

KCCA City Charter: Enhancing accountability for service delivery through public deliberation and resident empowerment in Kampala City

This paper reports on urban research that aims to explore the determinants of public satisfaction (or dissatisfaction) with city services in Kampala City, Uganda and how the proposition of a Kampala City Charter can enhance public participation and resident empowerment. We focus on basic services such as road construction and maintenance, solid waste collection and disposal, education, health care services, physical planning ...services intimately identified with the proper functioning of City government and within the purview of the Kampala City Council Authority (KCCA). The research focuses the lens of analysis on the micro level in order to assess service satisfaction from a users' perspective as well as local government leadership's perception of service delivery. Along with the residents' general perceptions of service accessibility, their specific experiences with service providers, and the question of accountability for service delivery, we consider their income status as influencing their perception and possibly access to services, given the income-based selection of neighbourhood. The proposed KCCA Citizens Charter represents a statement of minimum standards in terms of residents' right to services and an anticipation of political participation to ensure the KCCA is committed to upholding those standards for the residents. It is anticipated that the Charter would represent the establishment of a normative structure for residents' claim to rights to service and possible resident empowerment that would hold the Authority publicly accountable going forward. The charter establishment process also represents an important political project to restructure the most powerful local authority in Uganda in a manner that would address the question of legitimacy.¹ Theoretically, the paper contributes to the debates about measuring political inequality. The paper highlights four key themes that emerged in the consultations: Resident awareness of KCCA responsibilities for service delivery; service and accountability limitations related to governance and representation structures across income-based neighbourhoods; the demand for accountability as a pressure for improving service delivery; and reforms to align representation with accountability across income-based neighbourhoods. A qualitative methodology was used to collect the data across five divisions and the results are reported upon and discussed below.

Introduction

Measuring inequality is a subject of varied literature that largely focuses on economic (income) and social inequality. However, political inequality has significant socio-political implications that may determine the stability and cohesion of society.² People's real or perceived sense of

¹ Humphreys, M. & J. Weinstein (2012) "Policing Politicians: Citizen Empowerment and Political Accountability in Uganda." Presented at the Annual Bank Conferences on Development Economics. Washington, DC.

² Dasgupta, P., A. Sen, & D. Starrett (1973) Notes on the measurement of inequality. *Journal of Economic Theory* 57(2) PP 180-187; C. Pateman (1970) *Participation and Democratic Theory*. Cambridge: Cambridge University Press;

inequality can influence their behaviour and agency. The legitimacy of governance institutions and structures depend on the level of acceptance the people proffer to those invested with democratic (political) or bureaucratic responsibilities.³ There are any number of challenges related to measuring political inequality, including which variables to consider, which population to focus on, which time period and which instruments to use.⁴ This paper focuses on the measuring of political inequality by evaluating the perceptions of the residents of Kampala's five divisions with a view to support the proposal to introduce a Kampala Charter as a form of institutional accountability. Perception of political inequality can matter as much as objective measurements although there may be misperceptions of inequality that may not align with objective measures. However, the concern about the socio-political implications of a broad sense of political inequality mean people's attitudes and perceptions are an important consideration and informs this research.

Uganda undertook a process of decentralization in the 1990s with a view to increase citizen participation in local government and local accountability for service delivery. The argument was that the closer to the people the decision-making is, the better the services delivery because of local accountability. Kampala City was an early, if not, consistent beneficiary of the process that came in under the Local Government Act, 1997 (GOU, 1997). Devolution transferred power to the municipalities from the central government. Elected mayors, councils, local council chairs, assumed responsibility for service delivery. However, not long after, the central government concluded that Kampala City Council had failed and reversed itself and set up a hybrid structure. A new Kampala City Council Authority was established in 2010. An Executive Director was appointed by the central government as the executive authority and head of the bureaucratic operation, reporting not to the Mayor, but the Central government.

The Kampala City Council Authority (KCCA) is made up of Five Divisions (Central, Kawempe, Makindye, Nakawa and Rubaga) each led by an elected mayor and a local council. The Authority is the governing body of the Capital City and administers Capital City on behalf of the central government subject to the KCCA Act. Overlaid on that structure is a Kampala City Council led by an elected Mayor and council who has to contend with an Executive Director appointed by the Central Government. Concerns about the level and quality of service delivery has continued to bedevil the city government and called into question its legitimacy, given the bifurcated nature of the governing structure. Given that background and questions of accountability arising from the tense relationships between the bureaucracy and the local elected political structure, in this research project we were interested in what we could learn about the potential of resident civic

D.F. Thompson (2009) Deliberative democratic theory and empirical political science. *Annual Review of Political Science*. 11 pp 479-520; E. Gyimah-Boadi (2004) Democratic Reform in Africa: The Quality of Progress. Boulder, Co: Lynne Reinner

³ P. Esaïsson, M. Gilljam & M. Perrson (2012) Which decision-making arrangements generate the strongest legitimacy beliefs? Evidence from a randomised field experiment. *European Journal of Political Research*. 51 pp 785-808; M. Morrell (1999) Citizen's evaluation of the participatory democratic procedures: Normative theory meets empirical science. *Political Research Quarterly* 52 pp293-322; J. Gottlieb (2016) Greater Expectations: A Field Experiment to Improve Accountability in Mali. *American Journal of Political Science*. 60 (1) pp143-157

⁴ Devooght, K. (2003) Measuring Inequality by Counting Complaints: Theory and Empirics. *Economics and Philosophy* 19 (2) PP241-263

participation in addressing the significant service gaps identified in the literature? Secondly, how could the proposed the KCCA City Charter impact that process of bottom-up accountability? A series of focus group type community meetings were held in August and September 2019, seeking to answer those questions. These were supplemented by some interviews with local elected leaders, although that process was disrupted by the COVID crisis and eventually abandoned due to concerns about its feasibility in a pandemic environment.

Challenges of local accountability for service delivery in a broader context

There is limited documented information about public attitudes regarding public services in African cities.⁵ The general impression is that, in the neoliberal era, a period of government retrenchment, service provision by the city authorities has been inadequate and substandard. So, it is fair to ask: do residents think they are being well served? Secondly, what can be done to hold those responsible for service delivery accountable? In the 2004 World Development Report, the authors frame the debate on the question of efficacy of public services in the global South by focusing on the need to “put poor people at the center of service provision: by enabling them to monitor and discipline service providers, by amplifying their voice in policy making, and by strengthening incentives for providers to serve the poor” (World Bank 2004:1)⁶. They discuss multiple factors and processes worth consideration, including: increasing the collective power over providers by organizing residents groups; increasing the purchasing power of residents (power through choice); increasing information flow to ensure stronger utilization of the first two. They argue that the clearest case for improving service delivery is the monitoring of providers from below by residents since they are in a better position to see what's going on than supervisors in government bureaucracies. They suggest that “When the policymaker-provider link is weak because of scarce or difficult-to-manage supervisory staff, clients may be the only ones who regularly interact with providers” (World Bank, 2004). The report suggests that the accountability of providers to clients can be achieved when residents voice their concerns. In a case such as Kampala where enforceability is not likely through choice or money for many of the services because of low effective demand, it is possible through the direct interaction of residents, possibly through complaints and collective mobilization, since the scope for poor people to voice complaints individually is very limited. However, there is scanty evidence of bottom-up ‘new social movements’ activity in the case of Kampala that can be said to force bureaucratic action, hence the interest in the potential of the development of a residents’ rights charter, as was done in Los Angeles in the late 1990s.⁷ Statements of political or positive rights such as a residents rights charter generally express broad social policy goals and

⁵ See Bratton, M (2009) *Are You Being Served?: Popular Satisfaction with Health and Education Services in Africa*. In G. Bland and C. J. Arson (Eds.), *Democratic Deficits: Addressing Challenges to Sustainability and Consolidation Around the World* (pp. 37–66). Washington, D.C.: Woodrow Wilson International Centre for Scholars.

⁶ World Bank. (2003). *Making Services Work for Poor People*. Washington, D.C. Retrieved from <https://openknowledge.worldbank.org/handle/10986/5986>.

⁷ Purcell, M. (2002) Politics in Global Cities: Los Angeles Charter Reform and New Social Movements. *Environment and Planning*. Vol. 34, pp23-42; A similar case of resident mobilization of a new social movement has been made by Isin (2000) for the Toronto where the homeless population created the ‘Toronto Street City’. Isin (2000) “Governing Cities without government” in E. Isin (2000) *Democracy, Citizenship and the Global City*. Routledge, NY pp 148-168

the obligation of governments to work toward these goals. But they also provide a vehicle and political justification for residents to hold governments accountable for poor or inadequate performance, often through mobilizations to make demands of the government, thereby motivating governments/Authorities to work to meet these commitments and the residents' expectations of service delivery.⁸

Research from India also shows evidence that responsive governance depends on the free flow of information in the context of electoral competition (Besley and Burgess 2002, Keefer and Khemani 2003 and 2004). Other research from Latin America suggests that democratic elections and public spending alone are insufficient to guarantee high quality social services or equitable service delivery (Nelson, 2005, Kauffman and Nelson 2005, World Bank 2004:36). Moreover, they do not sufficiently address the question of the extent to which political legitimacy is undermined by inadequate or poor public service delivery (Esaiasson, Gilljam & Persson, 2012).

The 2004 World Development Report focused on evaluating service delivery to 'poor residents' because of the concern around uneven access to capacities to organize among the poor or uneven access to information that can be a basis for mobilization. Unequal political participation based on income represents a long-standing basis for political inequality in cities and other jurisdictions. Discourses of political empowerment have often sought to address these participation gaps. But the politics of political inequality is poorly understood. In the case of service delivery in a city such as Kampala, there is little doubt that there is inequality in who participates in collective decision making and who influences collective decisions. However, there is a lack of consensus on how to measure political inequalities, how political inequalities affect wellbeing, and how best to address them.⁹

Research questions

The Kampala Citizen's Charter research project takes up some of these challenges in the context of a potentially unique citizen engagement in city governance in Kampala. It uses a mixed method approach, with discrete quantitative and qualitative data collection components ultimately aimed at combined data analysis directed at answering some of the following core research questions:

1. **Measurement of political inequality:** *How best to measure political inequality?* How differently responsive are bureaucrats and elected officials to the views and needs of residents from different socio-demographic backgrounds?
2. **Understanding the effects of participation:** *Do deep participatory processes reduce or reproduce political inequalities?*
3. **Understanding the effects of social contracts on inequalities:** *Does the formalization of rights and expectations reduce inequalities in access to services?*

⁸ Justiciability is an option in some jurisdictions but a remote possibility in an environment such as Kampala where the state is inoculated from most legal action by the citizens.

⁹ Nabukeera, Medinah., A. Boerhannoeddin, R. Ariffin & M. Bwengye (2015) Recentralizing of Kampala City Administration in Uganda: Implications for Top and Bottom Accountability. Sage Open, July-September pp1-13

4. **The interaction between participation and social contracts:** *Are residents more likely to engage with political institutions that they had a role in establishing?*

The project was built on a partnership with the Kampala Capital City Authority (KCCA) which aspired to develop a “Citizen’s Charter”—a kind of social contract that specifies rights and expectations of citizens with respect to this authority. In the context of this deliberative process, our research project sought to:

- a) contribute to strengthening the *measurement* of inequalities in political influence and use these to validate strategies to enhance empowerment
- b) assess how the *formalization* of political rights and obligations can flatten these inequalities and improve social outcomes and
- c) assess whether and how *participation* in setting the rules can flatten inequalities, strengthen citizen’s willingness to take action to demand services, and hold service providers to account.

It is important to note that the impetus for the original project came from the Kampala Capital City Authority (KCCA), who requested support in developing a “*Citizens’ Charter*”—as a document that would outline and publicizes standards of public service provision which the agency would pledge to abide by. This report covers the qualitative section of the research and reports on the methodology and some preliminary findings from the focus groups of residents from the five divisions of the City.

Institutional Context: Service delivery and making services work for City residents in Kampala

As indicated earlier, the Kampala City Council Authority (KCCA) is made up of Five Divisions (Central, Kawempe, Makindye, Nakawa and Rubaga) each led by an elected mayor and a local council. The Authority is the governing body of the Capital City and administers Capital City on behalf of the central government subject to the KCCA Act. Overlaid on that structure is a Kampala City Council led by an elected Mayor and council but also an Executive Director appointed by the Central Government. There is important history to this complex structure. In 1995, the government of Uganda committed to a process of decentralization, with a provision in the constitution on decentralization (Article 176 2 (b)) followed by a commensurate Local Government Act of 1997. At the heart of the shift from centralized government was the idea of devolution of power, transferring both political and administrative powers from the center to lower local governments and councils. A key element in the devolution process was the intent for the government closest to the people to handle the responsibility of service delivery.

According to Nabukeera, et al (2015), as part of decentralization that the Ugandan government undertook in the late 1990s and early 2000s, the process of devolution transferred both political and administrative powers from the center to lower local councils with the specific purpose of handing the responsibility of service delivery to local governments. The elected mayors, local council chairs, and councils of sub-counties in Kampala were locally accountable to the electorate, and public service delivery was therefore considered to be the purview of highly

decentralized local governance. However, some years later, following the approval of the Kampala Capital City Authority (KCCA) Act 2010, the city's administration reverted to the central government. To justify its move, the Central Government alleged that decentralization had failed to deliver desired services to residents in Kampala. Service delivery, therefore, is the fundamental reason for the existence of the Authority.

The Central Government's assessment that the local governments in Kampala had failed to deliver services led to the promulgation of a new Kampala City Council (KCC) Act which created partnership arrangements and intergovernmental relationships (city–sub-county merger) under a new administration of KCC (Kampala Capital City Authority—KCCA), set up following the approval of the KCC Act (GOU, 2010).¹⁰ It provided for the appointment of an executive director as the chief executive of the authority, the accounting officer, and headship of the central government in the authority. This restructuring transformed the governance order and repositioned the authority to deliver quality services to the people of Kampala with limited accountability to them. However, in Kampala, it had a reverse effect on the City's democratic order and this may be an unintended outcome of the government's actions (or its interests). It had the effect of weakening bottom-up accountability to the electorate.

What is clear is that recentralization of Kampala city administration decreased the autonomy of the city government, the local democratic representatives and its civil service administration. Further, it eroded accountability to the electorates, and transferred the allegiance of the accounting officer from local governments with and for which they work to the central government that designates and positions (Nabukeera, et al, 2015).

While the devolution process led to the creation of new districts across the country aimed provide local administrative infrastructure for decentralization, it was different in Kampala where it soon led to the recentralization of Kampala city, on the pretext that it had failed to deliver services effectively. It seems reasonable to assume that as Grossman & Lewis (2014), have argued that the creation of districts can lead to "change in the intergovernmental balance of power that favors the central government since the units have low bargaining power and tend to be highly dependent on the center for resources, planning, and service delivery" (Lewis, 2015:215), which also facilitates "dependency in terms of administrative centralization" (Lewis, 2014:576). Kampala was not able to mobilize other urban centres to defend its autonomy. As our research shows, the sense of frustration among residents regarding service delivery has not lifted and to it is added the inability to understand the lines of accountability and the points of pressure they can use to address the poor condition of the services.

Based on analysis of data from a series of community consultations across the five divisions of Kampala City conducted in 2019 in support of the project to establish the Kampala Charter, we argue that accountability in local governments such as the Kampala City Council Authority, requires power sharing between the mayor and executive director, as well as other layers of

¹⁰ Nabukeera, Medinah., A. Boerhanoeddin, R. Ariffin & M. Bwengye (2015) Recentralizing of Kampala City Administration in Uganda: Implications for Top and Bottom Accountability. Sage Open, July-September pp1-13

elected local authorities such as Division mayors and councils and local council officials, **but also action to enhance bottom-up accountability, checks and balances**. The establishment of a Kampala Charter can serve to enhance such bottom-up accountability by formalizing standards of service and empowering residents to make demands of both elected and appointed officials. It can help establish values and priorities, influence service delivery strategy and investment, and infuse the culture of the authority with a sense of purpose and commitment. The obvious question is: what are the chances that such institutional reform (a residents' charter) can, in fact, transform the conduct of the Authority?

Public services are a public responsibility to residents

In a city where low-income people far outnumber middle income, as is the case in Kampala, service delivery is a critical government mandate. However, in the case of Kampala, the limits of efficacy are everywhere, from roads, to education, to health services, to garbage pick-up to water and electricity provisioning. A 2011 KCCA annual report documented that while the city generated 1,500 tonnes of garbage daily, it was able to pick up only 500 tonnes. While that rose to 29,543 tonnes per month in 2012, that was still significantly short of the demand in the city. There are problems with drainage and water management, the road network developed when Kampala had 11,000 cars regularly is too narrow for the high volume of commuter taxis and boda bodas not to mention passenger cars. A most common complaint is the poor condition of roads and the prominence of potholes in the streets. Education and health services are well behind demand, recreational services are mindbogglingly inadequate and many recreational fields have been plowed over into arcades and highrise buildings. Markets are overflowing into the streets and new construction of market space has been priced out of reach for ordinary vendors. Most feedback from vendors and business people represents complaints about a KCCA intensity when it comes to tax collection and how unstructured and random it is...suggesting that corruption largely defines the effort. On the other hand, service delivery seems to have limited focus from the Authority.

Research increasingly shows that by putting poor people at the centre of service provision: by enabling them to monitor and discipline service providers, ensuring that they can demand accountability, by amplifying their voice in policymaking, and by strengthening the incentives for providers to serve the poor

According to the (World Development Report, 2004), “*Too often, services fail poor people in access, in quality, and in affordability. But the fact that there are striking examples where basic services such as water, sanitation, health, education, and electricity do work for poor people means that governments and citizens can do a better job of providing them.*”

On the basis of some of the success identified and understanding the sources of failure, the 2004 World Development Report, argued that services can be improved by putting poor people at the center of service provision. *It claims that “By enabling the poor to monitor and discipline service providers, by amplifying their voice in policymaking, and by strengthening the incentives for providers to serve the poor.” (World Bank, 2004)*

The Report identified various sources of service failure, including:

1. when funding is inadequate
2. when services don't reach the population, particularly the poor
3. when there are insufficient service providers
4. when the focus on tax collection rather than service provision
5. when there is low demand due to low incomes – eg in garbage collection, etc
6. when there is low information available about the services – information gap

While all of the above may not apply in the case of Kampala, a significant number do and can help guide inquire into the issues of inadequate and poor service delivery as well as the question of resident engagement, political participation and accountability. The research project was therefore informed by this understanding of the failures and the need to address them. Separate teams were responsible for the quantitative and qualitative components. A qualitative team was set up with a principal investigator and a co-investigator and associate researchers. The research was conducted during the second part of the year 2019, with the prospect of completion in the first part of 2020. However, while much of the data collection was accomplished, the research was not completed due to the COVID 19 pandemic and lockdown. Key aspects were postponed including elite interviews, in particular, and eventually abandoned because of concerns about the various waves of COVID 19.

Research Design

For the qualitative component which we are reporting on here, we used eleven (11) citizen consultative meetings as representative of Kampala's resident population, across the five sections – involving a total of 217 residents and local leaders. The consultative groups process was broken down into 11 areas, in five Divisions, 6 low income, 5 middle income. Some areas where the consultations were held were mixed in terms of income status. We also planned to include interviews with LC1s, councillors, or leaders of institutions. The majority of the consultations were held in Luganda, the most commonly spoken language, except for Muyenga, Ntinda and Bugolobi, where a majority of participants were English speakers. Those meetings were held in English with simultaneous translation into Luganda.

The community convenings will be help during these weeks in the identified locations. Key venues will be identified and secured in the weeks leading to the convenings in each of these area

| Division | Neighbourhood | Neighbourhood |
|-----------------|----------------------|----------------------|
| Rubaga | Ndeeba | / |
| Kawempe | Bwaise | / |
| | | Najanankumbi |
| | | Kyebando |

| | | | |
|----------|----------|---|-----------------|
| Nakawa | Bugolobi | / | Ntinda / Naguru |
| Makindye | Muyenga | / | Katwe |
| Central | Kisenyi | / | Nakasero |

Deliberately within these areas, we targeted the voices of youth, women and were also conscious that women of different age sets may have varying needs.

Elite interviews: Community leaders - LCs and Councillors interviews

The residents' voices were to be supplemented by some semi-structured interviews of elected representatives – City Councillors and LCs in the areas of investigation. The project planned to identify and interview at least two local community leaders each area of investigation, in particular LCs and Councillors. These 'elite' participants were to be canvassed for their involvement as a bridge between residents and KCCA officials in the decision-making and demand making processes. Regrettably, the COVID 19 pandemic disrupted those plans and only a few interviews were done in just some of the areas, not all.

Thematic coding and analysis were undertaken after the data collection to guide the discussion of the findings.

Limitations

The project implementation suffered a number of challenges, chief among which is the arrival at a pivotal moment of data collection of the COVID 19 pandemic. It disrupted access to local leaders for the elite interviews because of lockdowns and concerns about virus spread. Many of the local leaders had to make their own arrangements to leave town or to hunker down in places that were not accessible by researchers. The pandemic also dispersed the research team, made up of PhD students who both graduated to different phases of the program and were not available for continuing with the data collection. The community support team was also dispersed, and it was subsequently difficult to contact them. Nevertheless, a substantial enough data was collected and analysed.

The project has had to drop the **elite informants component** of the project and use data drawn from the community meetings in which some local leaders participated to provide some understanding of their role and their attitudes towards the necessary reforms that can enhance service delivery, including the idea of a residents rights charter.

Translation was often a challenge because while most community meetings were held in Luganda, most of the research team members were only nominally competent in the language. They were also responsible for the transcription that followed. Financial limitations made it impossible to acquire more competent translation and transcription as the project funding only covered the costs after completion of key phases and the upfront costs were imposed on the principal investigator.

Discussion of Results from community consultative meetings:

The purpose of the community consultative meetings was to get a better understanding of the residents' perception of service delivery, assess patterns of unequal responsiveness to citizens from different socio-demographic backgrounds (low and middle income neighbourhoods) and the effectiveness of existing and potential strategies of citizen consultation. We theorize that service satisfaction can be determined by users' perception of the quality of services rendered. We further sought to probe whether being consulted and included in the process of Charter design could engender shifts in the perception of bureaucratic responsiveness among citizens. While the community meetings constituted inquiry into whether a process of community participation that would target improvements in local service delivery could succeed, it was also important to know to what extent the participation gap in Kampala is defined by income levels and neighbourhoods. Secondly, are there tools and resources that differentiate these neighbourhoods? If so, what are they and can the resource gaps be moderated? Third, does the de facto gap in participation – participation inequality – erode the principle of equality among residents?

Community discussions were structured in a way to provide collective input into the design of the new city Charter, which was initially to be inaugurated in Kampala in 2019. The delays and impact of COVID 19 disrupted much of the original schedule and to date, while we are informed that the document was fully developed, no plans have been announced for its inauguration.

Based on project planning, some key additional activities that informed the project objectives were to include: (a) a widening of the consultative process and strengthening of the measurement strategy (b) the addition of a dissemination phase where KCCA officials present the charter to citizen groups around Kampala---these presentations would be implemented experimentally and crossed with the deliberative fora, and (c) the deepening of measures of political activity and political influence.

These activities would take advantage of the possibilities offered by smaller project to enhance our understanding of the structures of political inequalities and how participatory processes and standards agreements can (or cannot) address them.

These activities sought to address:

- (1) Innovation in the measurement and analysis of political inequality by producing richer measures and better powered analysis.
- (2) Use more credible measures of willingness to engage politically by making demands and contributing to public goods.
- (3) Assess the *effects of a charter* generated.
- (4) Deepen and extend the analysis of the *effects of participation* in processes on claims made by individuals on institutions.

Key themes from the qualitative research project:

The paper highlights five key themes that emerged from the community meetings:

- Resident awareness of KCCA responsibilities for service delivery and their quality and adequacy
- Service accountability systems and resident participation gaps by income based neighbourhoods
- Representation structures, governance and the impact on service accountability across income-based neighbourhoods
- Resident participation in accountability processes as a means of improving service delivery
- Reforms to address participation inequality by aligning representation with accountability across income-based neighbourhoods.

What was repeatedly articulated as key issues by the residents was, among other: KCCA responsibility for service delivery; income and politics determining service delivery choices; resident voice and mobilization - representation; accountability gaps – reversal of decentralization and subsequent displacement of democratic governance; poor service delivery; aggressive taxation; corruption; resident aspirations and collective action.

1. Resident awareness of KCCA responsibility for service delivery

Respondents consistently identified KCCA as primarily responsible for a number of areas of service delivery although in most areas the services were said to be inadequate or non-existent. Some participants insisted that since the central government had taken over KCCA, they were the ones responsible. But from the point of view of the **expectations of the residents**, the range of services cited were both clearly in municipal jurisdiction and included: ***garbage collection and disposal; water and sanitation; road construction and maintenance; health care services; education; planning; road lighting for night life; road cleaning, sweeping and removal of dead animals; public toilets; regulating health care service; processing land titles; safety and security.***

These services were both identified as the responsibility of the Authority as although there was the acknowledgement that in a number of cases, the Authority itself did not deliver the services but has downloaded them on to private contractors. The phenomenon was both frowned upon and appreciated depending on the neighbourhood. What seemed to influence the residents' opinions is the effectiveness and quality of the service. Most responses suggested that most services were weak or poor, while in a number of neighbourhoods, there was some acknowledgement that the services existed and were fair. In a number of the neighbourhoods, the focus of the discussion about the Authority was on the aggressive tax collection effort of the Authority. Concerns were raised that while the tax collection was very effective, it did not match the service delivery.

KCCA provided services range from neighbourhood to neighbourhood. While participants from some neighbourhoods identified the provision of mosquitos nets, vaccination, clearing some drainage channels as important, in some other divisions, it was local garbage collection as alternatives to city collection – private arrangements where they claimed KCCA had abandoned the responsibility. Increasingly services are privatized and charges demanded of residents for them instead of being provided by KCCA. Or they are inadequate to the needs of the community. For instance, there are two garbage pick-up trucks for 119 villages in Kawempe division. In some neighbourhoods such as Bwaise, LCs (local elected leaders) collect money and organize collection as a response to poor service. However, most participants agreed with the proposition that KCCA should be back in the business of garbage collection and removal. As one participant put it:

“KCCA needs to affirm the initiatives of local councils, in rubbish collection, when the LC’s try to collect funds to get garbage put away, KCCA informs the community that this is done for free and yet their trucks do not collect rubbish”

The service most referenced as ‘contracted out’ was Solid Waste Management. It is the most widely accepted privatized service and the Authority has even set up a Solid waste management office as a point of entry for concerns and demands for service. Increasingly, in response to the service gaps, partly arising from the privatization of the service, residents are assuming the responsibility of providing services privately and through collective action. When it comes to garbage collection, residents discussed efforts by private sector providers to offer the service at various scales – very micro and some medium and large scale service deliver. Major private companies such as ‘**Home Klin**’, ‘**Up Deal**’, etc are providing garbage collection services privately in places like Ndeeba, Kisenyi, Kyebando, Bwaise, Kawempe. There is some resentment because residents and business people have to pay for these private services but also pay tax assessments which go to an Authority supposed to provide the services they are paying for.

Participants also indicated that the governance structure was causing confusion in service delivery. Existing by-laws require individuals to dispose of their garbage but few, if any have the individual capacity to meet that obligation. There is a difficult distinction to sustain when it comes to maintaining roads and clearing drainage. Drainage channels are supposed to be cleared by KCCA and roads refuse cleared by community. But refuse easily finds its way into the drainage and since the channels are often not cleared and they flood...and the refuse ends up on the roads. They argued that these problems are connected. Failure to deal with garbage disposal often means that it ends up in the channels and blocks them and when they flood, the water often ends up in people’s houses and exposes them to health concerns such as cholera. Drainage is poor because waste is dumped in it leading to unhygienic outcomes that represent health concerns. Participants also complained that children have even been carried away in the drainage floods. Concerns were particularly expressed about ‘Nalukolongo channel’ in Rubaga division.

Road maintenance, repair and Security/street lights:

Participants identified the fact that access roads have not been repaired for over 20 years. Potholes disrupt transportation and are a risk to pedestrians as cars dodge the holes. The potholes are a never-ending feature of too many Kampala roads. Road construction is behind schedule and there is a lot of traffic on the roads. One persistent complaint was the issue of traffic jams in the city, that residents encounter daily and have to navigate with frustrations, losing hours of valuable time just to get through the jam to their destinations.

It takes too long for KCCA to respond to reports of decay and potholes. Participants asked: “***why are there no intermediate measures?***” “***Where are all the graders?***”

While much of the gaps in service are met through privatized service delivery, there are also some Community based organizations (CBOS) and Non-governmental organizations (NGOs) who are also involved in some service delivery. Groups such as Gwanga Mujje (in Bwaise) are mobilizing the residents to organize their own service delivery. Another example is what happened in Nakasero with street lights to address a security concern. Solar panels were experimented with to power street lights by a local residents group in Nakasero – motivated by concern of crime in the area

Most of the education services have long been privatized although a few ‘public’ schools exist under the responsibility of the Authority. Principally though most providers are - ***Banakyewa*** - or private service providers – most of whom are poorly or not regulated at all.

The same goes for health services. While there are some public health facilities, they are dwarfed by the private providers of various sizes and again much of the sector is poorly regulated, often with adverse consequences.

2. Service accountability and residence participation gaps related to governance and representation structures across income-based neighbourhoods

In response to the questions about what determines adequacy and quality of service, there were a number of responses offered, with perhaps the most suggesting that it is an imperative of politics and how income shapes the political decisions and who has access to the political decision makers. Participants argued that politics dominates access to services and also access to the officials based on the neighbourhoods they are in. Proximity to political (and bureaucratic) leaders is crucial to residents’ ability to raise concerns about services.

According to a participant in Bwaise: “*Politics decides which areas have paved roads and which don’t*” They also argued that “*Politics decides access to employment opportunities in KCCA*”. The socio-economic dimension is important as demonstrated by such claims as the one from a Nakasero participant that “*Those in Kololo get better access to officials because they have proximity to officials who live in the community.*”

Participants suggest that proximity to power is determined by the income status of neighbourhoods. Related to this observation, participants also pointed to corruption as another challenge barrier to access to services and to access to officials to express their concerns about service delivery.

As well, participants identified the tension among the elected and appointed leaders as also impacting the delivery of services adversely. In Ndeeba, participants claimed that a market was torn down but not replaced because of the conflict among the leaders. Leaders don't work together across party lines and party politics is a problem as well. In Kyebando, an LC participating in the community meeting claimed that while residents can easily reach him to present their concerns, they are not able to reach any of the bureaucratically appointed service commissioners who do not live in the area and are very remote. He suggested that residents confront him at various community ceremonies such as burials, weddings and kwanjula. That level of proximity to the residents works in their favour in the same way that political proximity works in the favour of the residents in more affluent neighbourhoods where decision makers live.

The centralization of power in the Authority is part of the problem. The office of the Lord Mayor is outside of the line of authority so it cannot make sure that concerns are addressed. When the Council submits reports, they are disregarded because the appointing official is the Central government.

The authority shifted effective service delivery accountability from elected leaders to bureaucrats who do not have local connections or social accountability

“They don’t come to funerals or weddings so we can’t hold them accountable even in those venues”

“The shift from KCC to KCCA changed everything” Ntinda participant

The shift in accountability channels created a struggle between elected leaders and bureaucrats – the tension was even reflected in the struggle between the Mayor and Executive Director, along the elected versus appointed axis. Sometimes the intervention of forceful, charismatic councilors such as **Mr. Asimwe** in Naguru can make a difference as it did on the garbage collection issue. But this was a mixed approach that involved local collective action – youth mobilized to collect the garbage. Many participants argued that local resident mobilization is not an alternative for KCCA meeting its responsibility of regular garbage collection.

Many participants indicated that they see the tension as negatively affecting service delivery.

“We made a mistake to elect representatives that are not NRM. The President keeps saying it again and again” Naguru participant

“KCCA can spend five months without coming to collect garbage. They are not doing enough. But more so, we had an NRM MP and government used to give us services, but when we elected an FDC MP, we stopped receiving services. We demand that government should stop politicizing service provision.” Naguru participant

There was also a broadly held sentiment that Local Council chairs (LCs) – who are not paid for their elected role are otherwise expected by residents to speak for the people and resolve local needs. LCs claimed that they are expected to be available at all times – they have legitimacy in the community but it comes with high expectations of representation when there are grievances. It was noted that Councilors receive 3m, while LCs get no official compensation. They improvise by using their ‘stamps’ as a source of income to ‘facilitate’ access to basic government functions.

“Local Councils are placed on a lot of community burden and yet they have little authority to address these issues. LC’s also need to get a salary to support the activities they offer to the community. They are meant to provide letters on headed papers, meet certain services and yet they do not get any salary.”

“We swear the same oaths as the councilors” Naguru LC

He described process of representation as LCs receiving complaints which they work up the chain of representation – these would include concerns about road repair, garbage collection - to the councilor, who then escalates it to the Council.

“Without me, they would not know what’s going on in Naguru...” Naguru LC

There was acknowledgement that LCs play a crucial often informal role in community problem solving without the resources or the statutory authority. This is a clear vehicle for resident concerns about service adequacy and quality being articulated.

Participants complained about what they claimed was social distance between appointed bureaucrats and residents because they are not in places where the people are and they are not approachable – “tebagambwako”

3. On the question of representation, income and partisan politics determining service delivery choices.

There is a sense that the complex representation system involving layers of elected representatives and then overlayed with central government appointed political minister and executive director and a bureaucratic system that answers to this unelected structure impact service delivery. Participants indicated that there is the continued attachment to the elected levels of leaders who are accessible by the people. The residents are working out this question of representation as they try to articulate their concerns about service delivery and taxation and sense of fairness.

Participants also don't feel empowered to demand accountability from bureaucrats. They are more likely to go after elected officials, which shows a major flaw in the accountability process. This may be mitigated by the Charter to a point. Residents understand that if they need to raise concerns they can contact councilors, LCs, as well as Mayors. LCs are the most likely point of contact. Residents also organize collectively in CBOs to advocate for their communities. A constant concern is that when concerns are articulated, they are not acknowledged or addressed. Sometimes the party identity of the individual or members of the group determine if they are listened to or not. Separating party politics would help. In Ndeeba, residents indicated that the question of the market that would serve Najjanankumbi, Kabowa, Lubaga and Ndeeba has been raised for five years without response or resolution.

Ideally the services should be delivered similarly across the city. Those who represent residents should be responsible for ensuring equity on services. However, participants from a number of neighbourhoods suggested that residents are not treated equally across divisions based on social class and status. *"Except when it comes to tax collections, then all residents are the same Maybe."*

To many, the differences in neighbourhoods based on income was also said to determine what quality of services residents get because those with political proximity are able to get better services for their neighbourhoods. What was striking was the list of services that participants in Bugolobi, and Muyenga said were available such as garbage collection, street cleaning and road repair, that participants in neighbourhoods such as Bwaise, Ndeeba and Katwe claimed were absent.

Many participants believe that some residents are more likely to be listened to than others depending on the neighbourhood – Kololo, Bugolobi, - while participants from both low-income and middle-income neighbourhoods shared the observation that income determined who the KCCA officials listened to, participants in low income neighbourhoods suggested that the residents in middle income neighbourhoods have a sense of self-entitlement. A number argued that KCCA attends to the rich differently than the poor. Some of the comments made included the following:

"If a dog is killed on the street, it takes ten minutes to remove it in Kololo and days in Ndeeba."

"We are not considered important"

'Let the rich be served since God has favoured them'.

"Residents are not treated the same in different divisions. Even when you watch the news, you see how people are arrested is different in different parts of the city." Ndeeba participant

4. Accountability as a means of improving service delivery; and reforms to align representation with accountability across income-based neighbourhoods to address participation inequality.

Participants were affirmative in their assessment of a formal mechanism for expressing concerns and ideas about service delivery in Kampala. Many argued that there is no point of contact for complaints at city hall. If there are procedures residents don't know them and so they are not effective. There was a sense of a connection between civic participation, accountability and better service delivery outcomes. However, many participants could not articulate how to get there. They mostly expressed a sense of powerlessness to change the status quo even though most has strong feelings about the lack of services or the poor quality of services.

Many said that residents **feel intimidated** to approach KCCA officials who they did not vote for. When asked about that could be changed, there were few ideas. A number of people spoke about a **Complaints Bureau at KCCA or in the KCCA departments** but few had either heard about it or used it. The general sentiment was that there was no effective mechanism to address the accountability gap. There is no feedback mechanism when residents approach KCCA to complain about problems in service.

Many suggested the use of local leaders who better understand the needs of the residents.

“Sensitize the people on issues; but also, when people are arrested areas of redress need to be clarified since offenders are taken directly to jail without trial.”

It was noted that KCCA administrators do not go to the people. The sense is that they don't know the areas they have responsibilities for. It was suggested that:

“There should be an accountability office in KCCA”

But there was also skepticism expressed based on the income different neighborhood dynamics.

“Those in the richer areas are more supervised than those in Kawempe because of the class of people that stay here”

“KCCA is defunct in our area”

The question of fairness/equality was repeatedly discussed - **Obwenkanya**

A number of participants suggested that there is a need to empower elected officials who have accountability. It was noted repeatedly that accountability was essential to improving services and that it needed to be established through people who are regularly accessible to residents – a form of local democracy.

Participants alluded to another form of citizen participation involving the idea of collective action by citizens – to provide services but to also demonstrate to the Authority what services were needed and at what quality. So there was a lot of discussion about modes such as **Bulungi bwansi** – collective action and local mobilizations

These are said to impact on policy outcomes when it comes to such actions as privatization of markets; road renovations; garbage collection.

Ironically, some indicated there have been instances when KCCA has organized consultations and the people have not shown up. For instance, it was noted that they offer training on sanitation but for a purpose because they sometimes follow that up with breaking down the people's toilets.

"I would not say KCCA has not worked...it has not worked well enough to meet residents' expectations" Naguru participant

“Residents need voice and mobilization”

Youth engagement system – Naguru United – taking on garbage collection; Titanic; Balunaba;

Role of CBOs

The role of CBOS was also suggested as a critical bridge between residents and KCCA. Many exist but require certification/licencing by KCCA – a form of control/regulation. Participants suggested that this regulation has the effect of discouraging collective action. They say that community organizing will flourish if the KCCA removes these barriers to organizing. Some of the established one include:

- Women's organizations
- Youth organizations
- Naguru united youth
- Naguru Teenage Centre
- CIDI – Community Integrated Development Initiative – water provision

Taxation, planning and representation

Finally, there are two key areas that were identified as representing a real gap in resident participation and yet they would contribute greatly to the relationships between the Authority and the residents as well as improve service outcomes. These are city planning and taxation. The city routinely changes planning maps and designs without consulting with residents and they are left to deal with the consequences. Similarly with taxation, particularly enforcement,

there were many complaints about how it is done, both aggressively and unfairly. No resident discussions are ever held to discuss enforcement.

City Planning

City needs planning...for a city its size in terms of population, the roads are too narrow, the drainage system does not work, the fire department is always late, building plans don't reflect the standards that the city should uphold, when you take an architectural plan to KCCA for approval, they demand astronomical bribes (Shs.20 million). There is no proper zoning... you find refuse and human waste close to places where food is being prepared in Ndeeba.

For instance, there is no market in Ndeeba and yet it is a high-density area. Resident/KCCA planning should address such a gap. Participants in Kisenyi complained about the redevelopment of Namirembe Rd without public consultations, converting it into a one way single lane road and adversely impacting the businesses on the road. They gave examples of how an international NGO held community meetings with residents and went on to build canals to move overflow rain water in the City that KCCA had neglected. They said it was through a better understanding of what was of most concern to the resident, stagnating water that led to disease, that this project happened. KCCA could learn something from that episode.

Taxation – as a question about city government legitimacy

Kampala is said to be a city with the one of the highest tax burdens which should suggest that residents expect taxes to translate into service delivery. But while some areas have services like roads, most participants in the various divisions reported that they don't have adequate services. Participants noted that the tax burden should at least translate into some services. This observation was expressed across the income spectrum. This is one of the issues driving a sense of unfairness expressed by many residents in the various of divisions.

Moreover, the taxation was said to be arbitrary and predatory – targeting low end market vendors with harsh enforcement; Kiosks; landlords; small businesses and even street vendors. Participants observed that tax assessments are by zone not business type so that assessments for vendor in some locations can be at rates similar to supermarkets. Property rate – 6% across the city regardless of size of property/home.

In particular, participants identified aggressive enforcement by KCCA officers as highly disruptive, callous and uneven. In some neighbourhoods, Kiosks are outlawed while they can operate in others. There is also a gendered dimensions to the unequal treatment as women who carry out most of the street vending business have their items routinely confiscated and thus are unable to save to improve their livelihoods. **Abatembeysi** (hawkers) – who already lead precarious existences are vulnerable to regular abuse and cannot hold KCCA accountable because of their subordinate position.

Many young people who operate as hawkers are also regular targets of enforcement and they complained about the harshness of the enforcement. Enforcement staff not trained and often treat people viciously – in coordination with local police. Participants observed that routinely, discontinued staff retain their uniforms and IDs and use them to extort from local vendors. This suggests that there are levels of corruption in tax enforcement.

Street vendors have been known to commit suicide because of the loss of their livelihoods through aggressive enforcement

They observed that this type of aggressive, arbitrary and corrupt enforcement creates a sense of delegitimization of enforcement – and some referred to the KCCA enforcement as '**batuju**' (terrorists)

In this context, introducing a **Residents' Charter** would help since, as some said, it would give them **courage**/permission to demand accountability if the KCCA itself tells residents that they are free to demand accountability

5. Reforms to align representation with accountability across income-based neighbourhoods to address participation inequality.

Research suggests that civic participation produces better citizens, meaning that there is value in encouraging broad participation of residents in the affairs of the city. Greater participation is said to lead to more political awareness and subsequent active engagement. People are said to increase their understanding of the political process through participation, appreciating its complexity and potential for social solutions. The argument is that the entire resident population stands to benefit from participation as people articulate the issues that government should address. Evidence shows that governments are less likely to consider the concerns of the segments of the population that are silent or unrepresented. A further concern is that when social problems go unaddressed that may ultimately lead to political and social costs to the City. This is the theory behind the attempt to establish and to engage Kampala residents in the development of a City Residents Rights Charter. For our purposes, it was important to know to what extent the participation gap in Kampala is defined by income levels and neighbourhoods differences. Are there tools capacities and resources availability that differentiate these neighbourhoods along income lines? If so, what are they and can the resource gaps be moderated? As well, does the de facto gap in participation – participation inequality – erode the principle of equality among residents?

In response to questions asked, many participants suggested that they have a lot of grievances and ideas but no vehicle by which to present them to the Authority. They also claimed that residents don't know the law. They hear about the constitution, understand that they can quote the constitution and make demands, but don't know what demands they can make effectively. They also don't see anything similar at the City level. They don't know the by-laws and no one is

advocating for enforcement of By-laws or any rights that flow from the city by-laws. So they have no place to start. As one said: **Obwogelero tetulina** (we have no means of saying anything about anything). That is why a discussion about an enabling charter makes sense in this context. From their discussion of the question of accountability for city service delivery, participants seemed to embrace the idea as both useful, practical and also feasible.

The central idea of the charter is that the clear enumeration of citizen rights and the responsibilities of City authorities will make it easier for citizens to demand and access services and to hold the City accountable. The formalization of these rights in a charter that can be popularized can give citizens an '*equal claim*' to services that they might not otherwise feel they have a right to make a claim against. This is the situation the research identified with regards to residents in Kampala. The responses of participants in the qualitative data project confirmed these assumptions. The core idea behind a participatory approach to establishing a charter is that by engaging citizens in establishing expectations, citizens will feel empowered to act on these expectations because they will have a sense of ownership of the process. Secondly, residents can have what can be described as an equal voice in the governance of the city, regardless of neighbourhood, to the extent they are able to mobilize and engage actively in political discussion through formal and informal City structured processes.

The literature generally suggests that information about government performance is a prerequisite for accountability. But as Gotlieb (2016) has argued, performance information is not sufficient to lead to accountability. Voters need a reference point to measure what is reasonable in terms of expectations in order to hold authorities accountable. And information to create such benchmarks or reference points for accountability is sorely lacking in many contexts. That is why the provision of a charter of rights represents a critical pillar in generating reasonable expectations and demands that they be met. A charter is not the only way to achieve this since there are number tools and forms of ways residents can use to influence city government beyond elections are an important consideration in seeking to close the participation gap. But it is a compelling idea because it provides a benchmark, raises or enumerates expectations and can be a tool for mobilization. In particular, raising residents' expectations is an important means for making accountability demands lead to better service delivery outcomes. Low expectations are harmful to governance and to service delivery because they mean residents settle for low or poor performance. They have negative implications for accountability as well. Gottlieb's (2016) experimental study of how to improve accountability for residents through civic education in Mali looking at 95 localities, suggests that the act of raising population expectations of their local governments made the authorities change their behaviours in anticipation of some form of voter sanction.¹¹ Creating mechanisms that raise or

¹¹ Gottlieb, J. (2016) Greater Expectations: A Field experiment to Improve Accountability in Mali. American Journal of Political Science. Vol. 60, No. 1 pp143-157

maintain high resident expectations of their governments is a crucial pathway towards effective accountability.

In other research from other jurisdictions, it is suggested that experiments seeking to understand the relationship between citizen involvement, legitimacy and outcomes that get that citizen or resident engagement in creating conditions of accountability offer an effective formula for getting service delivery outcomes. Essaisson, et al, (2012) in their discussion of legitimacy enhancing decision making argue that particular decision making arrangements tend to generate the most legitimacy among the population and also the most effective delivery when it comes to policy and program implementation.¹² They attribute the positive outcome partly to the role of the population in what they call participatory constitution making – citizens engaged in making the rules. All of these should line up well with the residents' rights charter initiative in Kampala.

However, while the question of whether the residents of Kampala were interested in participating in a process that provides some assurance of holding the KCCA accountable was answered unequivocally during the community meetings, the question of whether they would participate in constructing that process, by engaging in the process of creating the Kampala Residents' Charter, was not either sufficiently canvassed or was not well understood because it did not get a clear response.

Conclusion

A qualitative research project was undertaken in Kampala's five divisions in 2019 with a focus on better understanding the extent of inequality when it comes to service delivery and residents' expressions of their opinions on the performance of the Kampala City Council Authority (KCCA). The project was undertaken in support of the project to establish the Kampala residents' rights Charter. It sought to answer such questions as: *Are residents aware of the role and responsibility of the Authority (KCCA) in service delivery? Are they aware of inequalities in service delivery and quantity/quality of services and do they have a mechanism(s) for addressing them? Do participatory processes reduce or reproduce political inequalities particularly across income differences by neighbourhood? Does the formalization of rights and expectations reduce inequalities in access to services? Are residents more likely to engage with and utilize political institutions that they had a role in establishing?* Based on analysis of data from a series of community consultations across the five divisions of Kampala City conducted, we conclude that most residents are aware of a vast range of services they expect the Authority to provide but

¹² Esaiasson, P., M. Gilljam & M. Persson (2012) Which Decision-making arrangements generate the strongest legitimacy beliefs? Evidence from a randomized field experiment. The European Journal of Political Research. Vol.51 pp 785-808. Along with participatory constitution making, they suggest that personal involvement and fair implementation of arrangements also enhance legitimacy and outcomes. Their focus though is on higher level rule-making as opposed to City level charters.

don't. They demand for accountability for service gaps through a variety of ineffective means, exacerbated by political competition between the Authority (a central government creation) and local elected officials that they think need to be reformed. They identify service inequalities and inequalities in articulation of their grievances based on the incomes of the neighbourhoods and partisan politics. Given the foregoing, we argue that accountability in local governments such as the Kampala City Council Authority, requires power sharing between the mayor and executive director, as well as other layers of elected local authorities such as Division mayors and councils and local council officials, but also action to enhance bottom-up accountability, checks and balances. It is suggested that the establishment of a Kampala Charter can serve to enhance such bottom-up accountability by formalizing standards of service and empowering residents to make demands of both elected and appointed officials. It can help establish values and priorities, influence service delivery strategy and investment, and infuse the culture of the authority with a sense of purpose and commitment. The obvious open question is: what are the chances that such institutional reform (a residents' charter) can, in fact, transform the conduct of the Authority? What mode of implementation can help answer this question?