses (Bates 2010; Slater 2010). Second, the *open access order*, where the state approximates the Weberian ideal: the legal-rational and bureaucratic model. This compares with Khan's (2010) capitalist political settlements. At its core, an *open access order* has three key features: the consolidated organization of the military and police forces is subject to the control of the political system; the political system must be constrained by a set of institutions and incentives; and for a political faction or party to remain in power, it must enjoy the support of economic and social interests (North et al. 2009: 22). Two conditions are both necessary and sufficient for establishing and maintaining order. First, the basic, existing economic activities should be reproducible or growing, notwithstanding the varying expectations of powerful groups (Khan 2010: 21). Second, there has to be substantial political viability to keep dissent and conflict at a minimum and not unravel the core institutional and political arrangements.

Political Uncertainty

By contrast, political uncertainty denotes several aspects of a system that run counter to the basic outlines of a political settlement discussed above. Let me start with what political uncertainty is not, then turn to what it is or can be. First, *political uncertainty* is not necessarily a direct opposite of *settlement*. It is possible to have political uncertainty for a limited period of time within an existing *political settlement*. This is *ephemeral uncertainty*, which can happen in established democracies when faced with economic downturns, for example in the US in 2008 and in the Euro-zone in recent years. It can also happen during and after natural calamities. So, political uncertainty is not necessarily the converse of political settlement although a sustained and long period of the former can negatively impact on, and undo, the latter.

Second, political uncertainty is not about the unpredictability of outcomes because uncertainty can be an integral part of a viable system in the sense that outcomes are not easily predictable yet the processes are known. This is *embedded uncertainty* or procedural/institutionalized uncertainty (Shedler 2013; Przeworski 1991). In democratic competition, for example, rules of engagement are clear and certain but outcomes remain

considerably uncertain. Rules and procedures must be explicitly clear and known to all players, but a credible and acceptable outcome must be relatively unpredictable and uncertain.

By political uncertainty I mean *the absence of minimum and broad elite consensus on the overall framework for political engagement and economic management*. Political scientists have often conceptualized uncertainty in game-theoretic terms, as referring to information asymmetry that makes it difficult for actors to predict interactions and therefore the need for institutions. For example, Lupu and Riedl (2012: 1344) define uncertainty as the ‘imprecision with which actors are able to predict future interactions’. This definition conceptualizes uncertainty in terms of the future. But an unpredictable future logically starts with an uncertain present. The future can be unpredictable precisely because the present is uncertain, thus uncertainty can be about both the present and future.

Under political uncertainty, the key elite players have fundamental disagreements over the type of government, the procedure through which political leaders assume office and the overarching economic policy framework/approach for the country. Thus, the ruling elites govern with a legitimacy deficit. To compensate for this, they resort to short-term manoeuvres, including dispensing patronage and winning over influential elite power brokers to mitigate the dangers posed by challengers from within or without. Due to the absence of minimum elite consensus, and owing to exigencies of immediate political survival, the ruling group has no incentive to invest in securing legitimacy through long-term planning and substantive performance. The temptation rather is to buy support, directly through material handouts and indirectly by allowing avenues for elite corruption and rent-seeking.

Post-independent African political systems have generally been associated with uncertainty, leading to cycles of hope and disappointment (Young 2012). The embrace of electoral politics during the ‘third wave’ of democratization (Huntington 1991) at once contributed to institutionalizing state power but also created uncertainty due to the relative newness of electoral politics, weak party systems and fiscal incapacity (Bleck and van de Walle 201; Bates 2008). However, in the last two decades, there has been a growing trend of institutionalizing power, especially with respect to how incumbent presidents have left power (Posner and Young 2007), leading to significant shifts in the existing political systems. But unlike contemporary Asia and medieval/early-modern Europe where regimes were held together for a long time by strong leviathans, African states have been mostly rather weak and susceptible to challenges from politically excluded groups, making minimum elite consensus paramount.

Is there a Political Settlement in Uganda Today?

The Problem of Concept Stretching

Following the work of Khan (2010; 2005), and building on the new institutionalist literature, especially the *rational choice* variant, scholars of political economy in the Global South have used the idea of political settlement to explain the consequences of the interplay between politics, power and institutions. In the case of Uganda, some working papers have recently appeared under the auspices of the *Effective States and Inclusive Development* (ESID) research project at the University of Manchester (see Hickey et al. 2014; Golooba-Mutebi and Hickey 2013; and Oduro, Awal and Ashon 2014 on Ghana). Khan's conceptual framework appears to suggest that the idea of 'political settlement' can somehow be tweaked to apply to just about all developing countries since they all have variants of 'clientelist political settlements'.

There is a danger, however, of committing concept stretching or straining, something Giovanni Sartori cautioned against more than four decades ago (Sartori 1970; Collier and Mahon 1993; Collier and Levitsky 1997; Collier and Gerring 2009). If a concept becomes a sort of 'catch-all', then we run the danger of compromising productive empirical differentiation and commit gross, if misleading, generalization (Collier and Gerring 2009: 3). The *intension* of a concept, that is the meaning it calls forth, has to be reconciled with its *extension* – the range of cases to which it can appropriately be applied (Collier and Gerring 2009: 3, 22). The intension of a concept can also be understood as the connotation – the characteristics of an object the concept refers to and which anything must possess to be in the denotation. By contrast, the extension of a concept can be understood as the denotation – the range or totality of objects (or cases) to which the concept can be applied. Thus, there is a danger of extending the applicability of a concept, its denotation, while ignoring its original intension – the connotation.

A close examination of the Ugandan case suggests possible concept stretching in using the concept of political settlement. I wish to suggest that the empirical realities of Ugandan politics today lend little credence to the conclusion that there is a political settlement. After capturing power in Uganda in 1986, the new National Resistance Movement worked out an elite bargain that produced a broad elite consensus through which the country was governed, at least up to 1996 (see Khisa 2014; Lindemann 2011; Carbone 2008; Rubongoya 2007). During that ten-year period, there was a semblance of a 'political settlement' under the rubric of a 'broad-based' government that brought together different political shades under the so-called no-party

'Movement' system. The major political players were part of this arrangement either as individuals (members of the recently overthrown Uganda People's Congress Party) or organizationally (leaders of the Democratic Party).¹

Four Manifestations of Political Uncertainty

Constitutional Contention

The 1986 elite bargain held firm up to at least 1996. Although disparate fighting groups sprung up in different parts of the country, mostly in the north and north-east, there was near unanimous acceptance of the 'Movement' political system especially by southern elites and constituencies. The NRM administration was able to marshal a minimum national consensus about an inclusive transitional governing mechanism coupled with popular grassroots and national representation. The NRM government had both the local good will and the international support to rebuild the state and transform society.² Armed insurgency in the north, north-east and parts of the west showed that complete national consensus had not been achieved; but, on the whole, there was limited fundamental political disagreement. The insurgencies in the north and north-east neither represented a persuasive political alternative nor significantly threatened the extant order.

However, by 1995 disagreements had started to emerge mainly over a new constitutional order. Two key contentious political questions stood out: the continued ban on political party and the form of government – federal versus unitary, to which I return below. The year 1996 was critical as it marked the beginning of the end of the 1986 elite-bargain with the DP President General, Paul Ssemogerere, a key minister in the transitional government, resigning from the government to contest for president under a still no-party system. The continued ban on political parties was construed as a deliberate strategy by Museveni to muzzle organized opposition as he consolidated his power.³ While other players co-opted into the 'Movement' government thought of it as an interim government of national unity, Museveni's ultimate objective was 'to integrate everyone into a national movement and create a one party state'.⁴

From 1996 to 2001, there was mounting political tension under the 'Movement' system, the key issue being the entrenchment of 'no-party' politics against protests, especially from the DP (Oloka-Onyango 2000). This was compounded by the gulf between the theory and practice of the Movement system as a 'non-partisan' political system. The NRM/Movement acted and behaved like a real political party even as it purported otherwise. The growing contention over the existing political system led to

a series of legal battles that included Constitutional Petition No. 2 of 1999 (Ssemogerere and Another versus the Attorney General) and Constitutional Petition No. 3 of 2000 (Ssemogerere and Another versus the Attorney General). These court battles were primarily about the constitutionality and legitimacy of maintaining a contradictory system that was no-party in theory but one-party in practice.

The 1995 constitution provided for the holding of a national referendum five years later, which was held in June 2000, consequent to which the DP took the matter to the Constitutional Court, challenging the legality of the law under which it was held. In a unanimous decision on 25 June 2004, the Constitutional Court annulled the Referendum Act 2000, triggering a constitutional crisis (*Monitor* 2004a). A day after the ruling, and in total disregard of the inviolable right of appeal, which in any event the government would pursue, President Museveni reacted angrily in a televised speech, denouncing the ruling and accusing the Constitutional Court judges of attempting to usurp the power of the people (*Monitor* 2004b). This was followed by pro-government demonstrators storming the High Court in Kampala, causing the closure of court business and subjecting judicial officers to undue intimidation on 29 June 2004 (*Monitor* 2004c).

The legal and political contestations regarding the status of multi-party politics continued to plague Uganda's body politic after the second general elections in 2001. A combination of court victories, outright political agitation, pressure from external actors, especially the donor community, and, perhaps most importantly, political prudence on the part of the ruling party, produced a formal return to multi-party politics in 2005 after a twenty-year official ban. Yet, this development happened contemporaneously with a sweeping overhaul of the ten-year-old 1995 constitution, which among other changes led to the deletion of presidential term limits, setting the stage for a possible life-presidency (Okuku 2005). Thus, along with constitutional uncertainty came the old and enduringly sticky question of presidential succession. While the 1995 constitution had set out to resolve this question by placing a cap on the number of terms for a president, the 2005 amendments set in motion a new round of uncertainty.

In 2005, barely ten years after its promulgation, a large chunk of the 1995 constitution was amended following a constitutional review process chaired by an eminent legal scholar, Professor Frederick Sempembwa. Although removing presidential term limits became the central focus of public debate, a much bigger constitutional re-engineering was underway, as, political scientist, Juma Okuku (2005) aptly pointed out, the upshot of which was a more insidious democratic reversal.⁵ That a constitution

barely ten years old could be subjected to sweeping amendments bespoke of a defective 1995 constitutional order. Some critics, such as the eminent Makerere University law Professor, Joe Oloka-Onyango, have characterized the 2005 overhaul of the constitution and the many acts by the government in the years that followed, in violation of the constitution, as amounting to 'constituicide'. In other words, the fate of the 1995 constitution can be likened to infanticide or suicide; that is, the founding parents of the constitution have systematically killed their own child (Oloka-Onyango 2013).

During the 2004/05 constitutional review process, at least three key constituencies and political players were interested in amending the constitution. First, opposition parties, some sections of the ruling party, foreign donors and civil society groups wanted a return to party politics.⁶ This was concluded through a national referendum on 28 July 2005. Second, advocates for a federal system of government, especially members and leaders of the Buganda kingdom, campaigned for a federal system of government. They lobbied, advocated and presented their views to the Constitutional Review Commission. This demand was a carry-on from the failed attempt during the 1993/94 constitution-making process. To date, it remains lurking and a key source of contention. Last, the ruling party had an interest in changing the constitution to realize several provisions including granting dual-citizenship and, arguably the most important amendment, the deletion of presidential terms limits.

The first and third group of players got what they wanted. The second did not. Instead of federalism, the government proposed a 'regional-tier' system whereby a group of districts would come together to form a regional government. Advocates of federalism roundly denounced the regional tier system which, not surprisingly, has never taken off since July 2006 when it was supposed to start functioning. This issue of the form of government remains an unresolved question, a source of constitutional uncertainty and key component of what is called the 'Buganda Factor' (Mutibwa 2008). Ultra-Buganda loyalists have insisted that without a federal system of government, the Buganda kingdom regards the central government as some sort of occupying force.

What is more, critics like former MP and leader of the Uganda Federal Alliance, Olive Betty Kamywa, have argued that the 1995 constitution grants the president excessive and unlimited powers. This, they argue, has inevitably bred dictatorship and bad governance. Article 99 vests all executive authority in the President. Kamywa has spiritedly made the case for holding a national referendum to trim the powers of the President,

arguing that the constitution grants the President appointive powers for just about every public office that matters, and that this makes all sectors and departments of the state beholden and subservient to the president. This has aided personalization of power and undermined institutional growth. So, the problem is not Museveni; it is the constitution. With unchecked power, any other president would similarly behave like Museveni. Thus, Kamyá and other critics argue that the solution should therefore be found in a sweeping constitutional amendment, which in effect calls for nothing short of replacing the 1995 constitution with an altogether new constitution. Two objections are in order.

First, it is not accurate to say that the constitution does not provide for checks and balances against executive power. In fact it does. The president exercises appointive power with the approval of parliament. There is not a single critical appointment that the president makes, exclusively, without the explicit approval of parliament or tacit role of another independent body. Different commissions and agencies oversee search processes for important public appointments with the president coming in towards the end to appoint from a shortlist or a lone recommended candidate. Also, the constitution grants security of tenure for public servants including judges against summary dismissal. It provides for the independence of the Directorate of Public Prosecutions, the Inspectorate of Government, the Electoral Commission, the Central Bank and the Treasury, among other bodies.

The problem is that the oversight provisions of the constitution are not consistently respected. Both the letter and the spirit of the constitution have suffered flagrant violation. For the most part, parliament has been rather supine and unable to perform its oversight functions satisfactorily. So the problem is not so much what the constitution stipulates, it is rather the extent to which constitutional provisions are either respected or disregarded. In getting his way around parliamentary oversight for example, President Museveni has employed his huge patronage power and the majoritarianism of his party to stampede through otherwise objectionable appointments. Even then, parliament has on some occasions, albeit few and far in-between, rejected ministerial nominees, notably Nasser Ssebagala, Flavia Munaba, Saleh Kamba and James Kakooza in 2011. Also, the former government Ombudsman, Faith Mwendha, could not get re-appointed to the same office as she refused to appear before parliament for vetting.

The recent controversy over the appointment of a new Chief Justice (CJ) is quite instructive. Although the constitution provides for the CJ's appointment on the advice of the Judicial Service Commission, on 9 July 2013 Museveni disregarded the JSC's nominees and re-appointed outgoing

Chief Justice, Benjamin Odoki, who had already reached retirement age. This created a stand-off. An MP, Gerald Karuhanga, took the matter to the Constitutional Court. On 4 August 2014, in a 4-1 majority decision, the Court declared as unconstitutional the re-appointment of Justice Odoki. This litigation and relentless public criticism of the President's disregard for the law eventually compelled him to heed the advice of the JSC. Thus on 5 March 2015, he appointed the JSC nominee, Justice Bart Katureebe, and parliament duly approved him.

Second, the constitution is not necessarily the primary source of President Museveni's power. At best, it is a reflection of his actual power. If the constitution grants enormous powers to the President, it may well be that at the time of its making and subsequent amendment, he wielded actual substantive power and influence which only received a constitutional stamp. For example, during its amendment in 2005, Museveni used resources under his control to get his preferred change. Therefore one cannot locate the problem of bad governance in the constitution. Museveni's power lies in the control of the military, a legacy of the bush-war, which in turn enabled him to gain vast financial and other material resources. He uses his coercive power to intimidate opponents, and material inducements to compromise or mollify different constituencies.⁷ His control over material resources has also won him social power and with it deference from sections of the population.

Contention over Electioneering

On the eve of the 2016 general elections, there was contention over the need to undertake electoral reforms before the polls, with some actors suggesting that the elections be postponed.⁸ A constitutional amendment bill brought before parliament in late 2015 was roundly denounced by the opposition and civil society activists as shallow and devoid of any substance (*Daily Monitor* 2015; *The Observer* 2015). The bill flatly ignored the wide-range of proposals contained in the 'Citizen's Compact', a set of proposals by civil society organizations and opposition political leaders/activists. In the face of an intransigent ruling-party leadership, sections of the political opposition similarly issued an intransigent declaration: that there would be no election without electoral reforms.

Key players, like four-time opposition presidential candidate Kizza Besigye, insisted that theirs was not a boycott position. But it was not yet clear what the 'no reforms no elections' message actually meant. In the end, no electoral reforms were undertaken and the general elections went ahead as scheduled. The outcome of the polls held on 18 February 2016, with incumbent President Museveni as the winner, was swiftly rejected by

the main opposition party, the FDC, insisting that its candidate, Besigye, and not Museveni, had won the election. The post-election standoff led to the house arrest of Besigye for more than a month and his subsequent incarceration on treason charges. Besigye has consistently made a case for acts of civic defiance against the NRM government and for making the country ungovernable. Upon his nomination as presidential candidate on 4 November 2015, he declared that he would run a campaign of 'defiance not compliance'. Previously, in the aftermath of the 2011 elections, he rallied civic insurrection and an Arab Spring-like uprising in the form of the Walk-to-Work protests (W2W) ostensibly to 'give power back to the people'. Although systematically defeated, through ruthless and brutally clamp-down, for Besigye and his supporters the W2W approach had proved a possible alternative to the ballot box.

Clearly, Besigye and followers had no faith in the existing electoral regime, insisting on a sweeping overhaul of the entire political system but most especially the electoral legal regime to make possible a free, transparent and credible election. Yet, by appealing to parliament for reforms, Besigye was dragging a dead horse. By definition, elections in non-democratic regimes are neither free nor fair nor transparent, meaning the opposition wins in spite of the unfree and unfair environment. An undemocratic regime cannot democratize out of good will and through legal fiat; rather, it has to be forced into any form of reform measures. It is therefore a trifle naïve to expect Museveni to reform or democratize his way out of power. At any rate, the NRM may well undertake reforms which may not necessarily translate into change of behaviour and the actual conduct of politics.⁹ Relatedly, within the opposition some actors do not fully agree with Besigye's position. Although they supported the campaign for free and fair elections, they insist that a well-organized and united opposition could defeat the NRM in spite of the unlevelled and skewed environment. According to the FDC party president, Mugisha Muntu, the opposition can 'overwhelm Museveni'.¹⁰ This further complicates matters. On the one hand, there is no consensus between those in power and those in opposition, yet there is equally no consensus within the opposition. This lack of consensus makes the whole current political set-up unviable and the country's political future even more uncertain.

In sum, two decades after a new constitutional order was established in 1995, constitutionalism and political certainty still elude Uganda. As such, the quest for constitutional stability remains elusive. The elite political players have not found common ground and consensus on the broad pillars of constitutional governance. Although there is minimum agreement on the need for constitutional rule, as opposed to, say, military rule, the frequent

clamours for constitutional amendments bespeak the absence of consensus on key constitutional provisions relating to the form of government, checks and balances between different branches of government, electoral processes, representation in parliament, etc. There is no stable, acceptable and predictable constitutional order. The 1993/94 Constituent Assembly achieved consensus on several key constitutional provisions but with strong disagreements on reintroducing multi-party politics and the form of government, federal versus unitary.

Uncertainty Over Presidential-succession

Peaceful change of political leadership has been Uganda's foremost jinx since independence in 1962. The solution had been found in article 105(2) of the 1995 constitution, which provided for two five-year presidential terms. But this provision was never tested and got deleted from the constitution in 2005, paving the way for indefinite eligibility save for the age limit, set at 75 years, but which too has recently been earmarked for removal. Although the constitution provides for the position of a Vice-president, who can take-over in the absence of a president, this provision also is yet to be tested and there is scepticism as to whether the provision can be respected as and when the need arises.

Unlike other political organizations that similarly emerged out of guerrilla movements, the NRM has failed to establish a tradition of leadership succession. For more than thirty years, Yoweri Museveni and Moses Kigongo have been in place as NRM Chairman and Vice-chairman respectively. Without a clear and acceptable plan of succession, routinized and rooted in the party, and with the party chairman not indicating when he will retire, speculation is rife on the possibility that Museveni will hand power to his son, Major General Muhoozi Kainerugaba, Commander of the Special Forces. This is what the former coordinator of intelligence services, General David Sejusa, referred to as the 'Muhoozi project' (*Daily Monitor* 2013b). Be that as it may, the key question is not whether Muhoozi succeeds his father, however important this is; the real concern is whether there will be a peaceful transition from Museveni to anyone, even to Muhoozi. This question is especially critical considering that Museveni's rule has been built on security, and on him as the unquestionable guarantor of a stable, sustainable and secure Uganda. Beyond the apprehension over peaceful transfer of power, there is also concern over whether whoever takes over can maintain discipline among the armed forces, so things do not lapse into the situation of the 1970s and 1980s when the men in uniform were above the law.¹¹

In the absence of a predictable and tested mechanism for leadership change, and with Museveni's indefinitely remaining in power, there recently emerged intra-elite struggles and fissures within the ruling core. Although Museveni's political shrewdness and huge patronage resources have saved the ruling party from possible major splits, incessant tensions and internal bickering have nevertheless been in play. The fallout involving former Prime Minister and party Secretary General, Amama Mbabazi, was by far the most important pointer to the extent of the schism. Long seen as heir apparent, Mbabazi was dramatically upstaged in February 2014, in quick succession sacked as Prime Minister in September and booted out of his elected position as Secretary General in December.

Friction between the two reportedly started back in 2012, less than two years into Museveni's term in office after the 2011 elections with *The Observer* newspaper reporting deepening fallout (*The Observer* 2012a). However, it was during a retreat of the ruling party MPs in February 2014 that the fallout became fully manifest. After months of speculation, on the morning of June 15, 2015, Mbabazi announced that he would vie for the position of party chairman, setting himself up for a possible showdown with his erstwhile boss. Mbabazi strongly believed that time was ripe for 'change of leadership as well as direction',¹² pointing out in a letter to Museveni on 13 June 2015, that 'time has come for Uganda to go forward in pursuit of a radical system change based on the principles of good governance'.

While the jury was still out on how this Museveni–Mbabazi fallout would impact on the 2016 presidential outcome, it became quickly evident that Museveni had spent enormous resources on forestalling Mbabazi's presidential bid. Between March and December 2014, Museveni reportedly spent more than 76 billion shillings (c. US\$ 30 million) on activities aimed at neutralizing Mbabazi, including bailing-out indebted MPs who, it was reported at the time, were about to get a bailout from Mbabazi, and more than 20 billion shillings (c. US\$8 million) spent on convening a national delegates' conference to boot out Mbabazi from being NRM Secretary General. Mbabazi's challenge also opened up a scramble to win over the country's youth, as disparate, if 'desperate', youth groups went in and out of State House to be dissuaded from supporting Mbabazi. The President feted them and dispensed largesse ranging from heifers to hard cash, including a sack of 250 million shillings (c. US\$75,000) in cash that Museveni publicly gave to Busoga Youth Trust (*The Observer* 2013b). A cabinet reshuffle in early 2015 brought in youthful ministers as a reward to relatively young apparatchiks working enthusiastically for Museveni remaining in power.

Related to the succession question is the cost of keeping Museveni in power, which itself is rationalized in terms of potential chaos in his absence. Since the

deletion of term limits, securing Museveni in power has become more and more expensive, at least going by the ever growing budget for State House and Office of the President. Worse, funding elections has become very costly in part due to constituency/district gerrymandering. In August 2015, parliament approved the creation of fifty-six new constituencies/counties bringing the number of MPs to more than 430 in a geographically small country of 35 million people. In between elections, public expenditure keeps soring to oil the patronage network. The upshot is runaway patronage inflation. In sum, the longer Museveni has stayed in power the more physical security he has required as evident in an increasingly long motorcade, including a fleet of expensive cars, among them two German tailored-made armoured limousines procured in controversial circumstances. Media reports put the cost at 6 billion shillings (c. US\$2.5 million) but unnamed intelligence sources quoted twice the official figure (*The Observer* 2012c; *Daily Monitor* 2012).

The Ambivalent and Controversial Role of the Military

The military has historically been the foremost player in Ugandan politics. Independence Prime Minister and later President Milton Obote, set the track-record of inviting the military into otherwise civilian politics when he faced mounting internal party rebellion and virulent hostility from Buganda kingdom ultra-nationalists between 1964 and 1966 (Mutibwa 2008; 1992; Karugire 1988). The use of military-might to silence internal political disharmony within the then ruling Uganda People's Congress and quell Buganda's intransigency became a key defining feature of the first independence government, which ultimately climaxed in the Idi Amin coup of 25 January 1971 and the onset of a fascist military dictatorship. The short-lived return to civilian politics between 1979 and 1980 turned out to be no more than a lull, for after the disputed 1980s' elections the country became ensnared in a bloody civil war for the next five years, culminating in an internal military coup in July 1985 and Museveni's guerrilla takeover in January 1986 (see Ori Amaza 1998 for a synthesis; also Sjogren 2013). Since 1986, Uganda politics has remained largely militarized and only remotely quasi-civilian.

Let us consider a few vignettes. First, although President Museveni is officially a retired army general, he is wont to don his military fatigues whenever he wants to prove that he is in charge. Although he formally retired from the army, General Museveni continues to conduct himself as a military ruler. Following the 2004 Constitutional Court annulment of the Referendum Act 2000 (mentioned above) he appeared on state television, clad in full military fatigues. Faulting the judges for ruling that

the Referendum Act 2000 was passed unconstitutionally, thus that no constitutional referendum was legally held in 2000, which in turn meant that the Movement systems had ceased to exist, the President told the nation that the judges were playing with fire. He said, 'For someone to say the people of Uganda had no right to choose their destiny, you are getting out of your depth. You are going too far to a no-go area' (*Daily Monitor* 2004b). He made similar threats against parliament in December 2013 at the height of a stand-off between parliament and the executive over the death of a woman MP, Celina Nebanda. With a group of MPs holding firm, on separate occasions, the President, then Chief of Defence Forces General Aronda Nyakairima, and the Minister of Defence Dr Crispus Kiyonga, threatened respectively that the army would takeover 'if the confusion in parliament persists', that 'the army would not allow bad politics to take Uganda back into turmoil' and that 'there was an option for the army to intervene if MPs continue not showing seriousness that they can solve the country's problems' (*The Observer* 2013; *Daily Monitor* 2013a).

Secondly, the army has ten representatives in parliament with an unclear role under a multi-party system. For example, how are they to vote especially on contentious political issues in a partisan parliament when they are supposed to be nonpartisan? Their continued stay in parliament is justified on the rather vague argument that they are 'listening posts'. Third, serving army officers have been appointed to Cabinet positions, the most recent and controversial case being that of former Chief of Defence Forces, the late General Aronda, appointed Internal Affairs Minister in 2013. The Police Force has since 2001 been headed by army generals, first General Katumba Wamala, succeeded by General Kale Kayihura. Fourth, army officers have been put in charge of civilian programmes, most recently taking over agricultural advisory services under 'Operation Wealth Creation', a supposed anti-poverty programme headed by Museveni's brother, General Salim Saleh.

The point is that the military has maintained a pronounced yet controversial role in national politics. Military power and influence have not been fully subordinated to civilian authority, thus hampering a full return to civilian and genuine democratic politics. Serving army officers like David Sejusa, Henry Tumukunde, the late Noble Mayombo, and others, have been involved in partisan activities on behalf of the incumbent. More generally, there is a palpable sense that having someone with a military background is what guarantees peace and stability. Thus while General Museveni has held the presidency for three decades, his main political challenger for fifteen years now, is a retired army colonel in Kizza Besigye, who was succeeded as president of the main opposition political party by retired Major General

Mugisha Muntu, a former army commander. Museveni has deliberately maintained the military at the top of Uganda's politics, and with recent spates of reported fallout within the army and intelligence establishment, there is growing trepidation as to how the military will impact on politics in the short to mid-term.¹³

Implications for Public Management and Social Service Delivery

The Argument

The absence of elite consensus on the basic building blocks to underpin a viable and acceptable political system in Uganda negatively impacts on the capacity of the state and government to satisfactorily provide quality public goods and services. The absence of minimum national elite political consensus undermines building a functional state apparatus for long-term planning that compromises socio-economic transformation. And because key political questions remain unsettled, rationalized allocation of public resources is undermined. The whirling vortex of political uncertainty in Uganda today has therefore fuelled competitive clientelism, rent-seeking and patronage-based legitimacy. These are hallmarks of political *uncertainty* and *not settlement*.

Amidst a cloud of uncertainty, Uganda's ruling elites inevitably operate with short-time horizons and a high discount rate about the future. By discounting the future, they focus on overcoming immediate threats through short-term manoeuvres like dispensing private patronage to individuals at the cost of public goods. This is because regime political uncertainty is such that political actors are compelled to discount future interactions in favour of short-term gains or pay-offs (Lupu and Riedl 2012: 1346). Political uncertainty has a cyclical effect: it breeds insecurity on the part of those in power, which propels short-term responses to otherwise long-term problems, and piecemeal solutions to arguably complex national problems. Uncertainty also leads to less-rationalized and ill-prioritized utilization of public resources, with a bulk of public spending channelled towards countering both actual and perceived political threats. Let us look at a few illustrative examples.

Tinkering with National Development Programmes and Resorting to Clientelism

Over the last decade, government has produced national development blueprints aimed at transforming the country. These have been both sector-specific but also general national development plans. More focus has been on the agriculture sector, with the now defunct Plan for the Modernization

of Agriculture (PMA) followed by National Agriculture Advisory Services (NAADs). More recently, the President expressed indignation at the dismal failure of NAADs saying it should be disbanded. The President unilaterally decreed the abolition of NAADs and its replacement with a loosely conceived programme called 'Operation Wealth Creation' under army officers headed by his brother, General Salim Saleh. In addition to these national agriculture-transformation programmes, the NRM has also had election-time programmes such as *entandikwa* (literally meaning 'start-up capital') and *prosperity for all* (the 2011 election campaign mantra). Both programmes were premised on access to government-guaranteed micro-finance for individual enterprise and wealth creation. These plans and programmes have delivered very little substantive change and one is replaced by the other without any long-term and systematic plan. For example, there was never a thorough evaluation of PMA before NAADs were brought in and there was no value for money audit of NAADs before the President brought in army officers.

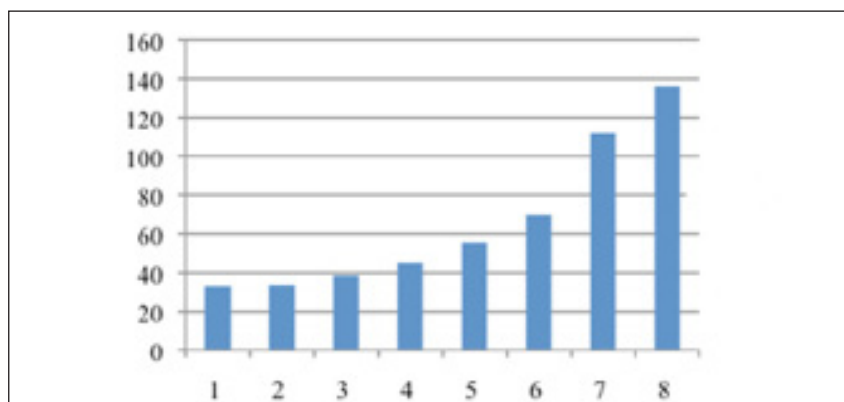
While national development plans have tended to flounder, Museveni has mostly resorted to clientelism and patronage to please different sections and appease a range of constituencies. Pressured by electoral politics, he has turned to short-term and populist responses to popular demands for basic social services and public goods, in effect undermining institutional processes and the evolution of a culture of long-term, impersonal and bureaucratic planning. The upshot of this, as a recent study has noted, is that 'there are growing signs that erstwhile "islands of effectiveness" are being undermined, in part as a result of the need to finance the increasingly expensive patronage machine' (Hickey et al. 2014: 8).

With the central government unable to meet varied local demands countrywide, the populist policy of the creation of small but unviable district enclaves has played an appeasement role, and serves as a key source of elite patronage (Green 2010). While there has been genuine local popular demand for new districts, a great deal of that demand is fuelled by elites who opportunistically want new political offices. The local masses too find 'intrinsic' satisfaction in new districts even without substantive improvement in public goods and services. Thus, political opportunism on the part of local and national political elites combined with some genuine local-mass quest for gaining localized power generated a countrywide clamour for new districts. Yet, there is no evidence this tallies with the official justification: that new districts bring services closer to the people.

There is no evidence of increase in rural health facilities or significant expansion in paved roads as a result of the runaway creation of districts and

sub-counties. Instead, proceedings in the parliamentary Local Government Accounts Committee, and the reports that this committee has produced over many years, have shown local government as heavens of localized corruption and inefficiency. It appears that the more districts are created, the more avenues there are for decentralized corruption. In the context of political uncertainty, the President has used the creation of districts to soak up pressure from local elite power brokers who gain their own small fiefs. Additionally, many districts and parliamentary constituencies were created on the eve of general elections, for example in 2005, 2009/10, and 2015, suggesting that the practice is a tool for appeasing local power brokers and gaining electoral advantage for the incumbent (Green 2010).

Tableau 1: Number of Districts: 1986 2015



Nationally, dealing with demands for co-opting elites and fending off threats has led to a bloated public sector including a large cabinet, an army of presidential aides and advisers, and a huge parliament (Tumushabe 2009). As political commentator Charles Onyango-Obbo noted, ‘Uganda has easily the biggest cabinet in Africa, and Museveni is the only leader who has nearly as many presidential advisers as a very large parliament’ (*Daily Monitor* 2015). While presidential appointments are used to co-opt elites and limit political threats, a huge parliament serves as a site for national elite inclusion. Thus, in the face of political uncertainty, regime survival has hinged largely on marshalling a broad and inclusive elite-ruling coalition, something that would be less necessary if there was a political settlement. Although the ruling coalition has been rather fragmented and riddled with factionalism (Kjaer and Katusiimeh 2012), and rather nepotistic at the pinnacle (Golooba-Mutebi and Hickey 2013), the fact that it has been relatively broad, at least in instrumental terms, has enabled Museveni to

secure a hold on power. Yet this political expedience and an expansive public sector create fertile ground for pervasive corruption, rent-seeking and endemic inefficiency.

A Non-meritocratic Public Sector

At its core, Uganda's current public sector lacks a robust incentive structure that rewards performance and punishes incompetence. Career civil servants cannot count on sheer hard work and excellence to move up the civil service hierarchy. Rather, upward movement depends on non-merit factors such as political godfathers and sectarian considerations. There is lack of an explicit and predictable system of rewarding performance and motivating excellence; instead, civil servants tend to be under the sway of political godfathers who influence their progress. Reforms initiatives like performance appraisals tend to fail due to an incompatible administrative culture (Karyeija 2010). There is high absenteeism in the education and health sectors (Wane and Martin 2013), but no strong system of sanctions. To reform these sectors and the civil service as a whole requires single-minded focus.

The reform of the civil service in the 1990s that led to a significant reduction in the size of the public sector, including a sharp drop in the size of cabinet, did not lead to a long-term turn-around once the exigencies of electoral politics set in, starting with the 1996 general elections. The Public Service Review and Reorganization Commission (PSRRC) made a total of 255 recommendations to revitalize the public service in order to make it more efficient, responsive and cost effective (Langseth and Mugaju 1996). Among the PSRRC's key recommendations were the reduction in the number of government ministries and the use of supervisory, inspection and auditing systems to monitor and preempt corrupt practices (*ibid.*: 28).

At the time the commission was set up in 1989, Uganda had thirty-two ministries with more than seventy ministers. The civil service was estimated at more than 320,000 employees. Consequent to the recommendations of the PSRRC report, a massive restructuring and downsizing exercise was undertaken leading to halving the size of Cabinet from close to eighty ministers in 1992 to forty-one in 1995. The civil service also was cut down from 320,000 in 1991 to 145,000 in 1994, and further down to about 127,000 in 1996. Presidential assistants and advisers too were reduced to only about a dozen. Yet these changes turned out rather short-lived. The civil service re-expanded yet again, shooting through the roof as it reached 230,000 ten years later and more than the 1990 figure of 320,000 by 2010.

The problem here though is not so much the civil service as the non-rationalized political appointees. As part of the political economy of regime

survival, rationalized and meritocratic appointments to public offices have taken a back seat as political considerations take precedence. Instead of an impersonal system of allocating resources and providing public goods and services, there is, rather, a personalized structure through which big government deals are concluded through dubious processes. The most publicized case in the recent past involved the award of a road construction contract to a non-existent company, Eutaw, allegedly through influence-peddling by senior government officials. As Golooba-Mutebi and Hickey (2013: 25) observe, 'it appears that even if the executive is committed to delivering high-quality services, it lacks the ability to develop the required levels of capacity and compliance within the civil service to achieve this, as illustrated by the cases of health and education', where large budgetary allocations have not resulted in increased quality and quantity of services.

The Crisis in the Education and Health Sectors

A recent World Bank study on Uganda's health and education sectors produced some startling findings (Wane and Martin 2013: 2). In a survey of 400 primary schools and 400 health facilities and a sample of more than 5,000 teachers and healthcare providers, the study found that 52 per cent of healthcare personnel were absent from their duty stations. In the schools, 27 per cent of the teachers were absent. And out of those present, 30 per cent were not teaching meaning that 40 per cent of school classrooms had no teacher. In northern Uganda, the study found that students there receive only fifty actual days of teaching time for the entire school year.

The study's findings on the competence levels of public primary school teachers and health personnel paint a more appalling picture. A paltry 19 per cent of teachers showed mastery of the curriculum they teach; the teachers' knowledge of the subjects they teach was very low; and 'the pedagogical skills to transform their knowledge into meaningful teaching were even lower' (ibid.: 4). Tested from the very curriculum they teach, only one in five teachers scored above 80 per cent. The average score was 65 per cent and 58 per cent for mathematics and English respectively. On a pedagogical skills-test, the average score was 26 per cent; only 7 per cent of the teachers scored above 50 per cent. In 86 per cent of the schools, students were not using textbooks for learning.

To put this picture into regional perspective, findings of a 2014 survey of the quality of primary school education in Kenya, Uganda and Tanzania, by a regional NGO, Uwezo, found that Uganda lagged behind its regional peers. 'In Kenya', the report noted, 'six out of ten children aged between ten and sixteen possess both literacy and numeracy skills at primary two level

compared to five out of ten for Tanzania and four out of ten for Uganda'. The report concluded that there are large differences in learning achievements among the three East African countries with Kenya performing better at 67 per cent in both numeracy and literacy skills compared to Tanzania at 50 per cent and Uganda at 38 per cent (*Daily Monitor* 2014).

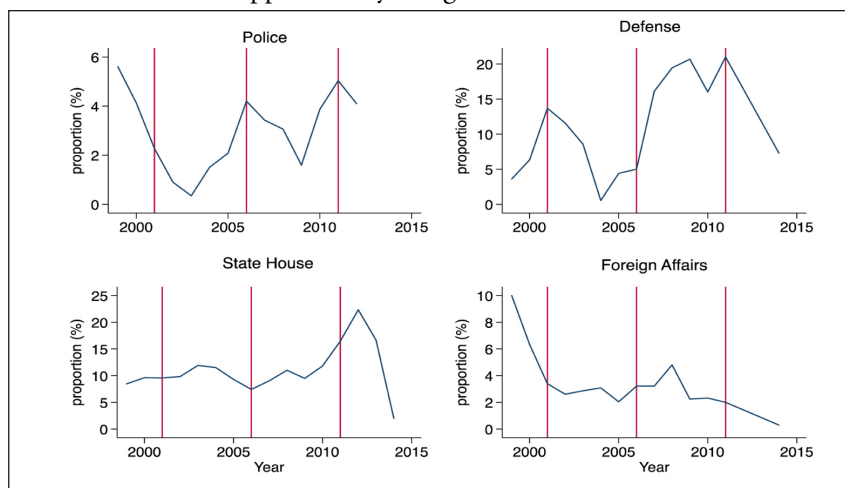
This is not to suggest that the poor state of the health and education sectors is a consequence of political uncertainty; rather, it is that under political uncertainty there is limited incentive to systematically address such substantive issues that affect the public. Instead, the top leadership in Uganda is occupied with staving off political threats. If key political questions were settled, perhaps we would see the same problems of poor health and education services. But until that happens, we cannot confidently surmise as such, ex-ante.

The Phenomenon of Supplementary Budgets

The phenomenon of supplementary budgets is quite instructive. Although the law provided for up to 3 per cent (the law was recently amended to increase the cap), over the years supplementary requests always overshoot that limit, and a consistent trend has been more on recurrent expenditure than development spending on investment in production, service delivery and wealth creation. On average, the top four allocations in the supplementary budget requests are for the State House/Office of President, the Ministry of Defence (mainly classified expenditure), the Police Force and Ministry of Internal Affairs. Ministry of Finance officials, notably its Permanent Secretary, Keith Muhakanizi, have repeatedly complained about the disruptive problem wrought by supplementary budgets. In 2011, a huge supplementary budget of up to 30 per cent on the eve of general elections was partly blamed for the inflationary spiral that year.

We can deduce at least two pathways linking the phenomenon of supplementary budgets to the problem of political uncertainty. First, in the context of uncertain politics where there are political tensions resulting from unsettled political questions, the Ministry of Finance cannot make accurate forecasts and give correspondingly appropriate budgetary allocations. For example, knee-jerk presidential pronouncements aimed at assuaging a restive constituency made late in the budgeting process means a distorting impact on the budget and an inevitable recourse to making a supplementary budget request.

Tableau 2: Trends Supplementary Budgets Allocations



Second, supplementary budgets point to the extent of patronage-inflation and the need to deal with political contingencies. With political uncertainty, the cost of maintaining stability and keeping the status quo is high, as seen in classified expenditures for the military and the police. A key component of supplementary budgets is presidential donations that have no cap and are used mostly to mollify different constituencies and fend off potential political threats. Data on supplementary budgets for the last fifteen years show that the top allocations go to ministries and departments that are not concerned directly with service delivery. More than 90 per cent of supplementary budgets go towards recurrent and not development expenditure.

Conclusion

From the foregoing discussion, far from there being a *political settlement* in Uganda, the country is rather shrouded in *political uncertainty*. This uncertainty, I have attempted to show, directly and indirectly impacts on social service delivery as resources are not rationalized and mechanisms for effective delivery of social services are not prioritized. With key political questions unsettled and minimum elite consensus absent, long-term planning is stymied. Having a clear picture of what the presents holds, let alone predicting what the future promises, is increasingly impossible. This article’s central message, then, is that until key political questions have been settled, systematic and long-term planning cannot be feasible. The failure to settle key political questions has enormous implications for systematic, long-term planning and the provision of quality public goods and services.

To get around the current malaise requires building both technocratic capacity and a merit-based public sector. But above all it requires finding a political solution – a *political settlement*. This will necessitate getting all key political actors round the table to chart a new course for the country. Only by convening a dialogue for minimum consensus can it be possible to establish the basic building blocks for a stable and acceptable constitutional and democratic order. The final details of such an order shall depend on the calibre of the individuals and interest-groups taking part in reimagining a new Uganda.

Acknowledgements

I am grateful to Lawyer Kafureeka and the anonymous reviewers for helpful comments. Some of the arguments I advance in this article draw heavily on informal conversations I have had with senior scholars at Makerere University: John Barya, Pat Mwambustya and Simon Rutabajuuka. To them, I am deeply indebted. The usual caveat applies.

Notes

1. Although the transitional, 'Movement' system was 'individual merit' based and party activities were expressly proscribed, leaders of DP negotiated as an organization. Personal interview with former DP President, Paul Kawanga Ssemogerere, 3 December 2014, Kampala.
2. I am indebted to Professor John Jean Barya, Professor of Law at Makerere University, for this observation from the many scholarly discussions I have held with him in the recent past.
3. Interview with Ssemogerere.
4. Personal interview with Mathew Rukikaire, former Minister for Privatization, 6 November 2014, Kampala. In an interview with Paul Ssemogerere, a leading member of the 'broad-based' government, he confirmed Rukikaire's observation as accurate.
5. Political scientist Juma Anthony Okuku made a prescient argument at the time that focusing on the 'third term' debate, as the deletion of term limits was dubbed then, was to lose sight of the big picture of the breakdown of constitutional governance and the deleterious consequences of clinging on to power by the incumbent.
6. Within the NRM, there was a faction often referred to as the 'progressives' that made a case for amending the constitution to return to multi-party politics. Among the leading figures were influential ministers Eriya Kategaya and Bidandi Ssali.
7. Confidential discussion with a former senior and long-serving NRM government minister, 15 March 2015, Kampala.

8. This has been the position of Kizza Besigye, the foremost opposition leader and flag-bearer for the main opposition party, the Forum for Democratic Change (FDC).
9. Personal conversation with John Barya, 10 August 2015, Kampala.
10. Personal interview, 4 May 2015, Kampala. Muntu has also repeated this position to the local media.
11. I am indebted to Dr Lawyer Kafureeka for underscoring this point.
12. Confidential conversation with one of Mbabazi's aides, 29 April 2015, Kampala. Mbabazi alluded to this in his announcement on 15 June 2015.
13. The fallout involving the former Coordinator of Intelligence Services, General David Sejusa, is instructive. General Sejusa fled to London in April 2013 after writing a dossier alleging that senior army officers and government officials believed to be opposed to having the President's son succeed his father were being targeted for assassination. He was openly supported by General Elly Tumwine and Brigadier Kasirye Gwanga. It is believed that the old-guard in the army is pitted against a new crop of relatively young officers loyal to the First Son, Brigadier Muhoozi Kainerugaba. Appearing on NTV's 'On the Spot' talk-show on 9 July 2015, General Sejusa alluded to the uncertainty in the ranks of the national army, alleging that there is a problem of a professional command structure such that in some cases a Brigadier salutes a Major!

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